

**LAND TENURE AND SUSTAINABLE LIVELIHOODS IN THE
LAWRA DISTRICT, GHANA**

By

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DECLARATION

I hereby declare that this submission is my own work towards the Master of Science degree and that, to the best of my knowledge, it contains no materials previously published by another person nor material which has been accepted for the award of any other degree of the University, except where due acknowledgement has been made in the text.

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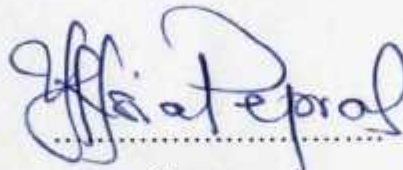
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DEDICATION

This work is dedicated to my parents, Mr. Luciano Namine and Madam Rose Kuuper for the foresight they had to send me to school even though they had no formal education.

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ABSTRACT

Land is the mainstay of human's life, from it man depends for his survival. It comprises the earth surface, what is below it and what is above it. All the legal rights, be they contractual or customary, that guide the ownership and use of land is referred to as the land tenure system. Land tenure system is a major determinant of sustainable livelihoods – it is a guide to land accessibility and the uses to which the land could be put to.

Lawra district has an economy that predominantly relies on agriculture for its sustenance. The main objective of this study is therefore to assess the land tenure system in the district and how it affects the livelihoods of the people. Recommendations are then suggested on how to sustainably maximise the benefits from the use of the land. The cross sectional model, which collects data at a single point in time was used to collect the data.

The results of the research show that land in the district was in the hands of the 'tendana' who alienated it to various family/clan heads. These family/clan heads have also divided the land among the various households who now exercise absolute control over the land. The 'tendana' is now just a ceremonial custodian of the land but he does not interfere in dealings concerning the land unless it is what he retained for himself. Chiefs play very minimal role in land matters.

It also came out clear that anybody could have access to land through inheritance, purchase or gift. Sale of land is common in the towns, whilst in the villages it is still maintained that land is not for sale, perhaps because no one has made the offer to buy. It was however realized that formal documentation of titles to land is not done because the land delivery agencies do not operate in the district and those that do are not efficient enough.

The land is basically used for farming and building purposes. Land was however found to be limited in supply and highly fragmented, which do not encourage commercial farming. Yields too are declining because the land keeps reducing in both size and fertility and also because of low adoption to improved cultural practices. Sustainable livelihoods in the district are therefore seriously threatened.

Formation of cooperatives to pool their resources together and also take advantage of financial services and other training from both governmental and non-governmental agencies is recommended. It is also suggested that land securitization be introduced to attract other investors to come in and use the land without necessarily selling out the land so that the future generation can still benefit from it. Again, titles to land should be perfected to boost prospective investors' confidence and also forestall the occurrence of land problems that bedevilled land management in the cities. Agriculture should also be modernized and irrigational facilities be provided to make use of the Black Volta and also encourage all year farming. These suggestions would help manage the land sustainably and also help boost yields which would go a long way to make livelihoods sustainable in the district.



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ABBREVIATIONS AND TERMS

CBRDP	Community Based Rural Development Project
CPP	Convention People's Party
CSIR	Council for Scientific and Industrial Research
CSM	Cross-Sectional Model
DADU	District Agricultural Development Unit
DWST	District Water and Sanitation Team
DMTDP	District Medium Term Development Plan
GSS	Ghana Statistical Service
IFAD	International Fund for Agricultural Development
ICT	Information and Communication Technology
ISSER	Institute of Statistical, Social and Economic Research
JHS	Junior High School
KVIP	Kumasi Ventilated Improved Pit
LAP	Land Administration Project
MOFA	Ministry of Food and Agriculture
NBSSI	National Board for Small Scale Industries
NDPC	National Development Planning Commission
NGO	Non-Governmental Organization
NHIS	National Health Insurance Scheme
NLP	National Land Policy
OASL	Office of the Administrator of Stool Lands
SHS	Senior High School
SL	Sustainable Livelihoods
SPSS	Statistical Package for Social Scientists
Tendana	Chief Priest (Normally the First Settler on the Land)
UN	United Nations
UNCED	United Nations Conference on Environment and Development
UWADEP	Upper West Agricultural Development Project

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CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

Land is man's main source of sustenance, from the soil and from under the soil come practically all the materials on which mankind depends (Sharp and Engholm, 1942). It is no wonder that mankind has been striving hard since creation to secure, manage and utilize a portion of land at one time or the other. The availability of this rich natural resource to all intents and purpose is fixed and inextensible. It is also capable of losing its value if not well managed.

According to Asabere (1994), cited by Kuntu-Mensah (www.spatial.maine.edu/~pmensah 22/11/08), land commands economic, religious/social and political values. People therefore attach so much importance to its ownership, and one is considered poor, having low social status and detached from one's ancestors if he loses this right of ownership.

Land tenure refers to how the rights to land is obtained and distributed among people. Mensah-Bonsu and Sarpong (2007) see land tenure as the relationship between a tenant and landowner in the acquisition, occupancy and use of a piece of land.

Land tenure systems in Ghana can be looked at from two perspectives. Dale (1997), as quoted by Aryeetey et al (ISSER, 2009), categorized them into the formal and informal or customary systems. The formal tenure arrangement is based on the English common law system whilst existing customary laws guide the informal land tenure system. The customary land tenure system varies from community to community and it is so much rooted in the people that even attempts by the then colonial government to statutorily regulate and control land was fiercely opposed by the colony through the Aborigines Rights Protection Society in 1894 (Mantebea and De Meijere, 2006).

In Northern Ghana, like most Ghanaian communities, the customary land tenure system dominates. It is a complex system, whereby land is communally owned. Land tenure is based on the community's social organization, and the basic unit of ownership is the family or clan.

Control over land ownership in some communities is the hands of the community's spiritual leader, who distributes land to members, mediates land disputes and acts as a link between the community and the spirits of their ancestors. This spiritual leader holds the land in trust for the benefit of the community members. As Mantebea and De Meijere (2006) put it, the living can have access to the land to satisfy their needs as the ancestors did and as the children will need to do.

However, with the increase of population and the advent of urbanization, most lands are being commercialized and their communal ownership quickly giving way to ownership by nuclear families and individuals. Consequently, land is being increasingly commoditized, as land use changes from farming to housing and industrial uses, the change is driven by population pressure (Aryeetey et al, ISSER, 2009). Customary land tenure system is therefore undergoing rapid changes and evolution due to forces of modernization, commodification and population pressure.

Upper West Region, and for that matter, Lawra district, is not an exception to these changing trends in customary land ownership. Land ownership in the district is in the hands of family members, and the mode of alienation is by inheritance and outright purchase. This form of land ownership brings about land fragmentation as extended families tend to divide the hitherto communally owned land among themselves.

Land fragmentation brings about smaller farm sizes per farmer, continuous use of one piece of land with the resultant loss of fertility and scattered nature of land, all of which discourage commercial farming. Even a sizeable portion of the land is left wasted through boundaries that are created to separate the different pieces of land owned by different families.

Land fragmentation therefore has serious implication on livelihoods, which is mainly subsistence farming, in the district. The big question arises as to whether these already fragmented plots of land per family could further be divided among family members as the family sizes increase. This thesis seeks to find a solution to this big question.

1.2 Problem Statement

Poverty is rife in the Upper West Region, which is predominantly made up of rural communities (GSS, 2003). The National Development Planning Commission (2008) rates the region as the poorest in the country with a poverty incidence of 88%. This is partly attributed to its source of livelihoods, which is mainly subsistence farming. In the Lawra district, agriculture employs over 80% of the entire population (www.ghanadistricts.com 15/10/08). This means their ability to access basic services like health, education, water etc. is limited.

The district is relatively densely populated. It has about 90 inhabitants per kilometer square ($90\text{inh}/\text{km}^2$) as against $34\text{inh}/\text{km}^2$ for the entire Upper West Region (Kees, 2002). There is thus pressure on the land for farming, which is the mainstay of the district.

Land ownership is in the hands of families, and this implies that family members can only have access to that piece of land left behind by their forefathers for cultivation. Individual families tend to have smaller pieces of land dotted over all the areas where their forefathers managed to secure and use the land before- both near homes and far. This kind of land fragmentation has some effects on the yields and kind of farming that could be practiced, for that matter livelihoods.

Firstly, the fragmented nature of the land does not motivate people to practice commercial farming, secondly, families are compelled to intensively cultivate the same piece of land year in year out leading to the depletion of soil nutrients and land degradation. Again, the amount of land that each family member can cultivate at a time is seriously limited in size. Songsore (1996) asserted to this when he observes that the economic base of Northern Ghana hinges on smallholder agriculture. Carney (1999) has also observed that resource degradation is an acute problem in rural areas, and that sustainable livelihoods can only be achieved if natural resources (like land) are themselves used in sustainable ways. These constraints mentioned have put the people of the district in a very tight corner as far as sustainable livelihoods are concerned.

The problem even gets compounded as population, and for that matter, family sizes increase. A study by IFAD (International Fund for Agricultural Development) in February 2008 found that

increasing population pressure leads to continuous cultivation in the densely inhabited Upper East Region and a shorter fallow period in the Upper West Region, causing serious deterioration of the land (IFAD, 2008). The 2000 population and housing census portrays that population trends in the two main towns of the district, Lawra and Nandom, have been on the increase. The population of Nandom was 3236 in 1970, 4336 in 1984 and 8060 in 2000, an increase of 34% and 85.9% in 1984 and 2000, respectively. That of Lawra was 2709 in 1970, 4080 in 1984 and 5763 in 2000, an increase of 50.6% and 41.3% in 1984 and 2000, respectively.

With these trends of population increase and the pattern of land ownership in the district, coupled with the sources of livelihoods, one is at a loss as to whether the land can continue to sustain the people or whether other livelihood sources are to be explored and used.

This research seeks to answer the following questions:

- 1 To what uses is the land in the district being put to and what institutions govern the acquisition and possession of lands?
- 2 What are the changing tenural arrangements in the Lawra district?
- 3 How could land be accessed in the district?
- 4 What are the consequences of the land tenure system on agricultural production in the district?
- 5 How could these lands be used and managed for sustainable development?

1.3 Research Objectives

1.3.1 Broad Objective

The study seeks to assess how the land tenure system affects the livelihoods of the people in the Lawra district and how these effects could be arrested.

1.3.2 Specific Objectives

- To find out the main uses of land in the district and the institutions that govern the acquisition and possession of land
- To assess the changing tenural arrangements in the Lawra district
- To investigate how land is accessed in the district for development

- To appraise land fragmentation and its effects on agricultural production
- To suggest recommendations for the use and management of lands for sustainable livelihoods in the district

1.4 Justification for the Research

Land ownership or access to land, to a large extent, determines how one can meet one's daily needs, especially in the poverty stricken rural areas. This study would expose the weaknesses and strengths of the present land ownership systems and the transaction techniques involved. Based on the above, the appropriate recommendations would be suggested to help landlords and prospective landlords to manage and use their respective lands for sustainable livelihoods. The findings could also be used by policy makers and the private sector in carrying out developmental interventions in the area. The study would also add to knowledge on the vast but different customary land tenures that pertain in different communities in Ghana.

1.5 Scope of the Study

The research was conducted in the Lawra district, which is located in the north-western corner of Ghana. The district covers a total area of about 972.5km² (derived from Kees, 2002 and 2000 Population and housing census). The study was concentrated in the eight localities of the district with population of 1000 or more.

The issues considered in this research were land tenural arrangements in the area and how they impact on livelihoods.

1.6 Research Methodology

This section of the chapter looks at the way the research was conducted. It includes the description of the research models, the key variables and indicators involved, the sampling techniques including the sampling frame and size. In addition, it looks at the sources of data, how these data were analyzed, the unit of analysis and how the data were presented.

1.6.1 The Research Model and Strategies

The cross-sectional model (CSM) was employed in carrying out this research. It involves collecting and analyzing data to describe patterns of relationships before any attempt could be

made at explaining causal inferences. As Gray (2007) puts it, the cross-sectional model uses a snapshot approach where the data are collected at one point in time. Also, the cross sectional approach takes a slice of its target group and bases its overall finding in the views or behavior of those targeted, assuming them to be typical of the whole group (<http://en.wikipedia.org>, 22/05/09). It was thus used here to collect information on land ownership issues and how they impact on livelihoods in the Lawra district using just a sample of the people there just at that time. The findings were however generalized to cover the entire population. With the CSM, explanatory factors are statistically controlled.

The model has the following advantages; 1. It can be carried out in a natural setting and allows the researcher to employ random probability sampling, and 2. It allows statistical inferences to a broader population and allows more generalization of findings and eventually increases external validity. It is however weak on internal validity since it lacks adequate control over rival explanation.

The comparative research method, which is one that compares two or more issues or geographical areas using the same variables, was also used. By these methods, the same data were collected at the eight localities and analyzed to come out with findings. The findings for the areas were then compared to see if there were any striking differences among the traditional areas as far as land tenure is concerned.

Focused group discussions were also held with the elderly in the society who are perceived to be knowledgeable in customary land issues.

1.6.2 Data Collection

1.6.2.1 Secondary Data

Secondary data were collected by reviewing literature on issues relating to the study from both published and unpublished documents and the Internet. Literature on land and land tenure issues, interest in land, land delivery agencies and recent land management measures in Ghana as well as sustainable livelihoods and how land tenure affects it were reviewed. The DMTDP (2006-2009) was also relied on for some information.

1.6.2.2 Fieldwork and Selection of Respondents

For the primary data, structured and semi-structured questionnaires were used to collect data on the households. For the farm sizes, observations were also made in determining them. Open ended questionnaires were also administered to both traditional authorities and land delivery agencies to find out their respective roles in tenural arrangements in the district. For the sake of triangulation, focus group discussions were also held. Thus, the main tools used in collecting the primary data were observations, questionnaires administration and focus group discussion. The sources of data were the households, traditional authorities, governmental agencies and the general public.

The sampling was done using households in the selected localities. The statistical formula: $n = \frac{N}{1 + N(\alpha)^2}$ was employed in coming out with the sample size. Where N = Total Population, n = Sample Size and α = Margin of Error.

A sample size of 100 was selected for the research. With this sample size, the questionnaires were administered proportionally taking the population of the eight (8) localities into consideration (Refer to appendix I in p.94 for the calculation of the sample size and the proportions). This is as a result of the population differences and also assuming that the household sizes are evenly spread out over the district.

With the land delivery agencies, four of them were interviewed (the other two, OASL and the Land Title Registry are not established in the region). The Paramount Chiefs/Divisional Chiefs and the 'Tendana' of the various localities, numbering 16 in all, were also interviewed as well as the District Agricultural Development Unit (DADU). Multiple methods were used in gathering the data to ensure their reliability.

Multi-stage sampling involving both the probability and non-probability sampling techniques were used in this research. The localities were first selected using purposive sampling. This is a sampling technique that selects samples to satisfy a particular criterion, in this case, a locality with population of 1000 people or more. The simple random sampling, which is a type of probability sampling, was then used to interview the households in the selected localities.

The lotto style was used in the simple random sampling to give equal chances to the sample population. The purposive sampling was also engaged in interviewing the traditional authorities and governmental agencies.

1.6.3 Data Analysis and Presentation

Quantitative data that was obtained from the survey had been analyzed by use of statistical means. Pie charts, histograms and other mathematical curves and diagrams were used to present the outcome of the analysis. The SPSS was very instrumental here. Qualitative data was analyzed using theoretical or descriptive frameworks.

1.6.4 Variables and Indicators

The various variables and indicators as spelt out in the research questions are presented in Table

1.1. Unit of analysis as used here determines how the researcher measures variables and themes. They refer to the type of unit a researcher uses when measuring (Kreuger and Neuman, 2006). Variables are empirical properties that can take on two or more values. Farm sizes, land uses, agricultural produce etc are examples of variables in this research. Indicators show the observable characteristics of the variables, example, the level at which a farm is fragmented could indicate the size of that farm.

1.7 Organization of the Research

The study is structured into five chapters. Chapter one looks at the background to the study, the problem statement, objectives of the study, scope of the study, the methodologies employed and limitations that came the way of the researcher in the process of the study. The second chapter is devoted to the conceptual framework and review of literature on what other people have already done relating to this research topic.

Chapter three focuses on the profile of the study area including its location and size, physical characteristics, socio-cultural issues, economic activities and possible potentials and challenges. The fourth chapter comprises the presentation of data obtained from the field, their interpretation and analysis. Whilst the final chapter is devoted for the summary of findings, drawing of conclusions, and based on these, recommendations and further research areas are suggested.

Table 1.1: Variables and Indicators

Research question	Unit of analysis	Variables	Indicators	Source of data
1. To what uses is the land in the district put to and what institutions govern the acquisition and possession of land?	1. Households 2. Land delivery agencies 3. Traditional leaders	1. Land uses 2. Rules and regulations on land acquisition procedures 3. Land	1. Existing land uses 2. Established customary and formal institutions	1. Literature review 2. Households survey 3. Stakeholders survey 4. Observations
2. What are the changing tenural arrangements in the district?	1. Tendana/Traditional leaders 2. Families/Clans 3. Land delivery agencies	1. Land ownership pattern 2. Persons controlling the land	1. Land fragmentation 2. Land owning bodies 3. Land regulatory bodies	1. Literature review 2. Stakeholders survey 3. Household survey
3. How could land be accessed in the district?	1. Land 2. Regulations on acquisition of land	1. Availability of disposable land 2. Demand for land	1. Vacant land 2. Requests for land from land owning bodies	1. Interview with land delivery agencies, Tendana, Chiefs and households
4. What are the consequences of the land tenure system on agricultural production in the district	1. Households 2. Agricultural produce	1. Agricultural production levels 2. Farm sizes	1. Fragmented land 2. Number of people in agriculture 3. Number of years a farmland is left to fallow	1. Household survey 2. Interview with district assembly (DADU) 3. Observations
5. How could the land be used and managed for sustainable development?	1. Various land uses 2. Customary and formal land delivery agencies	1. Rules governing land management 2. Accessibility to land	1. Uneconomical Uses of land 2. The performance of the various land delivery agencies	1. Literature review 2. Interview with land delivery agencies 3. Observations

Source: Author's Construct

1.8 Limitations to the Study

- Distance of the research area to the student's school, this made follow-ups and clarification very difficult after the collection of the data. I had to rely on phone calls to clarify certain issues. This made the work expensive.
- Illiteracy is high in the study area, some respondents did not see the need to grant me interview. Some insisted on me interviewing the family head who always happened to also have his own household.
- Land issues are considered sacred, some respondents were not willing to discuss them openly. It took me a lot of diplomacy for them to grant me the interview.
- The localities in the study area are quite a distance apart. The movement within them added to the cost in terms of time and finances.



CHAPTER TWO

LAND, LAND TENURE AND SUSTAINABLE LIVELIHOOD

2.1 Introduction

This chapter looks at what land is to different people. Land is a broad term and means differently to different people. The land tenure systems in Ghana are discussed in general terms and narrowed down to what is pertaining in Northern Ghana. The various interests in land that can be held in Ghana are also discussed, as well as the formal institutions that govern land dealings in the country and the most current land management reforms in the country – National Land Policy (NLP) and Land Administration Project (LAP). Sustainable livelihoods and how matters on land can affect them are also looked at. The chapter ends with a conceptual framework which serves as the basis of analysis.

2.2 Perception of Land from Different Perspectives

Different people refer to the term land differently depending on their interest and outlook. Land embraces the atmosphere, the soil and underlying geology, the hydrology, and the plants on, above and below a specific area of the earth's surface. It also includes the results of past and present human activities as well as the animals within this area, in so far as they exert a significant influence on the present and future uses of the land by man (Brinkman and Smyth, 1983). This definition of land sees it as the earth surface and all other things that are around and are attached to it, whether beneath or above it and which determine the use to which this earth surface could be put to.

Brinkman and Smyth (1983) go ahead to look at land in various forms. Land as space is seen as three dimensional, unchangeable and fixed in quantity; land as nature is defined in terms of natural or man-made ecosystems influenced by natural process; land is a gene resource which is capable of being inherited; land is a production factor, together with labour and capital; land as a consumer good or commodity supports construction of highways, buildings, etc; land as a source of pleasure and recreation; land as location in modern economy and politics; land as property, exerting so powerful an influence upon man's attitudes and actions; and finally, the related legal and economic connotation of land as capital.

Geographically, land is seen as a specific area of the earth's surface. Its characteristics embrace all reasonably stable, or predictably cyclic, attributes of the biosphere vertically above and below this area including those of the atmosphere, the soil and underlying geology, the topography, the hydrology, the plant and animal populations and the results of past and present human activities to the extent that these attributes exert a significant influence on present and future uses of the land (Brinkman and Smyth, 1983).

In physical terms, Bertrand and Corty (1962) add that land is the surface of the earth, embracing all natural resources down to the centre of the earth and extending upward to include a column of air stretching from the earth to infinity. Permanent improvements in the nature of buildings, fences and drains attached to the land are also considered as part of the land. Vegetation such as grass, trees and shrubs are part of the land only as long as they are rooted to the land.

Frequently, the terms real estate, real property and realty are used synonymously with land. Real, in this sense, refers to the lasting or permanent nature of land as distinguished from a fictitious or imaginary existence. This characteristic of land makes it readily adaptable to ownership and control (Bertrand & Corty, 1962).

According to Kirk et al (<http://www.gtz.de/lamin/>, 03/02/09), land stands for property; it is an object of agricultural and industrial use, i.e. a production factor besides labour and capital. Land embodies many more dimensions such as homeland, place of ancestry, a prerequisite for realizing individual freedom, basis for survival, but it is also an object that is taxed and desired by governments and interest groups; it is a basis of power and dependency and a cause of conflict and war. All these ideas tie the physical object to the human idea of how to monopolize, own, use and secure it.

As Leake (1927) observes, land has been the subject of discussion for a very long time. It has been a form of wealth of which persons and communities have, throughout historical times, desired the possession. Wherever a population has settled and numbers have increased a division into two, a landed and a landless section rises, and from time to time the right of ownership is disputed.

As the world has developed, land has become a form of wealth which may constitute personal possession. The contrary view is that land is an exceptional form of wealth. Being the gift of nature, it is the property of the individual, to be used and to be disposed of as his own interests dictate. It is a form of wealth which is limited and cannot be appreciably increased in quantity by the labour of man (Leake, 1927).

Land is considered the most fundamental resource to the poor and is essential to enabling them to lift themselves out of poverty. More than 60 percent of the active population in Southern Africa is dependent on land for livelihood (Mzumara, 2003). Land is seen here as a source of livelihood capable of getting people out of poverty. The rich hold to it as a source of their riches and the poor struggle to get hold of it to alleviate them of their sufferings.

Cheng (1961) also adds his voice to the importance of land to man. He says man cannot live without land, from which he derives his sustenance. Land is the mainstay of human life. Land, he continues, has not changed much in size since ancient times, and the increase in population, if unchecked, would continue to make the supply of land insufficient to meet the demand for it.

Dioné (2005) also observes that in Africa, land is vital for poverty reduction; most rural households rely on it for the survival of present and future generations. Unresolved land problems or slow progress towards land reform threaten a household's survival. Appropriate land policies, therefore, are crucial to ensuring economic survival, for decreasing land-related conflicts and putting communities on a steady course of sustainable development. Thus, land is essential for the development of the individual and the development of a nation as a whole.

2.3 Land Tenure System

The land tenure system embodies those legal and contractual or customary arrangements whereby people in farming gain access to productive opportunities on the land. It constitutes the rules and procedures governing the rights, duties, liberties and exposures of individuals and groups in the use and control over the basic resources of land and water (Dorner, 1972).

Land tenure is a derivative of the concept of natural resource tenure, which in essence refers to the terms and conditions under which natural resources are held and used. The concept of tenure is a social construct that defines the relationships between individuals and groups of individuals by which rights and obligations are defined with respect to control and use of land (Bruce 1986; Moyo, 1995; Shivji et al., 1998 cited by Dioné, 2005).

Adams (2001), quoted by Mzumara (2003) refers to land tenure as the system of rights and institutions that govern access to and use of land. It can be further defined as the terms and conditions under which land is held, used and transacted and is one of the principal factors determining the way in which resources are managed and used, and the manner in which benefits are distributed (Mzumara, 2005).

Bertrand and Corty (1962) add their voice to the definition of land tenure by saying that it is the customary and codified rights which individuals and groups have to land and the behaviour characteristics which directly result from these rights.

Kuhnen (1971) sees land tenure as all the relations established among men to determine their various rights in the use of land. These rights may be fixed by custom or law and are often explained as a complex or bundle of rights which, together, constitute the property, i.e. the right to control an economic good, in this case, land. This bundle of rights is often shared by contract with others. For instance, the owner might transfer the right to cultivate the land to a tenant or the right to cross his field to a neighbour whose land is not directly connected with the road. Land tenure is thus not a single right, but categories of rights which could be owned by different people altogether. It is important to recognize that in an agrarian society, the type of tenure which a man has determines to a great extent his social status and his economic well-being.

Systems of land tenure are not immutable. On the contrary, they are subjected to a continual process of change. Changes in the natural growing conditions and economic factors, technological innovations, changes in the size of the population, and influences emanating from the political power structures bring about changes in the land tenure system. As in recent times these factors have been changing more and more rapidly, the system of land tenure frequently

lags behind the new situation and does not adjust to it on time. Land tenure systems are institutionally established and are, therefore, difficult to alter: political power structures; cooperative ties; and class, cultural and ethnic interests and motives all work towards maintaining the established forms (Kuhnen, 1971). Kuhnen seems to be contradicting himself, though land tenure systems are institutionally established, they are dynamic. This is evidenced in Ghana where various governments and the nuclear family system have influenced the tenural system. Though all lands have customary basis, they are so much different from what they used to be.

Kuhnen (1971) further asserts that the continual changes in the factors that govern and form the land tenure system cannot create an ideal land tenure system. The momentary, specific land tenure system is the institutional framework within which the agrarian production and way of life are carried out under the existing circumstances and conditions. It is interrelated with the natural, economic, social, and political conditions. As these change, the land tenure system has to continually adapt itself to the changing situation. Generally, two forms of land tenure system exist in Ghana; the formal and the informal or customary land tenure systems.

2.3.1 The Formal or Statutory Land Tenure System

This form of land tenure system is a Western concept that was first introduced into many developing countries by Europeans. It arose under a specific legal order by original acquisition of land (occupying and making the land arable) or changes in ownership (conquest, contract, inheritance) (Kuhnen, 1971). This system is capitalist-oriented, and is intended to facilitate land conveyancing and economic development and individual land ownership.

Bugri (2008), citing from *ibid*, says Statutory land tenure consists of rights and restrictions documented by the state laid-down procedures to regulate the relationships between people and land. This implies that the state has a hand as far as dealings in land are concerned, and the main aim is to ensure security of tenure and promote economic development.

As Aryeetey et al (2007) note, land relations were one of the earliest and most enduring preoccupations of the colonial state. The concern, however, was largely confined to how to modify the system that underpinned those relations rather than transform it. This evolutionary approach dominated discussions about land tenure during this period. Colonial officials and foreign commercial interests believed that the organized production of cash crops, timber and mineral ores, which were central to the colonial economic enterprise, required changes in land relations. This was to ensure that such economic activities would not be hampered by the pre-colonial system of collective land ownership and its accompanying system of shifting cultivation. The existing juridical forms of land relations, particularly the apparent inability of individuals to acquire indefeasible property in land, and shifting cultivation system of farming were criticized. The customary land tenure system was seen as one that does not guarantee security of tenure for investors to commit their resources on large scale holdings. Statutory forms of land tenure were therefore introduced not to take over from the customary land tenure system, but rather to complement and modernize it.

As a result, the colonial state, therefore, tried to enact two pieces of legislation in the colony, one in 1894 and the other in 1897, which were intended to bring the colony's land tenure systems in line with British land law. The Crown Lands Bill of 1894 proposed the appropriation of all waste lands, forest lands and minerals in the Gold Coast in the name of the Queen. Any future grants of such lands or minerals were to be made by the Governor at his discretion and would confer absolute title on the grantee. The Lands Bill of 1897 was even more comprehensive in its efforts to transform property rights in land. It declared all unoccupied lands public and vested the power of administration of all public lands in the colonial state (Tsikata, 1984, cited by Aryeetey et al, 2007). Although pre-colonial property rights were recognized and preserved, they were not protected by the state since no property rights were recognized in land acquired by native rights for shifting cultivation. State lands could be given to a third party under a certificate issued by the state, and the native rights holder compensated for crops on the land but not for the land itself. It further sought to shift control over permanently settled or cultivated land from pre-colonial rulers to the colonial state (Aryeetey et al, 2007).

Although these proposed legislations were not passed because of resistance from the colonies, they paved way for the statutory form of land tenure system that we have today. As observes by Asiamma (2008), colonialism introduced the European concept of the freehold interest and the leasehold interest as instruments of alienation in the country. It is worth also noting that the colonial land policies created what has come to be known as legal pluralism in land law and administration. Through legislative and judicial decisions, the colonial state established a system of land tenure which retained some customary land interests while creating new ones based on English land law, with a significant role for the state in land administration and the adjudication of disputes (Aryeetey et al, 2007).

After independence, successive governments followed what the colonial government had started by enacting laws and establishing institutions called the land delivery agencies to manage government lands and help the traditional authorities also manage customary lands. The Land Registry Act of 1962, Conveyancing Degree of 1972 and the Land Title Registration Law of 1986 were some of the legislations established. The 1992 Constitution, the Administration of Lands Act, 1962 and the State Lands Act, 1962 even empower the state to compulsorily acquire any land which is deemed to be in the interest of the general public.

2.3.2 Informal or Customary Land Tenure System

Bugri (2008), citing from Törhönen (2004), defines customary land tenure to consist of the rights and restrictions in a society that are not documented, but based on customs and defines the relationships between people and land.

Customary land tenure system in Ghana varies from community to community. In centralized states like that of the Akans, the community comprises the entire state, and the administration of the community land is vested in the stool. But in less centralized states like the coastal states and parts of the Volta Region, the absolute interest may be vested in small communities, such as clans and families, and the heads of such clans and families have the administrative authority to deal with land.

The head of the community holds the land in trust for the community (Asiama, 2008, citing Ollennu, 1962 and Danquah, 1928). Any member of the community could occupy any part of the land provided it is vacant. That is to say that the community members have the usufructuary rights.

However, as noted by Asiama (2008), because of the diminishing or virtual lack of virgin land, community members would need the concern of the community head to make use of a parcel of land. This is to ensure equitable distribution and prevent the tussle for land and exploitation of the poor.

Adding to what customary land tenure used to be, Aryeetey et al (2007) pick on the argument that when society was governed strictly by customary law, land was the embodiment of the rights of the primordial group – defined either as a village, stool, or family, and similar kinship groups. It was this group which owned the land collectively, they observe. This notion of land, as constructed by traditional society, has remained such that in spite of the tremendous social, economic and political changes which have occurred, land remains embedded in this traditional ideology as collective property. The head of this collective possesses the allodial right in the group's land while members' rights are restricted to the usufruct. Because "ownership is (still considered) as group ownership, any member's possession of a portion of the group-owned land is derivative in character" and is subordinate to that of the interest of the group; or it is a portion of the group's right in the land.

About 80% of lands in Ghana are in the custody of customary authorities (Asiama, 2008) such as a chief or family head, hence they play the most significant influence in land ownership and use arrangements. But because customary land tenure is largely characterized by unwritten customs and informalities, it creates a certain degree of insecure tenure for tenants. Also, these customary conventions are continuously being redefined due to urban expansion, commercialisation of land; and land alienation by customary authorities. All of these result in competing demand for land and impoverishment of poorer groups and low productivity in the agricultural sector as loans of land are transformed into rentals of shorter and shorter duration (Isaac, Irene & Ama, ISSER, 2007). Again, pressure of population can under the customary system, produce only one result:

minute sub-division, with the ultimate and inevitable goal, the uneconomic holdings (Leake, 1927). Aside these problems that come with the system, it is also observed that production under the system is just for consumption which cannot support the total growth of an economy.

At present, the two forms of land ownership are operational in the country as noted earlier. But the customary one remains supreme. This is because the formal land tenure system only confirms the existence of interests which depend for their effectiveness on customary or common law. It does not create new interests nor indirectly increase the effectiveness of existing interests except by strengthening the means of proof in cases of dispute (Aryeetey et al, 2007 cited from Woodman, 1996). The only exception might be where the state compulsorily acquires the land.

Nevertheless, there is the need to streamline the operations of these systems. Each has its advantages and shortcomings, and the best could only come out when the two are reconciled. Blocher (2006) could not have been wrong when he alludes to the fact that reconciliation of customary and statutory property law in Africa has never been more important, nor more difficult, than it is now. Countries across Africa, according to him are currently struggling to create rational, efficient land policies that merge modern statutory law with the traditional customary law that governs many people's day-to-day lives.

2.4 Land Ownership Issues in Northern Ghana

2.4.1 What Land Ownership Used to be in Northern Ghana

Land was communally owned in the three Northern Regions, just as in most parts of the country, in that, customary trustees such as chiefs, 'Tendana', lineage and family heads on behalf of the whole community hold land in trust. These customary authorities hold the allodial title from which all other rights are derived (Ademola & Vlek, 2005). They go on to uphold Abdulai's (1996) view that land ownership and tenure in northern Ghana are entrenched in the traditional common property system, with land administration vested in the village chief. But this is not wholly the case as most lands in the Upper West and East Regions are vested in families and clans head.

It is common for families to control lands and hand them over to younger generations. The right of usage of land is heritable patrilineally. When land was plentiful, migrants obtained land almost free of charge from the landholders. No economic value was placed on land, and land transactions usually lacked written records and boundary indicators (Kasanga and Kotey 2001, as cited by Ademola & Vlek, 2005). Allocation (lease) to households is done according to needs, without prejudice to the principle of common ownership. Tenure is generally secure so long as the land is actually cropped. However, fallow lands might be allocated to other users (Ademola & Vlek, 2005).

In developing countries, landed property is usually bequeathed by parcelling it among the children. If the farm is passed on to one heir, a practice in parts of Europe, it guarantees the existence and survival of the farm; however, it also presupposes alternative possibilities for the remaining heirs to earn a livelihood, a precondition that is frequently not present in such countries. A son sometimes receives a larger share under the condition that he has to take care of his parents, or sons receive larger shares than daughters. When the farms become so small that they are no longer profitable, the children sometimes operate the farm together and only split the yield. Usually, the traditional form of passing on the farm results in it becoming smaller with each generation. If job opportunities are not created outside the agricultural sector, it cannot fail to result in a drop in the standard of living among the rural population as soon as all of the land is taken under cultivation (Kuhnen, 1971). This goes to confirm the kind of inheritance existing in Northern Ghana, and for example, a man with three sons would have to share his portion of land among them even before his death.

Nobody saw the land as an individual property though, but one that has been left by their ancestors for the benefit of all. According to Kuhnen, (1971), the land is common property and is controlled by social groups, usually tribes. The chieftain or land priest designates land to the individual families for their use. This land is cropped for several years and then left fallow while another piece of land is cleared. The regeneration period maintains the fertility of the land if it lasts long enough - in other words, if the population is very small. In this case, such extensive usage suffices, with limited input, to enable a meager self-sufficient existence.

However, with the increase in population, Kuhnen's view cannot be true as at now. Land is limited in supply and whatever portion a family gets, they try to make the best out of it for the years.

Dorner (1972) cited Meek (1947) to support the communal ownership of land in those days. To him, there is a deep belief among peasants, whose ancestors may have lived for centuries from particular lands, that the lands and waters which have sustained them so long are somehow theirs. The remarks of an African chief, as reported by Meek, summarize eloquently the peasants' philosophy of land and civilization: "I conceive that land belongs to a vast family of which many are dead, few are living, and a countless numbers are still unborn". So the idea of land ownership in the Northern Ghana was along the same line of thinking – a property bequeathed by the ancestors for the use of the present and which is expected to be conserved for the future generations too. So traditionally, land was not for sale (Asiama, 2008), though it could be granted to strangers for temporary use. This tradition of land not being a tradable commodity and the need to conserve inherited land is even demonstrated in 1 Kings 21:3 by Naboth (Mather, 1986). Land to Naboth is an inheritance over which he has stewardship; he has temporary rights of use, but no permanent right of disposal.

Until the present, individualizing land has been more of a discussion theme in the African countries south of the Sahara than a practical measure (Kuhnen, 1971). The changing tenural system leading to lands commercialization has accounted for individual land ownership. Kuhnen however warn of the eminent danger of land becoming concentrated in a few hands. That is, only the rich and most influential personalities in society may amass large parcels of land to themselves.

2.4.2 Vesting and De-vesting of Northern Lands

During the colonial era all lands in the then Northern Territory which forms the present Northern Ghana were vested in the Crown. This the colonial state did by passing the Administration (Northern Territories) Ordinance, Cap 111 in 1902 for the Northern Territories (Aryeetey et al, 2007). This ordinance gave the Chief Commissioner power to acquire lands in the Northern Territories for public use. No compensation was payable for lands acquired under this law.

In 1931, the Land and Native Rights (Northern Territories) Ordinance, Cap 147 was passed. It vested control of all northern lands in the Governor, with rights to grant and charge rent for land occupancy by both natives and non-natives (Aryeetey et al, 2007). These laws made the people of the North landless in their own land. Though they had the beneficial rights, that social pride of owning land was virtually taken away.

After independence, the Convention People's Party (CPP) government went on to strengthen government grips on Northern lands through a number of orders; Executive Instruments 87 and 109 were both made in 1963 in respect of lands in the Upper Region (present day Upper West and Upper East) and the Northern Region respectively. Through these instruments, the President continued to administer lands in the Northern Territory leaving the respective skins with only the beneficial interest just like in the colonial era.

The Preamble of the Land and Native Right (Northern Territories) Ordinance, 1931 sought to justify the vesting of Northern lands in the state. The Governor at the time found it expedient that the existing customary rights of the Natives of the Protectorate to use and enjoy the land of the Protectorate and the natural fruits thereof in sufficient quantity to enable them to provide for the sustenance of themselves and their families should be assured, protected and preserved. Thus the main aim was to assure natives of constant supply of land, protect the rights of the natives and preserve their customs and beliefs.

However, this seizure of the Northern lands by the state did not go down well with the natives of the place. Aryeetey et al (2007) note that despite vehement protests in the then Legislative Council, the Land and Native Rights (Northern Territories) Ordinance, Cap 147 was passed in 1931. Thus, they continue, following the overthrow of the socialist government of the CPP, the policy of promoting state control and administration of communal lands was reversed because it was perceived to be contrary to the sanctity of private property. According to the Akuffo-Addo Constitutional Commission (Ghana, 1968), any action calculated to control and manage communal lands outside the jurisdiction of their traditional owners was tantamount to a violation of private property by the state.

Accordingly, the 1969 Constitution took the first significant step since colonial times to reverse the process of indirectly weakening the allodial right of traditional authorities by vesting control and management of stool lands in the state. The 1969 Constitution paved the way for the chiefs and the educated elite of northern Ghana to agitate for the repeal of the colonial law that vested all lands in that region in the state. The Alhassan Committee Report (1978) legitimised this demand, and the 1979 Constitution affirmed that all lands in northern Ghana were not public lands, thereby bringing the curtain down on an era during which the state had gradually sought to take over communal lands without reforming the underlying structure, ideology and law of communal land tenure (Aryeetey et al, 2007). Lands were therefore de-vested back to the original owners. The 1992 Constitution confirms this in article 257(3) which states that for the avoidance of doubts, it is hereby declared that all lands in the Northern, Upper East and Upper West Regions of Ghana which immediately before the coming into force of this constitution were vested in government of Ghana, are not public lands. But the question to ask is whether the lands actually reverted to the original owners?

2.4.3 The Present Form of Land Ownership in Northern Ghana

Customary land tenure has undergone changes in the form of land sales in peri-urban areas of northern Ghana. The gradual transition to private land ownership is due to the effects of expansion of residential areas, on the one hand, and cash crop production that generally requires a high demand for land with secure tenure for investment purposes, on the other (Ademola & Vlek, 2005, citing Abudulai, 1996 and Kasanga & Kotey, 2001). Land which was generally seen as a communal property has now become an individualized property. This is due to the commercialization of land in the area. The 'Tendana' have become symbolized owners, but no longer exercise that power of distributing land among their people according to their needs. Some traditional leaders even arrogated lands to themselves for their personal gains leading to lack of trust from their subjects as the custodians of their lands.

This change in tenural arrangements in Northern Ghana could be attributed to a number of reasons including population growth/pressure on land, the influence of the statutory form of land tenure which enables individuals to secure an interest in land, commercial activities on land which call for massive investment, and even the vesting of Northern lands and the subsequent

de-vesting of these lands could be said to have an influence on the present form of land ownership in Northern Ghana. The de-vesting was supposed to revert the land to the original owners, but there was a problem as the land was not taken from any identifiable groups. Thus, the powerful in the society including some chiefs claimed the management of the land to the neglect of the Tendana. They have also neglected the equity principle that was associated with the communal ownership, hence the need for individuals to fight for their personal properties.

Bizimana et al (2004) attest to the fact that communal land tenure creates incentive problems to invest in land improvements and tenancy arrangements that restrict farm sizes affect farm productivity. Individualized freehold tenure, to them, is viewed as superior because owners are given incentives to use land efficiently and leads to maximization of agriculture's contribution to social wellbeing. They are in a way justifying the present form of land tenure system in Northern Ghana.

2.5 Sustainable Livelihoods

Carney (2001) defines livelihoods to comprise the capabilities, assets (including both material and social resources) and activities required for a means of living. She further says that a livelihood is sustainable when it can cope with and recover from stresses and shocks and maintain or enhance its capabilities and assets both now and in the future, while not undermining the natural resource base.

Sustainable livelihoods encompass activities intended to help economically disadvantaged members of society meet their daily subsistence needs in a manner that is dignified, locally appropriate, and environmentally sustainable (Development Alternatives, 1999). It is a healthy way of living, empowering people to earn enough money to provide for basic amenities such as food, clothing and shelter.

The concept of sustainable livelihoods has its origins in the UN system, particularly the United Nations Conference on Environment and Development (UNCED), and refers to a way of approaching development that incorporates all aspects of human livelihoods and the means whereby people obtain them (Singh & Titi, 1994, 1995).

A livelihood is considered to consist of the assets, activities and entitlements that enable people to make a living (Singh & Lawrence, 1997). Sustainable livelihood also deals with risks, as well as how people cope with stresses and adapt to long-term changes that affect livelihoods (Rennie & Singh, 1996). A livelihood is said to be sustainable when it allows people to make a living without foreclosing on options for others to make a living today or in the future (Hoon et al. 1997, Singh & Lawrence 1996). However, sustainability has another dimension: the ability of livelihoods to enable people to cope with short-term stress or long-term change. Livelihoods are not jobs, although a job may be an important component of a livelihood in many cases (Lawrence, 1997), but coping strategies usually have non-job related aspects even where the stress is a result of job loss (<http://sacoast.uwc.ac.za/education/resources>, 24/02/09).

The conventional production factors land, labour, and capital are able to provide the farmers with subsistence, especially if the population is not dense. However, if a noticeable and rapid increase in production is desired, they do not suffice (Kuhnen, 1971). This is particularly so with land and population increase. Where population increases beyond a particular level, especially where technology base is low, the land might not be able to produce enough to enable the farmers enjoy a sustainable livelihood.

Land remains a key factor in economic development and is still a principal source of livelihood for the vast majority of Ghanaians. Inequitable distribution of access to land on the basis of status and gender, among individuals, corporate bodies and ethnic groups limits opportunities for economic and social progress for the disadvantaged parties (Aryeetey et al, 2007). Livelihoods for such people might not be sustainable. Thus, the distribution of land, which is influenced by the land tenure system has a bearing on sustainable livelihoods.

About 80% of the over 1.8 million population of the northern region of Ghana depends on agriculture for their livelihood. The farming system depends mainly on natural soil fertility and very little on inorganic fertilizers. The population growth rate is about 3% (Ghana Statistical Service 2002). Poverty is widespread in rural areas of Ghana, with the magnitude and incidence of poverty greatest in the north. Food insecurity manifesting in low consumption and high malnutrition and mortality rates is a widespread phenomenon (Nyanteng and Asuming-

Brempong 2003). With erratic rainfall and only marginal soil fertility, feeding the growing population is a major challenge and a prerequisite to rural development. Declining soil fertility resulting from continuous cropping and monocropping has led to declining yields of maize, sorghum, and groundnut (Abatania and Albert 1993, cited in Ademola & Vlek, 2005). The livelihood source of the people of Northern Ghana is therefore seriously threatened and one has to be looking at other sources or thinking of improving their farming technologies if it is to be sustained.

Parsons (1957) cited in Dorner (1972) emphasizes the importance of land for sustainable livelihoods. To him, the land represents the principal form of economic and political power, and the land tenure system reflects social class structures and relations. Peasants have throughout the centuries agitated and fought for more secure rights to the land they tilled. To the individual peasant family, their hold on the land has long been both the hallmark of their status and the elementary basis of their survival. With sufficient land of their own, some have lived well, without land countless millions have suffered literal starvation. The peasants' attachment to land is not a mere whim or prejudice; it reflects solid judgments of the requirements for survival which have matured through centuries of precarious and rugged living.

Man cannot live without land, from which he derives his sustenance. Land is as a matter of fact, the mainstay of human life. It must be observed however that while there has not been much change in the total area of land since ancient times, the increase in population, if unchecked, may have no limit at all. In primitive ages where there was plenty of land with few inhabitants every person could have as much land as he wanted. Hence there was no problem. But in later times, as land became scarce in proportion to increased population, the supply was insufficient to meet the demand (Cheng, 1961). Increased population puts pressure on land, reducing its productivity levels and limiting its ability to continue to support the growing population.

Such pressure has resulted in land fragmentation in Northern Ghana with its related problems. Among the main factors that have directly or indirectly contributed to the subdivision and fragmentation is the traditional system of inheritance of land (inheritance laws which divide a family's land among all the remaining sons), ensure that, as the population increases, not only

does the size of holdings fall, but they are increasingly fragmented into small plots, scattered over a wide area (Gebeyehu, 1995, cited by Bizimana et al, 2004). According to Webster & Wilson (1980) cited by Bizimana et al (2004), land fragmentation makes supervision and protection of the land difficult; it entails long distances, loss of working hours, the problem of transporting agricultural implements and products, and results in small uneconomic size of operational holdings. The end result is low productivity which would not be able to support the livelihoods of the people.

2.6 Institutions that Govern the Acquisition and Possession of Land in Ghana

The acquisition and possession of land in Ghana is being regulated by a number of institutions ranging from traditional and cultural authorities to formal institutions. The discussion here would however be limited to the six core land delivery agencies because the other institutions even rely on these to function effectively. Lands Commission for example has to give concurrence to any dealings in land by the traditional authority for them to be valid (Gambrah, 2002). These agencies are the Lands Commission, the Survey Department, Land Title Registry, Department of Town and Country Planning, Office of the Administrator of Stool Lands (OASL) and the Land Valuation Board.

According to Aryeetey et al (2007), who cited Crook (2005), the Lands Commission not only controls the allocation of all state-owned land, it also approves all customary transfers after certifying that they are in conformity with district land use plans. It also keeps records of deed and other land documents. These functions overlap with those of the Land Title Registry created in 1986 to register title to land and interest in land. The Land Valuation Board carries out the valuation of state lands sold or leased by the Lands Commission, whilst the Office of the Administrator of Stool Lands (OASL) collects revenues on customary stool lands – timber royalties, and ground rents on leases – and remits them to the stools, to Traditional Councils and to District Assemblies in agreed proportions.

At the district level, the Department of Town and Country Planning and the Survey Department play both formal and informal roles in demarcating and documenting state and customary land transfers; they also control changes in land use.

It can be observed that some of these agencies have their functions overlapping and thus, have not infused rationality and efficiency in the regulation of land rights (Crook, 2005, cited by Aryeetey et al, 2007).

Gambruh (2002) also observes a number of duplication of efforts by these institutions. Firstly, he notes that a lease prepared at the Lands Commission when taken to the Land Title Registry would go through some of the processes it has already gone through at the Lands Commission. Also, when it comes to site inspection, three of these agencies – the Lands Commission, Land Valuation Board and the Survey Department carry out the same exercise at different times. He also makes mention of the Town and Country Planning Department preparing development schemes which are different from the survey plans prepared by the Survey Department.

All these duplications make the procedures costly, time consuming and frustrating to anybody who passes through these agencies to perfect his/her dealings in land. They end up not building up the trust that is needed to properly manage the land. There is therefore the need to streamline the activities of these agencies with clear cut functions to encourage all, including the traditional authorities to trust that these agencies are there to help them, but not to complicate things and cheat them.

2.7 Recent Land Management Reforms in Ghana

As already seen, land is man's main source of sustenance. It should therefore be managed in such a way that would ensure its sustainability and access to all. The need to improve land management is obvious in a changing environment. It is more so for the rural areas where land relations have profound implications for agricultural productivity, environmental sustainability and the economic and social status of rural households (Marioara, 2002). Ghana has had her own land reforms since independence, the National Land Policy of 1999 observes that they had always been ad hoc ones. But the most recent ones are the National Land Policy of 1999 and the Land Administration Project that started on pilot basis in 2003.

2.7.1 The National Land Policy of 1999

According to this policy, attempts at preparing a Land Policy dates back to 1973 when the Law Reform Commission submitted its interim report on the reform of land law in Ghana. But it was not until 1994 that the government got the final report. Looking at the time lag, one may believe that there was either no commitment to having such a policy or the so many rules (both customary and statutory) made it difficult to synchronize them and come out with a final policy. However, after the final submission of the report, various committees were set up to study it and offer the advice, which finally turned out to be this National Land Policy. The policy is to give direction for efficient management and use of land.

The Policy identified problems and constraints that bedeviled the land sector to include: general indiscipline in the land market evidenced by land encroachments, multiple sales of lands, unapproved development schemes, haphazard development among others; indeterminate boundaries of stool/skin lands; needless compulsory acquisition of lands by government without prompt compensation; inadequate security of tenure; and difficulty in accessing land for various activities. The rest were weak land administration system, lack of consultation with land owners and chiefs in decision making pertaining to land, lack of consultation, coordination and cooperation among land development agencies, and finally, inadequate coordination with neighbouring countries in the management of Ghana's international borders, which normally reflects in cross-border activities. A number of these problems identified were not really new and yet they had always defied solutions, which may be blamed on lack of commitment by implementers and the dual system of our land tenure system, with majority of the land being in the hands of customary leaders and families.

The aim of the Policy is to ensure the judicious use of the nation's land and all its natural resources by all sections of the Ghanaian society in support of various socio-economic activities undertaken in accordance with sustainable resource management principles and in maintaining viable ecosystems.

To achieve this aim, the Policy came out with some specific objectives. Among them are to;

- Ensure that every socio-economic activity is consistent with sound land use through sustainable land use planning in the long-term,
- Facilitate equitable access to and security of tenure based on registered land,
- Protect the rights of landowners and their descendants from becoming landless or tenants on their own lands,
- Ensure the payment, within reasonable time, of fair and adequate compensation for land acquired by government,
- Create and maintain effective institutional capacity and capability at the national, regional, district, and where appropriate, community levels for land delivery services, and
- Promote community participation and public awareness at all levels in sustainable land management and development practices to ensure the highest and best use of land, and thereby guarantee optimum returns on land.

2.7.2 Land Administration Project (LAP)

Land Administration Project (LAP) was developed with assistance from the World Bank and other donors from 2000 to 2003. It was designed as a 15-year project of land administration reform beginning with a five year pilot phase running from October 2003 to 2008. The LAP was intended to elaborate on the broad thrust of the National Land Policy (Aryeetey et al, 2007).

Dadson (2006) says LAP is a long term commitment on the part of government to reduce poverty and enhance socio-economic growth through security of land acquisition process, simplification of land acquisition process, development of the land market and establishment of an efficient system of land administration through appropriate policies and laws.

Based on the numerous problems of dealings in land identified in the National Land Policy, the project seeks to establish an efficient land sector to restore investor confidence and provide security of tenure to all users and occupiers of land. Aryeetey et al quoting from World Bank, 2000 state the goals of the project to be "to enhance economic and social growth by improving security of tenure, simplifying the process of acquiring land by the populace, developing the land market and fostering prudent land management by establishing an efficient system of land titling,

registration and administration based on clear, coherent and consistent policies and laws supported by appropriate institutional structures". The main objective of the LAP is to develop a sustainable and well functioning land administration system that is fair, efficient, cost effective, decentralized and enhances land tenure security.

According to Ministry of Lands, Forestry and Mines (2005), LAP is divided into three phases, with phase one (2003-2008) focusing on activities to confirm the National Land Policy and pilot activities that seek to build trust and confidence in stakeholders. The pilots would develop cost-effective, efficient and field proven methodologies that would be used to scale-up core activities in phases two and three.

The first phase has four components:

- a) Harmonizing land policy and the legislative framework as the basis for sustainable land administration system;
- b) Institutional reform and development;
- c) Improving land titling, registration, valuation and information systems;
- d) Project management, monitoring and evaluation systems (Ministry of Lands, Forestry and Mines, 2005).

Some of the quick wins of the first phase are systematic titling in selected areas of Accra, decentralization of Land Administration Services through the establishment of Deeds Registries in the Regions, allodial boundary demarcation in selected districts, establishment of Customary Land Secretariats in selected districts, formation of four thematic task teams for the above and the creation of Project Director Position to replace the Chief Director (Dadson, 2006).

The Project did not just run without challenges. According to Dadson (2006), delays in procurement leading to low disbursement rate, limited capacity of personnel, donor coordination difficulties and varied interests of development partners, staff shortages and high public expectations surfaced as some of the problems confronting the project.

The National Land Policy of 1999 and the Land Administration Project (LAP) are important in the history of the discussion of land tenure reform in Ghana. In the first place, they mark, to some extent, a departure from an ad hoc and incremental approach to land tenure issues. They are also a culmination of decades of debates about what the problems of land tenure are, their impact on agriculture, and how to remedy the problems (Aryeetey et al, 2007, citing Gyasi, 1994 and Berry, 1984, 1989).

2.8 Types of Land Ownership and Interests in Land

2.8.1 Types of Lands

Various systems of land ownership have developed throughout the world under the influence of historical, cultural, and economic factors. These systems are exposed to a continual process of change. In Ghana, land is owned by three categories of people – the public lands owned by the state, the stool/skin lands owned by the traditional authorities and family/private lands owned by a particular family or individual.

Gambragh (2002) defines public lands to be those compulsorily acquired by government for its administrative and development functions and which are in the absolute ownership of the state. Article 20 of the 1992 constitution and the State Lands Act of 1962 (Act 125) make it possible for the government to acquire any piece of land if it is seen to be in the interest of the general public. Such a move places the absolute interests of the land in the hands of the government. Compensation is however paid to the original owners of such lands.

He identifies vested lands to be a form of public land declared under the Administration of lands Act (Act 123) also of 1962. This land is vested in the State and administered for the benefit of the community. This land has a dual ownership; the State has the legal interest in the land whilst the indigenous community possesses the beneficial interest.

Stool/Skin land is one belonging to a community with stool/skin as the traditional emblem of the souls of ancestors who originally owned the stool/skin and therefore the land. This land is administered according to the principles of customary or native law (Gambragh, 2002).

The Chief or Chief Priest administers all the land in trust and on behalf of his people. He holds the allodial or absolute interest and uses the rights attached to the absolute interest to distribute the land to the members of the community and strangers where applicable.

Family or private lands belong to a particular family or individual. The head of that family holds the allodial title. Family lands are then distributed among the family members by following the existing customs. Individuals could own the freehold title until now when the 1992 Constitution debars individuals from acquiring such rights (Article 267).

Public lands form about 20% of the entire landmass of Ghana whilst the remaining lie in the hands of the stool/skin and individuals (Asiama, 2008). But in effect, all lands were formerly customary lands before the statutory tenure and the commodification of lands came in.

2.8.2 Interests in Land

Interest in land is said to be a bundle of rights, meaning different people could have different interest on the same piece of land at the same time. The Ghana Law Reform Commission however spells out the interest in land that could exist in Ghana; the allodial title, the freehold title, the leasehold and a lesser interest created by virtue of any right under contractual or share cropping or other customary tenancy arrangement (Da Rocha & Lodoh, 1999).

The allodial title is the highest title in land recognized by law. The allodial title confers on its owner a complete and absolute freedom to deal with the land (Da Rocha & Lodoh, 1999). The memorandum to the Land Title Registration Law of 1986 describes it as the full title to land beyond which there is no superior title. It is being held in the stool/skin in some communities, but in others, by clans, families or even individuals. There is however a big question as to whether an individual could hold such an interest with the coming into force of the 1992 constitution which bars an individual from holding a freehold interest which is lower than the allodial title.

The next highest title to land is the freehold interest. Two types are recognized – the customary freehold and the common law freehold. Da Rocha & Lodoh (1999) describe the customary freehold or usufructuary right as an interest in land held by subgroups and individuals in land

acknowledged to be owned allodially by a larger community of which they are members. It is an interest held as of right by belonging to the allodial title holders' family. Such an interest could be passed onto successors but would come to an end on the failure of his successors. This interest prevails against the world including even the allodial title.

The common law freehold is derived from the rules of common law. It is granted by an express grant and could be acquired by both strangers (Ghanaians) and members of a stool or family. It could also be devolved onto successors but reverts to the allodial owners in the failure of successors. As an express grant, it could come with conditions.

A leasehold is an interest in land for a specified period of time. This interest is the creation of common law and not customary law. Thus customary land tenure never recognized this kind of title until we started operating the dual form of land tenure system. This interest may be granted by the holder of any of the higher interest discussed above. They come with conditions such as annual payments, how to use the land etc. It is possible to sublet this interest or assign the unexpired term, but mostly with the concern of the head lessor. A Ghanaian can acquire this interest for up to a maximum of ninety-nine years whilst foreigners can only get it for fifty years for residential purposes.

Lesser customary tenancies that existed before the coming into being of the dual land tenure system are still recognized. They are basically share cropping contractual agreement and the best known ones according to Da Rocha and Lodoh (1999) are the 'abunu' and 'abusa' or their equivalents. With the 'abunu', a tenant farmer shares the produce with the landlord equally. Here, the landlord either cultivates the land and gives it to the tenant farmer to take care of or he contributes financially for the upkeep of the farm. But with the 'abusa', the tenant farmer keeps 2/3 of the produce and gives the landlord 1/3. The landlord here does not contribute anything aside the land that was released.

2.9 Identified Voids in the Review

From the review, a number of gaps were identified and this research would try to fill them in. The review broadly identified chiefs to play roles in land ownership issues in Northern Ghana, but Upper West Region and Lawra for that matter could be an exception. The roles play by traditional authorities did not also come out clearly aside what the 'tendana' does. Again, the review creates the impression that the mere possession of land makes one rich, but this might not necessarily be true. Also, the literature review did not recognize individual land ownership at all in the past. Finally, the National Land Policy of 1999 seems not to recognize the fact that land fragmentation is a constraint in the management of land.

2.10 Conceptual Framework

Land as already seen is a major determinant of sustainable livelihood since man depends on it for virtually all his needs. But as to how this land would be used would depend on the kind of tenure pertaining. Both customary land tenure system and the statutory tenure system have a bearing on the land usage. Customarily, only members of the allodial title holding family could have unrestricted use of the land provided that use was in-tune with their beliefs and customs. Any other person could be considered to use the land with conditions attached. The Statutory tenure did not take away these rights, but rather seems to put restrictions on how customary land transaction should take place.

With the commodification of land and the advent of statutory land tenure, land accessibility and tenure security now very much depend on affordability and the government development plans.

The conceptual framework in figure 2.1 below attempts to link sustainable livelihoods to the accessibility to land and security of tenure. Livelihoods in the study area are mainly agricultural, and therefore where a household has access to a secured land, unrestricted farming could be undertaken. This increases their likelihood of enjoying a sustainable livelihood. But where a household cannot get access to land, their source of livelihood would not be secured.

Aside the access, the family size of a household could also limit their source of livelihood. In the study area where land is shared among family members in accordance with the inheritance system, larger families would only end up having uneconomical land holdings and this would also reduce their productive capacities. Again, a family could have the land alright, but where

they decide to sell the land or use it for some other purposes other than agricultural, they might end up having unsecured livelihood.

The framework further looks at the kind of agriculture that is practiced and the weather conditions. Where a particular household commits inputs like fertilizers, machines, irrigation into the land or practices some sustainable agriculture, yields are likely to increase and the land might be able to support agriculture for long. This increases the livelihoods source than one that does not do any of the above activities.

What happens to the farm produce at the end of the day also has an influence on the livelihood source. Sustainable livelihood does not just limit itself to jobs as seen in the literature. It entails how the household is able to feed, take care of her health needs, education etc. Thus the farmer should be able to market his produce to take care of these other needs. Thus, guaranteed markets, whether internal or external would also influence the livelihood sources.

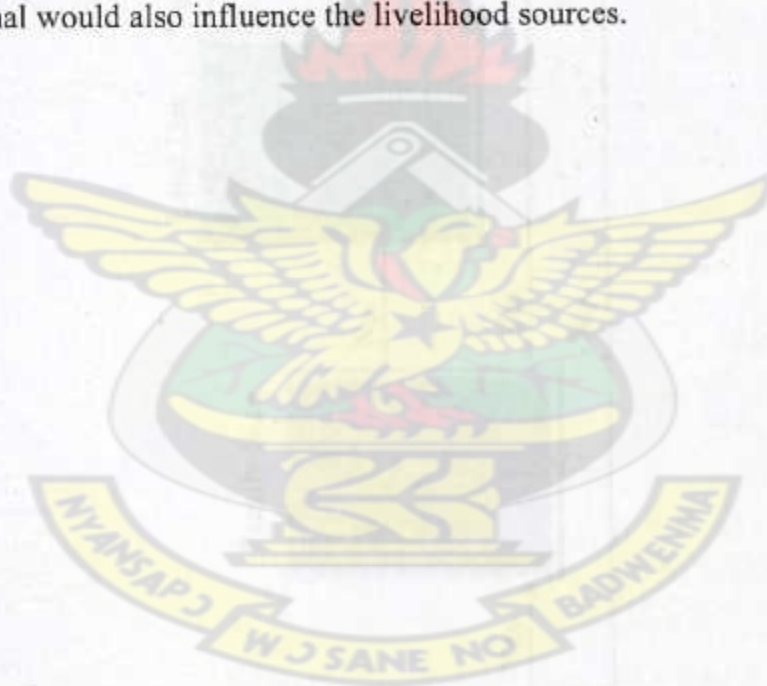
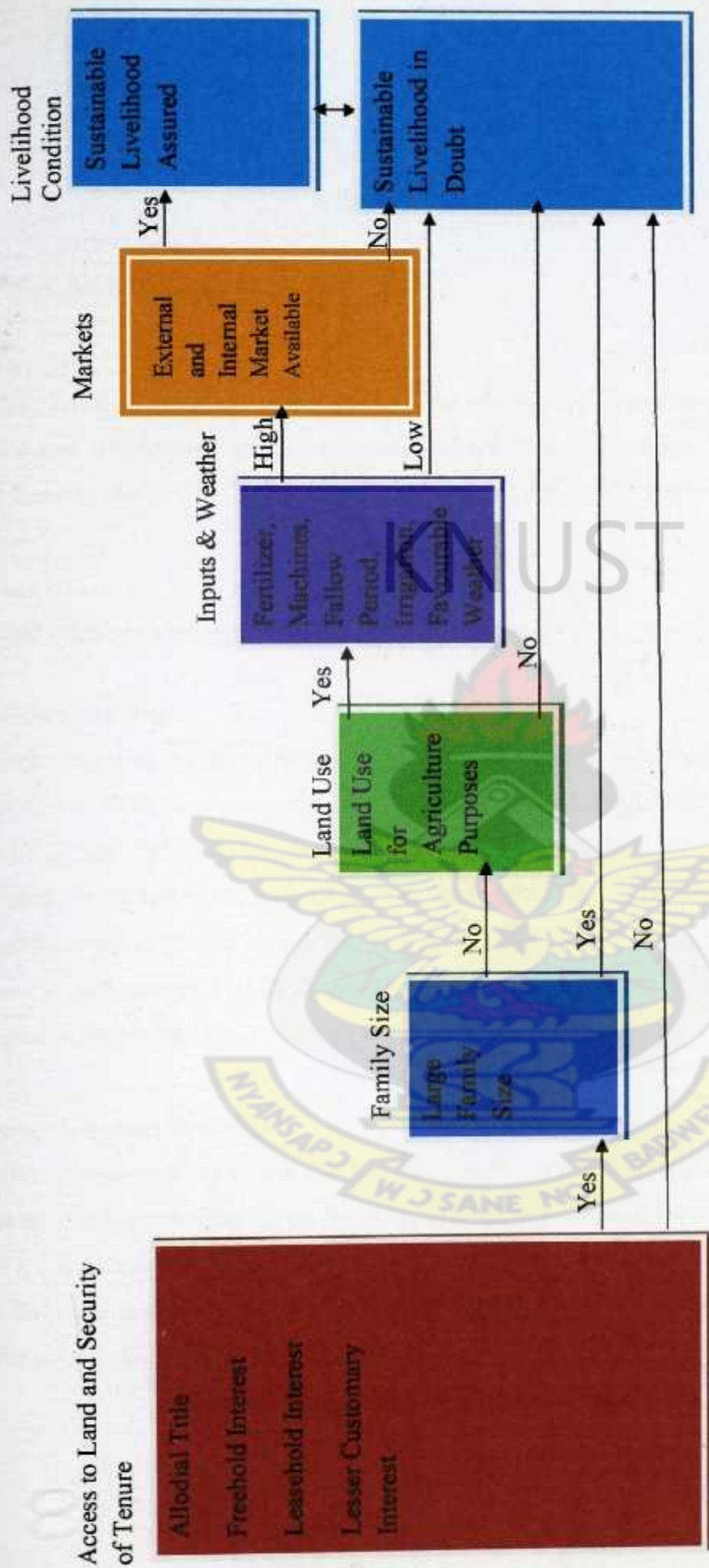


Figure 2.1: Conceptual Framework for Sustainable Livelihood in an Agricultural Dominated Environment



Source: Author's Construct

CHAPTER THREE

THE STUDY AREA

3.1 Introduction

This chapter looks at the study area – its physical, demographic and economic characteristics, governance and institutional structures among others. The information for this chapter were collected from the 2006-2009 draft of the Lawra District Assembly Medium Term Development Plan.

3.2 Physical Characteristics of the Study Area

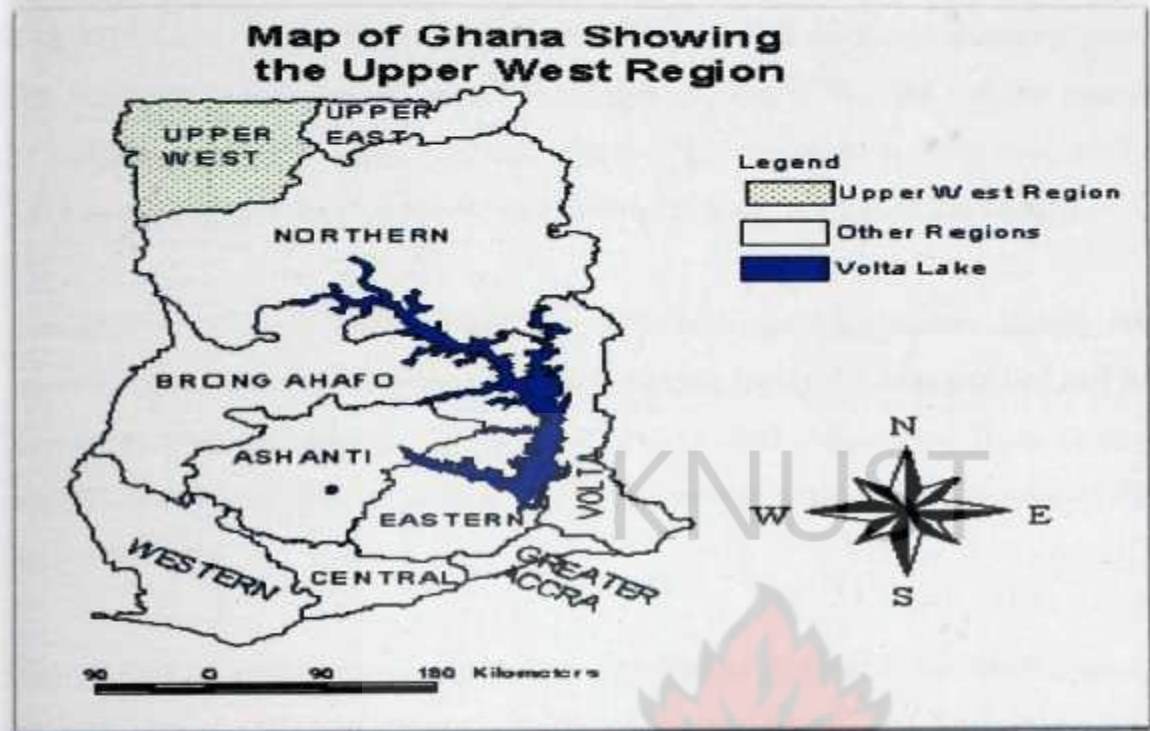
3.2.1 Location and Size

Lawra district is one of the nine districts that make up the Upper West Region. It lies in the north western corner of the Upper West Region in Ghana between Longitude $2^{\circ}25' W$ and $2^{\circ}45' W$ and Latitude $10^{\circ}20'$ and $11^{\circ}00'$. It is bounded to the East and South by the Lambussie and Jirapa districts respectively and to the North and West by the Republic of Burkina Faso. The total area of the District is put at 1051.2 square km. This constitutes about 5.7% of the Region's total land area, which is estimated at 18,476 square km. Figures 3.1 and 3.2 show the locations of Upper West Region in Ghana and Lawra district in the Region respectively.

3.2.2 Topography and Drainage

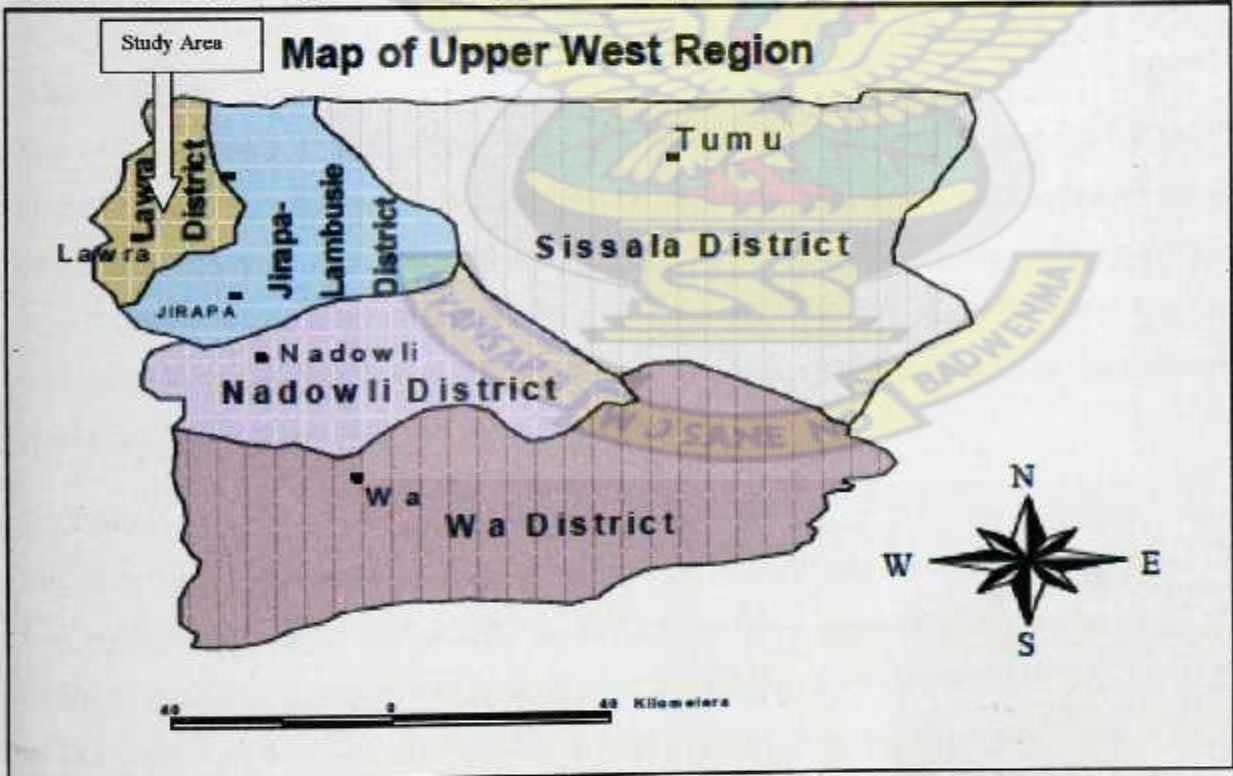
The District is gently rolling with a few hills ranging between 180 and 300M above sea level. It is drained by The Black Volta, which forms the boundary to the west between the district and the Republic of Burkina Faso. The Black Volta has several tributaries in the district; notable amongst them are the Kamba/Dangbang, Nawer, Duobaa and Kokoligu-baa. These if utilized, could offer an agro-based employment for the youth during the dry season.

Figure 3.1: Map of Ghana Showing Upper West Region



Source: 2000 Population and Housing Census Report

Figure 3.2: Map of Upper West Region Showing the Study Area



Source: 2000 Population and Housing Census Report

3.2.3 Vegetation and Climate

The district lies within the Guinea Savannah Zone which is characterized by short grasses and few woody plants. Common trees in the District consist of drought and fire resistant trees such as baobab, dawadawa, shea trees and acacia. The vegetation is very congenial for livestock production, which contributes significantly to household incomes in the District.

The greatest influence on the vegetation is the prolonged dry season. During this period, the grass becomes dry and the subsequent bush burning leaves the area patched and mostly bare of vegetation. Consequently, the torrential early rains cause soil erosion. Bush burning reduces the vegetative cover leading to reduced transpiration which also affects considerably the average annual rainfall.

The climate of the district is the tropical continental type with the mean annual temperature ranging between 27°C to 36°C. The period between February and April is the hottest. Between April and October, the Tropical Maritime air mass blows over the area which gives the only wet season in the year, when farming is undertaken.

3.2.4 Geology

The rock formation in the District is essentially Birimian with dotted outcrops of granite. The district mineral potential is largely unexplored. Some reconnaissance work indicates the presence of minor occurrences of manganese, traces of gold and diamond, iron ore and clay. As a result of a well developed fracture pattern in the rocks, the potential for obtaining ground water in the district is very high. Borehole drilling activities in the early 1980s confirmed the presence of the granite and Birimian rocks in the district.

3.2.5 Soils

The soils in the district consist mostly of laterite soils. These are developed from the birimian and granite rocks which underlie the area. There are also strips of alluvial soils along the flood plains of the Black Volta as well as sandy loams along some of its tributaries. The general nature of the soils, coupled with the traditional land use practices and type of rainfall, tend to have adverse effect on crop production.

3.2.6 Environment

The Lawra District has a total of 3,152.2 hectares of forest reserves, however, the natural environment of the district has witnessed all kinds of degradation over the years to the extent that the vegetative cover has dwindled and soils have become poor. Widespread bushfires are annual rituals in almost all the communities. Indiscriminate felling of trees for fuel wood (the major source of energy), inappropriate farming practices, soil erosion, over grazing of livestock, sand, gravel and stone winning are other acts of environmental degradation in the district.

The built environment has not improved in terms of aesthetic features due to non-compliance with the provision of physical plan and increase in population. Sanitation infrastructure such as KVIPs is not adequate. Household sewerage disposal has become a problem in most of the communities. Buildings are not properly spaced and there is overcrowding in the towns leading to sanitation problems.

3.3 Demographic Characteristics

3.3.1 Population Size and Density

The 2000 National Population and Housing census results put the District's population at 87,525, which forms about 15.2% of the Region's total population of 576,583. This population figure of the district is made up of 40,804 males and 46,723 females, representing 47% and 53%, respectively. The sex ratio is 87.3 males to 100 females. There is intense pressure on the natural resources particularly land for agricultural production as well as other socio-economic facilities. The growth rate of the District is 1.7 %, which is below the national growth rate of 2.7%.

3.3.2 Spatial Distribution of the Population

The distribution of the population into rural and urban is 75,484 (86%) and 12,041 (14%), respectively. The population is distributed among one hundred and fifty-three (153) settlements. Only eight localities in the district have population above one thousand (1000). Nandom is the largest locality with a population of 6,526 followed by Lawra, the District capital with a population of 5,763.

With respect to religious composition, Christians dominate with a figure of 56,312 (57%). Muslims constitute a meagre figure of 4,084 (4.19%) whilst Traditional African Religion follows the Christian religion with a figure of 35,569 (36.46%), and others constitute 701 (0.72%).

Majority of the people are subsistence farmers whilst a few along the banks of the Black Volta engage in fishing. Most of the women engage in pito brewing, petty trading and shea butter extraction. The most predominant tribe in the District is the Dagaaba with dialectical variations. There are other minor tribes such as the Hausa, Asantes etc. They co-exist peacefully and inter-marry.

3.3.3 Human Settlement Patterns

The settlements in the district are basically the rural type. While the rural settlements are basically agrarian, the urban settlements are commercially oriented with emphasis on income-generating activities. The three major settlements have population above 5,000 and are nucleated in nature due to lack of proper physical planning and non-compliance with building regulation. In the rural settlements however, houses are scattered with compound farms around them. This poses problems of meeting the threshold population as criterion for providing development projects.

3.4 District Economy

3.4.1 Agriculture

Agriculture accounts for 80% of the District economy. Commerce /Service and industry account for about 18.2% and 0.8%, respectively. The agriculture sector, the commerce and industrial sectors of the economy are all short of private sector led programmes and projects.

3.4.1.1 Crop Development

Agriculture, which is the major activity that engages about 80% of the population, is centered on crops and livestock production. The crops mainly grown by the farmers are corn, millet, maize cowpea and groundnut. Of these the District has comparative advantage in groundnuts and cowpea production. Table 3.1 below summarizes the point.

Table 3.1: Average Yield of Major Crops from 2002-2005

CROP	AREA PLANTED (HA)				YIELD (TONS)			
	2002	2003	2004	2005	2002	2003	2004	2005
Sorghum	7819	8007	8196	8360	6255	7206	4917.6	10032
Millet	7500	7518	7593	7745	4500	4510	3796	6196
Maize	2120	2105	2112	2218	1484	1263	1056	2883
Cowpea	5300	5115	5096	5172	2650	2046	2548	3620

Source: DADU- Lawra, 2006

Despite strides made by the District, agricultural yields have remained low over the years due to erratic rainfall pattern coupled with the long hot dry harmattan season that undermine the various efforts and interventions in the crop sub-sector. Other problems with this sub-sector are post harvest losses, declining soil fertility, pests and diseases and inadequate dry season farming. The result is that, production always falls short of the expectation of farmers.

3.4.1.2 Livestock Development

The livestock sub-sector continues to make steady but moderate gains as it is now becoming the most lucrative investment in the midst of low income levels emanating from crop production. Goat and Sheep production lead the production levels in absolute figures as indicated by table 3.2 below. However, in terms of percentage growth, donkeys lead the production increased as they are used in farms, followed by rabbits, then sheep.

Poultry and goats are still the most commonly reared livestock species in the district. Poultry continues to dominate the attention of the youth and farmers alike as little labour is required for an excellent income.

Table 3.2: District Livestock Production Levels, 2003 – 2005

Type of Animal	2003	2004	% Increased	2005	% Increased
(i) Cattle	13,730	14,005	2%	14,285	2%
(ii) sheep	13,433	14,776	10%	16,254	10%
(iii) goats	20,603	21,633	5%	22,715	5%
(iv) pigs	10,973	12,070	10%	12,191	1%
(v) poultry	63004	66,154	5%	69,462	5%
(vi) Donkeys	30	36	20%	43	19.4
(vii) Rabbits	1,000	1,110	11%	1,232	11%

Source: DADU- Lawra, 2006

Pig rearing despite the high labour demand continues to receive a boost. It is fast becoming the most affordable meat within the district. The presence of CSIR funded pig feed formulation meal in the district has further boosted the potentials of pig rearing in the district. It has become a strong source of security in terms of income especially for the vulnerable and excluded in the society. Pig rearing is further boosted by the presence of the Babile Agriculture Research Centre that specializes in pig rearing research.

The Lawra District has a huge comparative advantage in the area of goat and sheep rearing. It has over the years established itself as the marketing centre for goats and sheep. The Babile market every week receives buyers from Wa (the Regional Capital), Ashanti and the Brong Ahafo Regions. These businessmen besiege the Babile market every week to buy hundreds of sheep and goats to transport to the south.

However, over half of the goats and sheep sold at the Babile market are imports from neighbouring Republic of Burkina Faso. The District has the potential to develop fully the

livestock sub-sector. The livestock sub-sector, despite the potentials and achievements, is faced with many problems. Some of these areas are:

1. Low genetic potential of the local breed of small ruminants and poultry
2. High incidence of pests and disease on livestock and poultry
3. High cost of veterinary drugs and charges
4. Inadequate veterinary drugs and equipment
5. High cost of feeding pigs
6. Lack of supplementary feeding for ruminants in the dry season.
7. Inadequate veterinary staff.

The above problems call for district and national support towards the full development of the livestock sector to boost the private sector investment potential. This could be achieved through funds from both the Assembly, the government and in collaboration with the Agricultural Ministry.

3.4.1.3 Irrigation Infrastructure

Irrigation facilities are being constructed to enhance dry season gardening. Under the CBRDP programme the District constructed a dam at Kokoligu during the long dry harmattan season. Another Dam was constructed at Eremon under the UWADEP. The Lawra District in collaboration with Pronet North and Concerned Universal (NGO) constructed seven wells (four hands dug wells and three tube wells) for both drinking and dry season gardening in potential dry season gardening communities in the District.

The Lawra District Assembly in collaboration with MOFA and Pronet North (NGO) are currently working on the provision of up to 10 pumping machines for communities along the Black Volta. This is aimed at enhancing an all year round food sufficiency in the District.

3.4.2 Industry and Commerce

The Lawra District has a major industrial potential with the existence of the Nandom Vocational Institute and St. Ann's Vocational Institute. These two institutions have over the years supplied

the manpower base of the district and the region. For instance, the Nandom area has an industrial village that provides quality service to the people of the town and district.

Other vocational institutions that are currently making headways are the Eremon Technical Secondary School and Tanchara Vocational Institute.

3.4.2.1 Type and Size of Industry

The industrial sub-sector is basically on a small scale basis. This can be classified based on the raw materials used for the product. Agro-based industry accounts for over 60% of the industry within the district. Table 3.3 below presents the various industries and their proportions in the district.

Table 3.3: Types of Industry

Type of Raw material	Industry	Percentage
Agro-Based	Milling, Pito Brewing, Chop Bar, Shea-Butter Processing	75%
Wood Based	Carpentry, Carving, Weaving, Charcoal Burning	10%
Clay and Sand Based	Block Making, Pottery, Sand Winning, Stone Quarrying	12%
Metal Based	Blacksmithing	3%
Total		100%

Source: NBSSI- Lawra, 2006

It is evident from the table that agro-based industries though under utilized, accounts for over 60% of the industries of the district.

3.4.2.2 Financial Institutions

The financial sector has been boosted by the establishment of the Lawra area rural bank at Lawra. The financial institutions now stand at four (4) namely;

1. The Ghana Commercial Bank, Lawra
2. Nandom Rural Bank, Nandom
3. Kuoriba Langtaa Credit Union at Nandom
4. The Lawra Area Rural Bank, Lawra

Despite the increase in the number of banks, access to credit has always been difficult especially due to lack of collateral. The easy way to access credit facilities at the bank seems to be if one is within the public service and where one's salary inflow is controlled by the banks. This lack of trust in the private sector is greatly affecting its competitiveness.

3.4.3 Tourism Potential

The district abounds in rich natural, cultural, historical and man made attractions that have not received the needed support to bring out their full potentials. The most significant tourism potential in the Lawra District is the Crocodile Pond at Eremon, 10 km from Lawra. The pond has over 400 crocodiles as at now, these reptiles are totems of the people of Eremon, and are highly revered.

Another potential tourism site that could provide income to the district is the detention camp of the Late President Dr. Kwame Nkrumah and the residence of the British Colonial Administrator. Aside these, the Slave Centres located at Gengenkpe and Zimuopare, and the Black Volta basin in Lawra that has a beach-like environment and an atmosphere for relaxation and recreational activities are also significant tourists' sites in the district.

3.5 Infrastructure

3.5.1 Road Network

Over three quarters of the 218km road length of feeder roads in the districts have now been reshaped or worked upon. Currently more feeder roads are being constructed to link small communities and villages to each other and to major towns and communities. However, the condition of trunk roads in the district has been of mixed improvement. The district has two (2) major trunk roads, namely; Babile-Lawra-Hamile road and Lawra-Boo- Domwini-Nandom road. While the Babile-Lawra-Hamile road continues to receive attention, the Lawra-Boo-Domwini-Nandom road continues to deteriorate and is increasingly becoming unmotorable due to the many pot holes and heavy corrugations on the road. The only tarred portion of the district roads happened to be the township roads. Currently work is on-going to tar the Nandom township roads. However, the district is not linked by any tarred road.

3.5.2 Markets

The district has three main markets located in Lawra, Babile and Nandom. Two of these markets (Babile and Nandom) were up-graded with modern market facilities under the Village Infrastructure Project of the Ministry of Food and Agriculture. Currently the Lawra Market is being upgraded into a modern market too. The remaining markets (very small and undeveloped) are located at Eremon, Boo, Baseble, Tuopare, Domwine and Zambo.

3.5.3 Electricity

The energy sector has received a tremendous transformation as eleven (11) communities have been connected to the national grid while seven others are currently being hooked. The massive extension works in the area of electricity has greatly improved the quality of life of the people as the facility is being used for other industrial works such as carpentry, blacksmithing, welding, vulcanizing, fitting and agro processing (shea butter and groundnut extraction).

3.5.4 Post and Telecommunication Services

The district currently has one (1) post office and two (2) postal agencies at Babile and Nandom. There has been a massive improvement on the telecommunication front. The complaint in the past on the use or non-existence of land-lines seems to die down with the introduction of improved telecommunication programme and businesses in the district. The district currently has the following telecommunication facilities;

1. Ghana Telecom Landlines
2. Vodafone
3. MTN and
4. Tigo

The mobile phone usage has been widely accepted by the citizens of the district. It has equally created a lot of employment for the youth, especially in the area of MTN to MTN or Vodafone to Vodafone operations.

3.6 Human Resource Development

3.6.1 Education

The education sector is made up of basic and second cycle institutions. The district can boast of 168 educational institutions for a projected population of 98,000. Clearly, more classroom structures are needed to accommodate the population. These institutions comprise 70 day nurseries, 57 primary schools, 41 JHS, 6 Technical/Vocational institutions and 4 SHS.

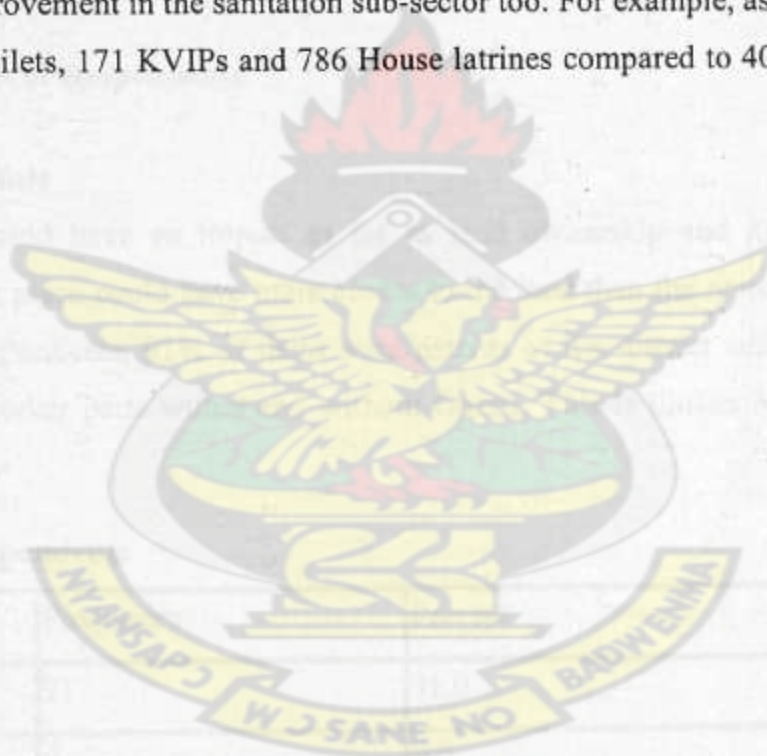
3.6.2 Health Care

The district is blessed with eleven health facilities. These consist of three hospitals, seven health centres and a maternity home. There are also various traditional healing centres spreading across all the localities of the district.

3.6.3 Water and Sanitation

Currently, the Lawra District Assembly can boast of 404 boreholes fitted with hand pumps. The existing small town water system for Lawra and Nandom towns are currently being rehabilitated at a cost of 9.8 billion Cedis. The aim is to increase potable water in the district thereby decreasing the rate of water born diseases in the district. Lawra District Assembly has also stepped up the drilling or sinking of hand dug wells in communities. Currently seven hand dug wells are under construction while three of them, tube wells have been completed. The focus now is to drill about 30 – 50 boreholes to comprehensively ensure a total coverage in the district. The water coverage is currently around 85 – 90 %.

There has been great improvement in the sanitation sub-sector too. For example, as at 2005, there were 699 Mozambican toilets, 171 KVIPs and 786 House latrines compared to 406, 69 and 493 in 2004 respectively.



CHAPTER FOUR

DATA PRESENTATION, INTERPRETATION AND ANALYSIS

4.1 Introduction

This chapter discusses the results obtained from the fieldwork. The main issues considered border on accessibility to land in the Lawra District, institutions governing the acquisition and possession of lands, land ownership, uses of land, level of land fragmentation, the level of agricultural production (crops) in the district, farmers' capacity to cater for basic family needs and the ability of the land to continue to support livelihoods in the district.

4.2 Social Characteristics of Respondents

4.2.1 Origin of Respondents

One's place of origin could have an impact as far as land ownership and its dealings are concerned. Natives of the place could have more access to the land than the non-natives among them. Out of the 100 respondents, 91% of them were natives of the district whilst just 9% of them were coming from other parts within and without Ghana. This is illustrated in Table 4.1 below.

Table 4.1: Origin of Respondents

Origin of Respondents	Frequency	Percent
Natives	91	91.0
Strangers	9	9.0
Total	100	100.0

Source: Field Survey, April 2009

4.2.2 Age and Sex of Respondents

Age and sex are very important determinants of land ownership, especially in the study area, where the customary land tenure system dominates. The main form of land alienation - inheritance, - discriminates against the females and the young. The elderly only share the land

when they are about to die or where the family has increased in size that its management becomes problematic, and even then, women are not considered to be stakeholders. The study, though affirming this scenario, indicates some deviations (See Subsection 4.3.1).

Table 4.2: Age Cohorts of Respondents

Age Cohorts	Frequency	Percent
20-30	9	9.0
31-40	22	22.0
41-50	21	21.0
51-60	17	17.0
60+	31	31.0
Total	100	100.0

Source: Field Survey, April 2009

Table 4.3: Sex of Respondents

Sex	Frequency	Percent
Male	91	91.0
Female	9	9.0
Total	100	100.0

Source: Field Survey, April 2009

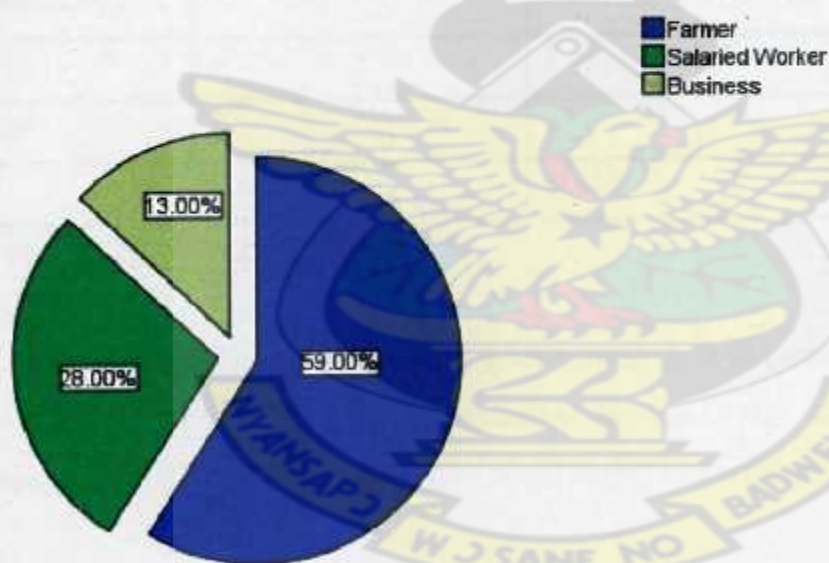
Tables 4.2 and 4.3 indicate the age cohorts and sex, respectively. The highest number of interviewees were 60 years and above, whilst the least number comprises those who fell within the range of 20 -30 years.

In terms of sex, 91% of respondents were males and the rest, 9% comprised females. This was as a result of the insistence of households that the questions be answered by the heads of the households, confirming the fact that land issues are not discussed openly and easily, and that males who are elderly own the land.

4.2.3 Profession of the Respondents

The profession of the respondents, to a large extent, would determine the amount of land that they would require. For example, farmers would require more land for their activities than a salaried worker who might only require land for constructional purposes. Figure 4.1 shows the percentages of the different professionals who were interviewed. A higher percentage of 59% of respondents are farmers, with 28% and 13% representing salaried workers and businessmen, respectively. The 59% farmers however fall below the 80% of the people in the district being farmers as seen in the literature.

Figure 4.1: Profession of Respondents



Source: Field Survey, April 2009

4.2.4 Educational Level of Respondents

When it comes to the educational level of respondents, it was realized that most of them have no education at all. Education could help land owners manage their lands far better than those without education, and this could have a toll on their livelihoods. For example, educated people could manage and deal with the land as a business entity that brings in dividends whereas the uneducated ones might still keep to the traditional belief that land is not for sale. Table 4.4 shows the various levels of education attained by the 100 respondents.

Table 4.4: Educational Level of Respondents

Level of Education	Frequency	Percent
None	42	42.0
Primary	4	4.0
JHS/Middle School	21	21.0
Technical/Vocational	3	3.0
SHS	3	3.0
Tertiary/College	27	27.0
Total	100	100.0

Source: Field Survey, April 2009

From Table 4.4, the 42% of respondents with no education at all falls below the 2000 Population and Housing Census figure of 65.1% (Ghana Statistical Service, 2005). It however portrays the fact that illiteracy in the district is high and this could make modern land management theories problematic.

4.3 Land Ownership in the District and the Changing Trends

4.3.1 Land Ownership

Land is one of the best assets one could ever have. It was the belief that land in and around the study area was communally owned. However, from the field survey, individuals claimed that they own the land either through inheritance or outright purchase. Table 4.5 shows the number of people who own land as against those who do not own land.

Table 4.5: Land Ownership in the District

Land Ownership	Frequency	Percent
Yes	94	94.0
No	6	6.0
Total	100	100.0

Source: Field Survey, April 2009

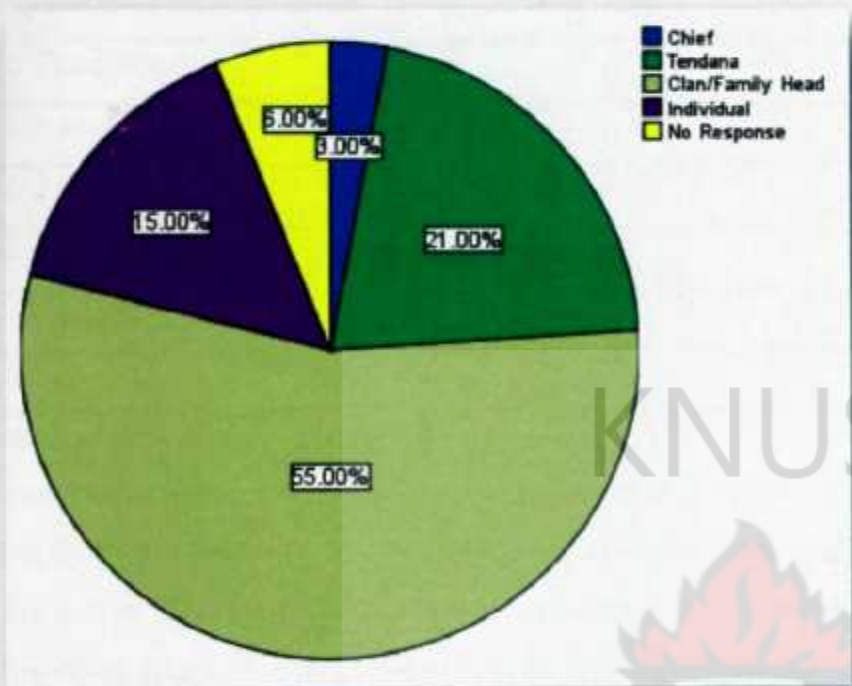
About 94% of the respondents own land whilst just 6% do not possess land in the area. This could be attributed to the fact that most of the respondents (over 90%) are natives of the district who could easily inherit land from their fore-parents. This was confirmed when a question was posed to determine the time each one acquired his/her land. A high number of them (68%) could not tell when they acquired it since it was inherited by their parents and also handed down to them, 18% acquired their lands between 1989 and 2009, 6% obtained theirs in the 1970s and beyond whilst 7% were non-responsive. Of so much interest among the interviewees was a lady who happened to be the only child of her parents. She has inherited her father's land and she is selling out parcels to prospective buyers, defying the popular belief in the area that women do not own land.

Out of the 6% who do not have lands, 4% of them gave the reason that they could not afford to buy the land whilst the remaining 2% gave some other reasons. It can be implied from the discussion so far that land could be purchased now and individuals could also acquire land on their own, though the traditional system of land alienation - inheritance - still dominates.

4.3.2 Source of Acquisition

In Ghana, three main types of lands exist; states lands, customary lands and individual lands. Each of them has the right to alienate the land provided some procedures (customary or formal as the case may be) are followed. In the study area, state lands are virtually non-existent. An attempt was made to find out the bodies that alienated lands to the respondents and the results are presented below in Figure 4.2.

Figure 4.2: Bodies Releasing Land in the District



Source: Field Survey, April 2009

As many as 55% of the respondents got their lands from clan/family heads, followed by 21%, who obtained theirs from the 'tendana' and 15%, who had theirs from individuals. One could infer from this that land is in the hands of these three bodies who are able to release land to over 90% of the respondents. Chiefs who released land to 3% of the respondents can be said to have a minimal role as far as the control over land is concerned in the district. During the focus group discussion (April 2009), the groups said chieftaincy is alien to the culture, it was introduced by the Europeans and that is why chiefs do not wield so much power in land issues. They presently just witness transactions in land at a cost and also help settle land disputes.

Regarding the conditions that were attached to the acquisition of the land, a number of the respondents had the land absolutely free of charge whilst some paid both in kind and cash. Table 4.6 indicates these conditions that were attached to the acquisition.

Table 4.6: Conditions Attached to the Acquisition of Land by Respondents

Conditions on acquisition	Frequency	Percent
No Condition	68	68.0
Cash Payment	20	20.0
Kind Payment	2	2.0
Other	4	4.0
Non-Applicable	6	6.0
Total	100	100.0

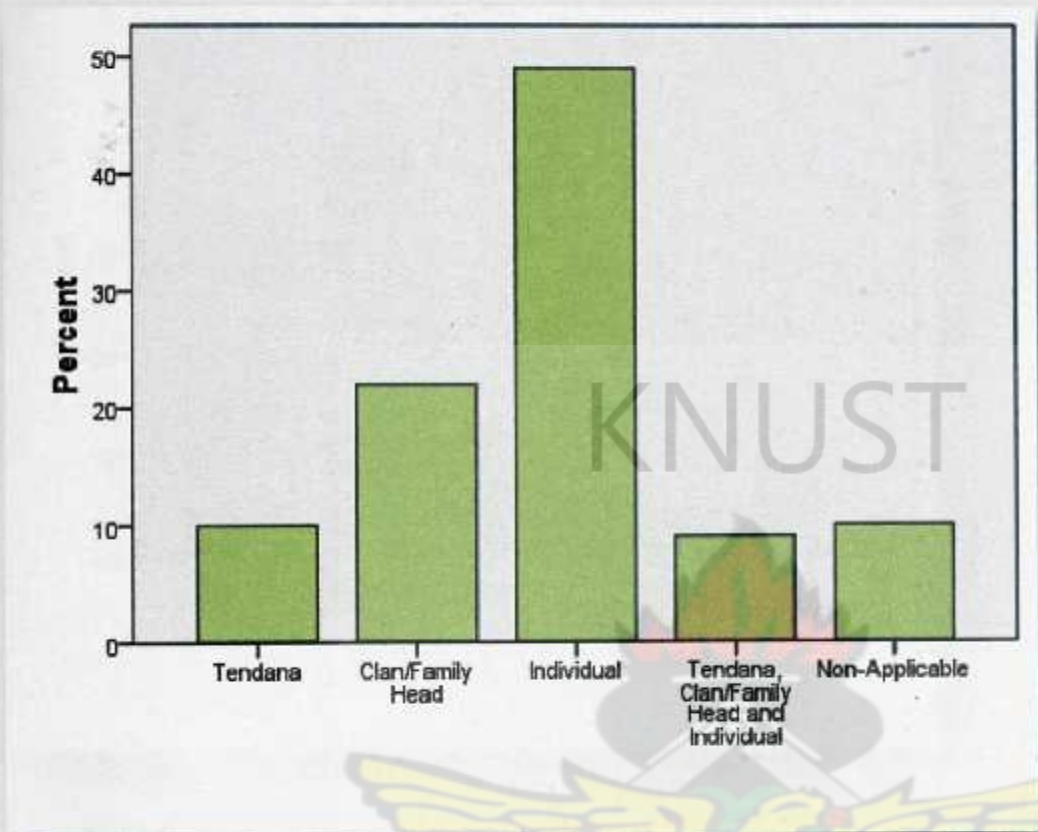
Source: Field Survey, April 2009

From Table 4.6, 68% of the respondents got their lands unconditionally. This corresponds directly to the number of respondents who inherited their lands. This means that lands that are inherited by family members are absolutely free from all encumbrances. It was also realized that 20% of the respondents paid cash for their lands, 2% paid in kind and 4% had other conditions to satisfy. This could mean that transactions in land are gradually moving away from the communal ownership days when land was strictly not for sale to the present when cash or other means could be used in exchange for land, resulting in individual land ownership. This is in direct contrast of what Ademola & Vlek (2005) citing Kasanga & Kortey, 2001 believe in. At focal group discussions (April 2009), it was clear that in towns lands are offered for sale whilst those in the villages are accessed through inheritance or other means.

4.3.3 Prospective Land Delivery Body

Respondents (Natives) were further asked to give their respective opinions about whom to contact should they require additional land now. Their views are shown below in Figure 4.3.

Figure 4.3: Opinions on Bodies to Contact for Land



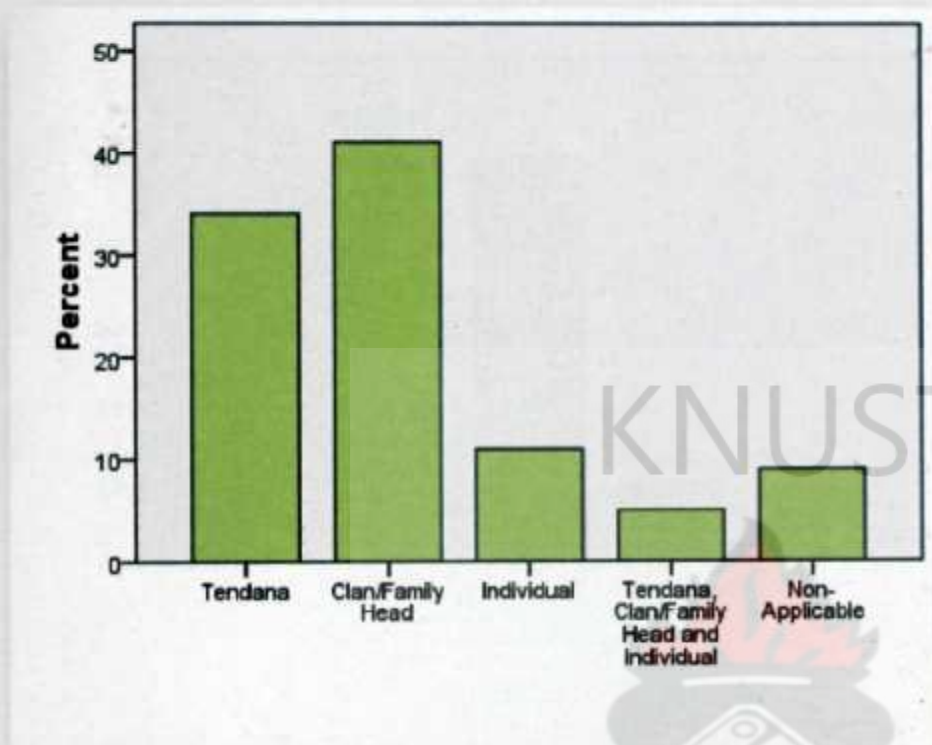
Source: Field Survey, April 2009

Varied sources of obtaining land were given ranging from the ‘tendana’ to multiple sources. About 49% of them have confidence in the individual, and would thus turn to them for land, 22% would rely on clan/family heads and 10% see the ‘tendana’ as bodies they would rely on for land. Some of them (9%) believe that they could either get land from the tendana, individual or clan/family head. Non-applicable were about 10%, which represents the strangers. These figures further confirm the fact that land tenure is fast changing from what it used to be.

4.3.4 Body that Owned Land in the Past

In order to establish the trend of change in land tenure, respondents were also asked to give their views on who really used to own the land in the past.

Figure 4.4: Land Owners in the Past



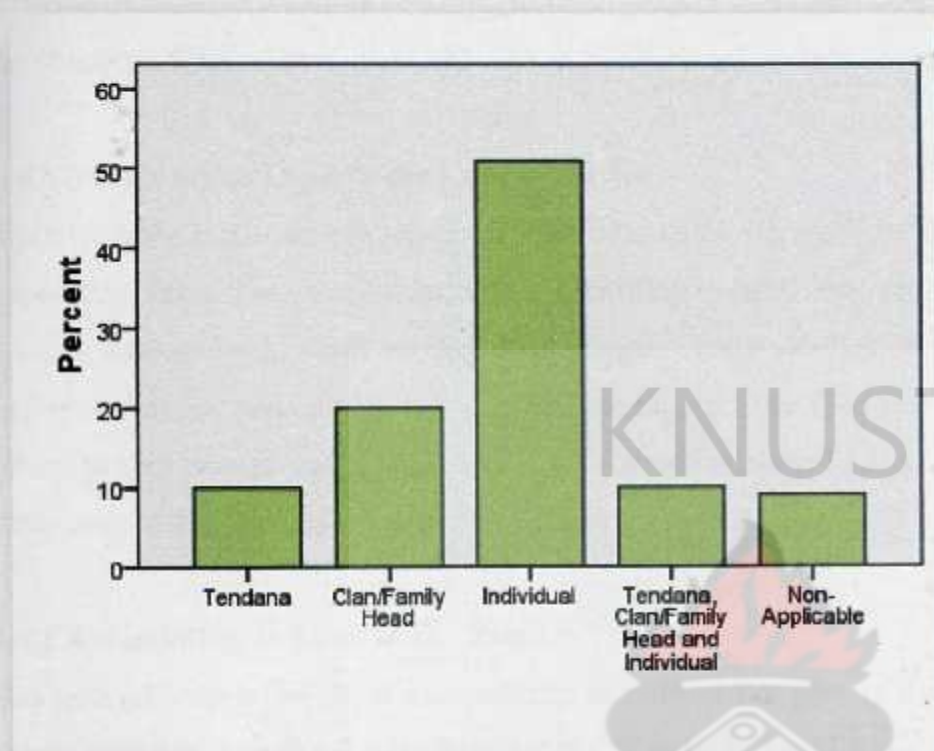
Source: Field Survey, April 2009

Figure 4.4 is a reflection of the views of the respondents. Forty one percent and 34% of them believe that the land was owned by the clan/family heads and the 'tendana', respectively. The survey also revealed that though individuals could own land it was just on the low side, only 11% of respondents believe that individuals owned land. Just 5% of interviewees said that land was in the hands of the 'tendana', clan/family heads and individuals. Thus, in the past, over 70% of land was controlled by the 'tendana' and clan/family heads, which supports the fact that land was mostly communally owned. Again, chiefs never appeared to be playing any role here.

4.3.5 Body that Owns Land Now

Respondents were further asked to find out who owns the land now, and it came out very clearly that land ownership is becoming an individual matter.

Figure 4.5: Land Ownership Now



Source: Field Survey, April 2009

From Figure 4.5, 51% of the interviewees said the land is presently owned by individuals, 20% and 10% believe land ownership is in the hands of clan/family heads and 'tendana', respectively, whilst another 10% said land is controlled by the 'tendana', clan/family head and the individual.

From the discussions, the trend has been that, lands which were initially communally owned and controlled mostly by the 'tendana' and clan/family heads are losing that kind of communal ownership and are now being mostly controlled by the individual. It is also realized that land can now be sold in the common market unlike the previous times when it was a sacrilege to do such a thing.

The 'tendana' is still recognized as the overall custodian of lands, but his role is ceremonial. He has no power now to stop anybody from dealing with his/her land the way he pleases. He only pacifies the land to ensure peace and maintain its fertility. The clan/family head front is also broken. Once the lands are shared, it is only out of respect that the respective nuclear families

would inform the clan/family head that they intend to use the land in a particular way. It was however realized from some communities that despite these freedoms, they own it a duty to seek the concern of their father, and in his absence, a paternal uncle before a land could be sold.

4.4 Accessibility to Land in the Lawra District

Initially, when land was in abundance and virgin lands were still available, coupled with the low population, there was no problem with accessibility to land. First settlers (Tendana) were always inviting passers-by to settle among them (Focus Group Discussion, April 2009). Things have however changed and one has not even got the luxury to be changing land not to talk of inviting others to join one on one's land. The next two sub-sections look at accessibility of land in the study area in the past and present.

4.4.1 Accessibility to Land in the Past

The general impression with accessibility to land in the past is that, the supply of land then outweighed the demand for it. First settlers (Tendana) could have unrestricted access to very large tracks of land, and in fact, that is what they have preserved for the present generation and others that would follow. It was clear at a focus group discussion (April, 2009) that the 'tendana' were initially for the land, but once they gave it out to a particular family they have no say again in it aside performing ceremonial roles like cutting of sod for building and digging of graves.

The household survey results on accessibility to land in the past are presented in Table 4.7 below.

Table 4.7: Accessibility to Land in the Past

Past Access to Land	Frequency	Percent
Unlimited Portion	88	88.0
Limited Portion	1	1.0
Other	1	1.0
Non-Applicable	10	10.0
Total	100	100.0

Source: Field Survey, April 2009

Almost all the respondents (88%) believe that land could be acquired in unlimited portions, and this could be attributed to the population numbers as at that time. This goes to confirm the impression that land supply used to outweigh the demand for it.

4.4.2 Accessibility to Land Now

Presently, one cannot talk of virgin lands again; all lands have owners now and have been used in one way or the other. Therefore, one cannot have unrestricted access to land like before. These days lands are acquired through inheritance, outright purchase or some other means (See Sub-section 4.3.2). The Table below gives the reaction of the respondents to how accessible land is in the study area now.

Table 4.8: Accessibility to Land Presently

Present Access to Land	Frequency	Percent
Unlimited Portion	7	7.0
Just Family Land	69	69.0
What One Can Afford	13	13.0
Other	1	1.0
Non-Applicable	10	10.0
Total	100	100.0

Source: Field Survey, April 2009

From Table 4.8, as many as 69% of the respondents feel that they can only have access to their family lands, i.e. inheritance, 13% think that they can only have access to land now if only they can buy, whilst 7% of them feel that they can still have access to unrestricted lands. This 7%, when looked at closely, belong to the 'tendana' family who retained very large parcels of land for themselves and have resorted not to release it freely like they did before. One could therefore conclude that land in the study area is now in acute supply, and this could be attributed to the increase in population and the commercialization of lands.

4.5 Institutions Governing the Acquisition and Possession of Lands

Formal land delivery agencies are supposed to complement the efforts of the customary land tenure management to ensure smooth dealings and use of land, and bring about orderly development. This section tries to assess how these services are patronized in the Lawra District.

4.5.1 Documentation of Title to Land

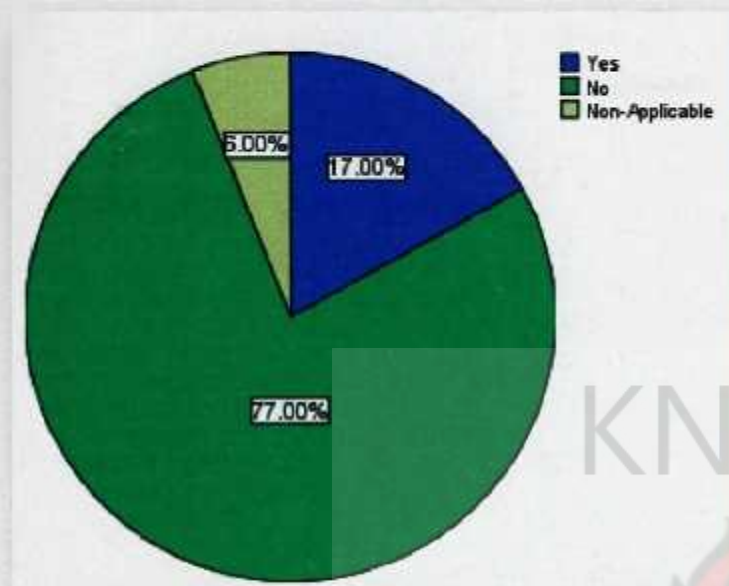
Title is the means by which a person establishes his/her right to land. Title to land may take the form of possession or it may take the form of a document or series of documents. A good title, however, is always documentary (Da Rocha and Lodoh, 1999, p.99).

When respondents were asked if they have titles to their lands, 77% of them answered in the negative, 17% answered in the affirmative and 6% were non-responsive. These are shown in Figure 4.6 below. When those without titles were asked why they did not have title documents to their lands, varied answers were given; 14% of them said the services are not extended to their localities, 55% lack knowledge on the essence of obtaining title documents or were comfortable with the customary title that they have to their lands, 7% gave some other reasons, whilst 24% were not responsive.

Those who claimed they had the title document were probed further to find out where they obtained these documents and they also indicated the following places; 8% had their transactions witnessed in court and 9% had theirs witnessed by the chief. The 83%, representing those who said they had either no title documents or land did not qualify to respond.

So far, it can be seen that formal documentation of title to land in the district is absent. Some of them seem not to understand what is meant by obtaining formal title to land, some do not have the opportunity to obtain them as the bodies in charge are not located in the district and some seem to be adamant to the whole process as they feel comfortable with just the customary system. Even those who claim to have title to the land do not seem to have, as the presumed title documents are just allocation notes witnessed by either the chief or court. But this is not surprising so much as the departments responsible – Lands Commission and Land Title Registry, have no offices in the district.

Figure 4.6: Respondents with Title Documents to Land



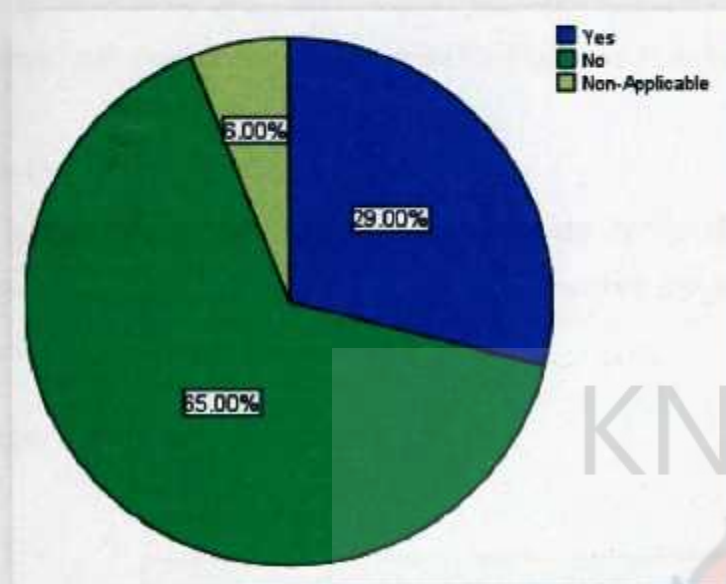
Source: Field Survey, April 2009

4.5.2 Compliance with Planning Permits

Planning permits are necessary to regulate development and also provide essential services that the private sector might not be interested in providing. The Local Government Act, Act 462 of 1993 mandates the district assembly to be the planning authority and is therefore expected to come out with planning schemes to guide all forms of development. The respondents were asked whether they abide by these planning schemes and the following responses in Figure 4.7 were provided.

From the Figure below, 29% of the respondents said they have permits to use the land, 65% do not have permits whilst 6% were non-applicable. A follow up question to those who have no permits to find out their reasons for not having it made it clear that 34% do not have planning schemes in their area and as such, have not had the opportunity to obtain it. Twenty seven percent of them seem not to have any knowledge about planning permits, 3% gave some other reasons and 36% of them did not qualify to respond. As to where these permits were obtained 25% of the respondents said they got them from the Town and Country Planning Department, 3% got theirs from some other source and 72% did not fall within those to respond.

Figure 4.7: Compliance with Planning Permits



Source: Field Survey, April 2009

It is therefore clear that apart from about 25% who had their permits from the right source, the others seem to be developing illegally. It was even found that this 25% fall within those who use their lands for constructional purposes. This implies that the planning department in the district is just concentrating on planning schemes for constructional purposes to the neglect of other aspects.

4.5.3 Payment of Ground Rent

OASL was established by the 1992 Constitution to among other things collect ground rent and distribute it according to a formula among the stool, traditional authority and the district assembly (Sec. 267, 1992 Constitution of the Republic of Ghana). It was observed from the field survey that land owners in the district do not pay this rent. A number of reasons were however put forward for the failure to pay. Just 5% of them claim they pay ground rent but when probed further, it was realized that what they were calling ground rent was property rates collected by their respective town councils. Majority of the people (58%) said they do not pay this rent because it has never been demanded for, and 30%, plus those who claim they pay the rent have no knowledge of it at all. Twelve percent did not answer the question.

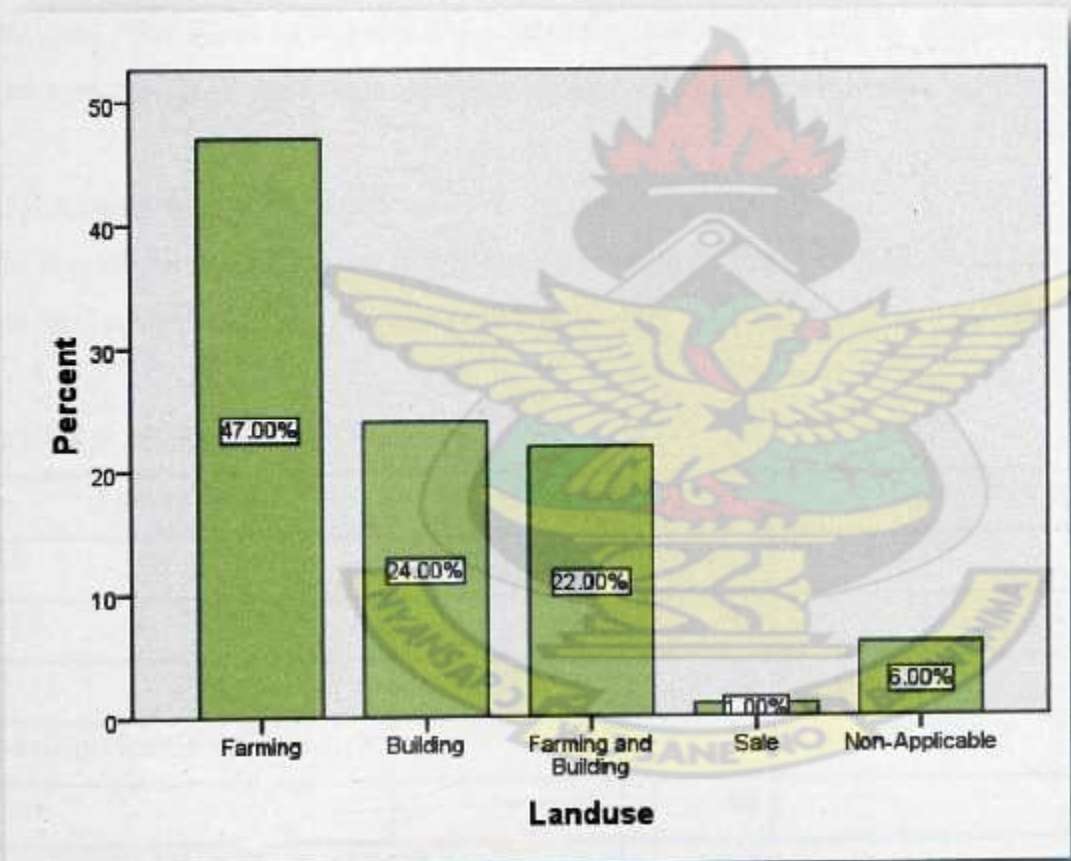
This was however expected because most people have not officially registered their lands, coupled with the fact that OASL is not even established in the entire region. This means that a substantial amount of revenue that could help develop the district is being lost.

4.6 Uses of Land in the District

It is seen from literature and the field survey that farming is the mainstay of the district. It was therefore necessary to find out what land owners are using their lands for. The results from the field are presented in Figure 4.8.

Figure 4.8: Uses Lands are Put to

KNUST



Source: Field Survey, April 2009

From Figure 4.8, the main uses of the land in the district are farming and building. Forty seven percent of respondents use their lands for farming, 24% are committing their land for constructional purposes, and 22% use the land for both constructional and farming purposes, whilst 1% of them said the land is strictly for sale. Six percent, forming the non-land owners did not respond. The implication is that farming remains the main source of livelihoods in the district and any effort at uplifting their livelihoods should be geared towards that.

4.7 Level of Land Fragmentation in the District

With farming being the mainstay of the district, it is not just the availability of land that matters but also the form in which it is available and the size of farms, including how they could be re-fertilized. The form of inheritance - whereby a piece of land is divided among the family members, results in land fragmentation, which could only result in uneconomical holdings.

4.7.1 Family Size of Farmers

The size of family of farmers would have a bearing on the size of the farm and how fragmented that land could be. Table 4.9 shows the family sizes.

Table 4.9: Family Size of Farmers

Family Size	Frequency	Percent
1-5	6	6.0
6-10	42	42.0
11-15	9	9.0
Non-Applicable	43	43.0
Total	100	100.0

Source: Field Survey, April 2009

Majority of the farmers interviewed have family sizes ranging from 6 to 10 (42%), and those with exceptionally large family sizes, households with members from 11 to 15 form 9% and the smaller family sizes of 1 to 5 form 6%. Forty three percent of them were not farmers, and so did not respond.

4.7.2 Size of Farms

Farms were found to be of varying sizes as shown in Table 4.10 below.

Table 4.10: Sizes of Farm

Farm Size (Acres)	Frequency	Percent
1-4	23	23.0
5-8	24	24.0
9-12	8	8.0
13+	3	3.0
Non-Applicable	42	42.0
Total	100	100.0

Source: Field Survey, April 2009

As seen from Table 4.10, 47% of the respondents who are farmers have farm sizes ranging from 1 to 8 acres and 3% of them have farms of size 13 acres or above. It was also realized that 57% of the respondents who happen to be farmers said their farms were scattered and it was one farmer (a settler farmer) who has his farm being a complete one (located at one place). As to whether these farmers were satisfied with the sizes of their farms, virtually all of them (55% of respondents) wish they could get bigger farms than they have. It was only 3% of them (with farm sizes, 13 acres or beyond) who feel very comfortable with the size of their farms and it is possible they fall within the 'tendana' families.

In an effort to know why they could not go ahead to get bigger farms than what they currently have, Table 4.11 shows the responses that were provided. The responses in the table below indicate that 21% of the respondents said the land was limited and it is not possible to extend their farms, 33% of them have no resources to acquire more land and only 1% is constrained by the procedures to follow to acquire more land. Forty five percent were not applicable.

Table 4.11: Constraints to Having a Bigger Farm

Constraints	Frequency	Percent
Limited Land	21	21.0
Financial and Human Resources	33	33.0
Cumbersome Procedures	1	1.0
Non-Applicable	45	45.0
Total	100	100.0

Source: Field Survey, April 2009

4.7.3 Land Fragmentation and Plans to Fragment Land

Land in the district was seen to be so much fragmented for obvious reasons – descendants sharing a piece of land left by their fore-fathers among themselves and the urge for individual land ownership. Land fragmentation comes as a result of the persistent sharing of the land by every emerging generation. It results in smaller land sizes per household which does not encourage commercial farming or large scale production. This was particularly observed to be much pronounced in the Nandom traditional area and its environs than the Lawra traditional area. Table 4.12 presents the responses on land fragmentation.

Table 4.12: Land Fragmentation in the District

Fragmented Farm	Frequency	Percent
Yes	35	35.0
No	23	23.0
Non-Applicable	42	42.0
Total	100	100.0

Source: Field Survey, April 2009

Out of the total number of interviewees, 35% who were farmers agreed that their lands are fragmented whilst 23% said they were not. As to the level of fragmentation, it varied between two to over eleven places, see table 4.13 below.

Table 4.13: Level of Land Fragmentation

Level of Fragmentation	Frequency	Percent
2-4	26	26.0
5-7	5	5.0
8-10	1	1.0
11+	2	2.0
Non-Applicable	66	66.0
Total	100	100.0

Source: Field Survey, April 2009

As already stated the sharing or division of the land among siblings brings about the land fragmentation. From Table 4.13, the fragmentation level, from two to four places dominate with 26%, followed by five to seven places and eleven places and above with 5% and 2%, respectively. From eight to ten places, it was 1% and the non-applicable was 66%.

Those who have not fragmented their lands gave various reasons for that; Some (4%) said the land was already too small to be further divided, 8% said they have smaller family sizes and so did not see the need to divide their lands and 5% feel that they are comfortable working together. A mere 1% feel that they have vast lands to their disposal and as such any of them could make use of any portion at one point in time and shift to another vacant place as one pleases, 5% gave some other reasons and 77% were non-applicable.

As to whether there would be the need to fragment/further fragment the land in the future, 35% of the respondents who were farmers see it to be very eminent as their kids would grow or other siblings who have migrated out of the district might come back, whilst 23% do not foresee any partitioning/further partitioning of their land. Forty two percent was not applicable here.

Looking at the large family sizes of the farmers and their respective small farm sizes which are even scattered all over, couple with the kind of inheritance and their source of sustenance, livelihoods in the district could seriously be threatened. Virtually all the farmers would have liked to have bigger farms and as many as 21% of them cited the limitation of land as the constraint. Thus, given the nature and level of land fragmentation already and the future plans to

fragment, one can just imagine how uneconomical it would be to invest in those fragmented lands. Even those who said their lands are not fragmented agreed that they have scattered farms which could only have resulted from some earlier divisions.

4.7.4 Fallow Period of Farms

Farm sizes would surely influence the decision to either allow a farm to fallow or not. Where land is in abundance one could have the luxury of allowing some parts to fallow, but where the land is limited in supply, one might have to continuously cultivate that same piece of land. The field survey that was conducted also tried to find out if farmers are able to allow their farms to fallow and how long they could be allowed to lie fallow. In response, 37% of the respondents said they allow their farms to fallow whilst 21% are not able to fallow their farms, and the latter claim that they do not have enough land to allow part to fallow. As to the duration of fallow, 37% of the respondents gave the following answers (see Table 4.14).

Table 4.14: Duration of Fallow Periods of Farms

Duration (Years)	Frequency	Percent
1-3	21	21.0
4-6	14	14.0
7+	1	1.0
Non-Applicable	64	64.0
Total	100	100.0

Source: Field Survey, April 2009

Twenty one percent of them leave their farms to fallow for one to three years and are forced to return to same farms because of lack of alternative land. It is only 15% of the respondents (farmers) who fallow their farms for four years or beyond. Sixty four percent did not qualify to respond. The implication is that land is continuously cultivated which could lead to reduction in soil nutrients and yields for that matter.

4.8 Agricultural Production (Crop) in the District

4.8.1 Main Crops Grown

The location of the district makes it conducive for the cultivation of cereals like guinea corn, millet, sorghum and maize; and legumes such as ground nuts, cowpea and soya beans. From the field survey, it was realized that cereals are the main crops cultivated. Twenty two percent of the farmers cultivate cereals only whilst the rest of the farmers (36% of the respondents) cultivate both cereals and legumes. The rest of the respondents did not qualify to respond. The responses show how important cereals are to the survival of the people in the district; they rely on it for food, drinks and even the performance of some cultural practices.

4.8.2 Purpose of Farming

Table 4.15 below indicates the responses for the reasons for venturing into crop production.

Table 4.15: Purpose of Cultivation

Purpose of Cultivation	Frequency	Percent
Consumption	31	31.0
Sale and Consumption	27	27.0
Non-Applicable	42	42.0
Total	100	100.0

Source: Field Survey, April 2009

Almost all the farmers are subsistence farmers, i.e. cultivating basically for food consumption, 31% of them fall under this category and 27% of them cultivate for both consumption and sale. This does not give a very good picture about people who claim that farming is their profession. If they cultivate for just consumption, it raises the question of how their other basic needs like health, education, clothes etc are to be taken care of. The blame could however be shifted to the fragmented nature of the farms and farm sizes which do not allow for large scale cultivation and fallowing. It was however made clear in the field that despite the fact that they strictly farm for consumption, they sell a portion to cater for their other needs, especially the old stock when fresh harvests are made.

4.8.3 Changing Trends of Farm Yields

As already observed, farmers' hands are tied as far as the amount of land that could be cultivated is concerned. They are not able to either fallow their farms or fallow them enough for them to regain some loss nutrients. They have to rely on organic and inorganic fertilizers (which are not easy to come by) if the yields from the farms are to be maintained at least. It was so much surprising to hear some farmers making comments that their lands have been cultivated continuously for the last 40 plus years. It was therefore expected when almost all the farmers said their yields keep reducing. Table 4.16 shows the responses of the farmers when they were asked about changing yields.

Table 4.16: Change of Yields

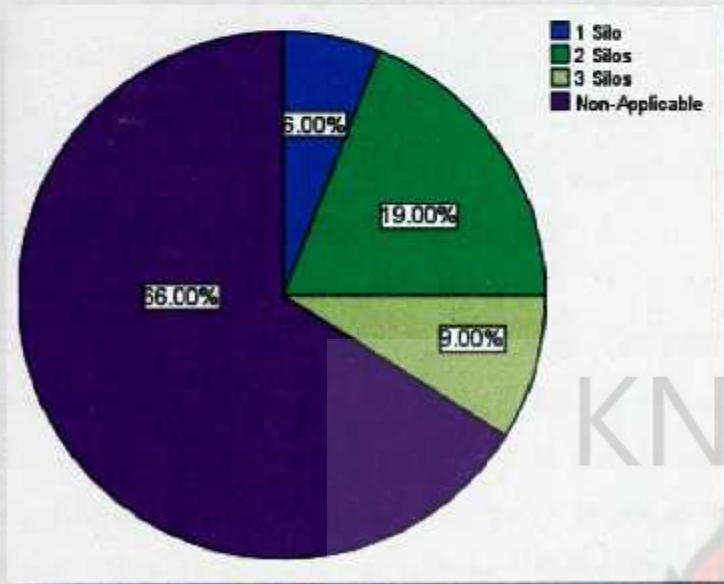
Change of Yields	Frequency	Percent
Increased	2	2.0
Decreased	49	49.0
No Change	7	7.0
Non-Applicable	42	42.0
Total	100	100.0

Source: Field Survey, April 2009

From the survey, 49% of respondents said yields have decreased from what they used be, 2% happened to have their yields increasing and 7% have not seen any change in their yields. Forty two percent of the respondents did not respond. Those who have yields improving or not changing could be categorized as those who are able to afford one kind of fertilizer or the other or have enough land to practice land rotation. The high numbers of farmers recording worsening yields is a direct result of their inability to rotate their lands since the land is not sufficient to them.

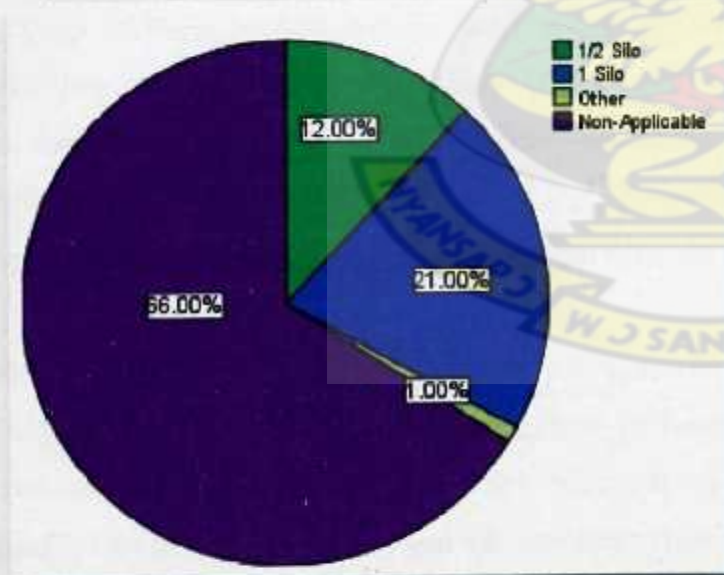
Attempts were made to quantify the present yields as against the past yields when they had sufficient land and could rotate their lands. But due to the difficulty in placing value on their products, only the main crops (millet, sorghum and guinea corn) which are stored together in silos were used in measuring the yields. Figures 4.9 and 4.10 present the responses on yields.

Figure 4.9: Past Yields in Silos



Source: Field Survey, April 2009

Figure 4.10: Present Yields in Silos



Source: Field Survey, April 2009

Comparing the two figures above, a confirmation of the reduction in yields is made. In the past, 9% of the farmers could get three silos from their yields, 19% could get two silos whilst 6% could make a silo each. However, presently, the best farmers can get is just a silo each (21% of them), 12% are able to make $\frac{1}{2}$ a silo each and even 1% is making less than the $\frac{1}{2}$ silo. This has shown that yields have gone down drastically and this calls for serious measures if the situation is not to deteriorate.

Farmers were asked to justify the reduction in yields and they came out with the following reasons; 25% of them blame the situation on reduced soil fertility, 3% said it is because of unfavourable weather and 1% said it is due to reduced farm sizes. Twenty percent of the respondents (farmers) however feel that it is due to a combination of all the factors mentioned above, 2% gave some other reasons. Whilst 41% was not applicable here as they were not farmers, 8% did not respond. The reduced soil fertility as observed already is due to the lack of sufficient lands which do not permit land rotation. Therefore, the main reason for the reduction in yields still boils down to the land factor.

4.9 Capacity to Cater for Basic Family Needs

In order to check on how helpful farming is to the farmers, there was the need to find out how well they are able to cater for the basic family needs such as food, health, clothes and education. In that regards, 10% of the respondents said they are able to cater for these without any difficulty. According to them, proceeds from business, government policies like the NHIS and support from siblings outside the district help them do that.

Also, 39% acknowledge the fact that they do cater for these needs, but with a lot of difficulties. They tie these difficulties to the reduction in farm produce and general difficulties of the economy. Nine percent however are not able to satisfy these basic needs of the family because of insufficient farm produce and general economic difficulties. All other respondents did not react to this question. It can therefore be said that the general unavailability of land, leading to poor soil nutrients, resulting in poor yields has a major impact on the condition of living of the people of the district, and for that matter, their livelihoods.

4.10 Ability of Land to Continue to Sustain Livelihoods

Land is already seen to be limited in supply to the people, especially farmers in the study area. Family sizes are not reducing and there is that desire for individual land ownership. The limited, but fragmented land, coupled with the increasing population and the desire for individual land ownership pose the question of how the land would support farming (crop), which is the main source of livelihoods in the district.

In reaction to a question as to whether the land can continue to support sustainable livelihoods, 7% of the respondents answered in the affirmative with the reasons that they have large tracks of land and that they believe out-migration and education would help relieve pressure on the land. However, as many as 51% feel that they cannot continue to rely on the land and for that matter, crop farming because of the impoverished nature of the soils, high population to small land ratio and urbanization. Forty one percent were not applicable here whilst 1% did not respond. As to whether they do some other jobs to supplement the farming, 43% responded positively whilst 14% said they have not been able to secure any other job to supplement their farm produce. Two percent did not respond and 41% were non-applicable. The main supplementary job was found to be rearing of livestock and poultry. From these reactions, one could believe that the land is no more in a better position to support livelihoods in the district. The 7% who still feel the land can support even do so based on the probability that some of them would acquire education and do some other jobs instead of farming and that some would also migrate out of the district. All these are indirect ways of saying that the land is no more supportive of livelihoods.

4.11 Views of Traditional Authorities

The main traditional authorities interviewed were the chiefs and the 'tendana'. The chief and the 'tendana' of each selected community were consulted. As to who owns land, seven out of the sixteen interviewed believed that the land is for the 'tendana', three said the land is owned by individual families whilst six were of the opinion that the 'tendana' is only a symbolic custodian of the land but actual ownership rests with the individual families. Thus, nine of them actually believe that land ownership rests with the individual families. This goes to confirm that land ownership is so much controlled by families and these families have the right to share it among the individual households.

When asked to elaborate on the roles of the traditional authorities in land matters, the answers given go to affirm that 'tendana' are actually ceremonial landlords. For chiefs, their roles are just to witness land transactions and settle land disputes, a confirmation of what was gathered from the household survey. The 'tendana' however have a number of roles in the control of the land; they are the overall custodians of land and thus determine who settles where. This they do free of charge aside the provision of some items to perform the necessary rites. Once they give out the land, it is for that particular family and only reverses back to them where there is lack of successors. They also play the spiritual roles to maintain peace and the fertility on/of the land, educate people on the dos and don'ts of the land, help identify land boundaries in times of disputes and cut the sods for construction works including the digging of graves. These roles are not different from what the households mentioned.

On the conditions required for the acquisition of land, these traditional authorities maintained that land is strictly not for sale which contradicts some of the ideas got from the household survey. They said one only needs to meet the 'tendana' or land owning family and solicit for a parcel. Material items are then requested from him/her for the necessary rites before one could settle down. One should also be willing to abide by the rules and regulations of the land. This however seems to reflect what used to happen. Since the land is now in the hands of individuals and the 'tendana' cannot stop individuals from dealing with their lands the way they want, it is supposed some individuals could sell their lands as seen in the household survey.

The traditional authorities also confirmed that land in the district is mostly used for farming and building of houses. On compulsory acquisition by government, five of them said their lands have been taken and no compensation has been paid because the people of the area are the beneficiaries of the projects for which the lands were acquired (clinics, schools etc). The other eleven have not had their lands taken because the land is limited in size and also, no such demand has been made. All of them contended that their roles mentioned above have not changed in anyway because it is a tradition that needs to be preserved. They were emphatic that the chieftaincy roles are adopted ones since chieftaincy never existed in their culture.

To them, anybody could acquire land in the district provided the land is there and the person follows the necessary procedures (entering into agreement with the land owning body and calling the 'tendana' to perform the necessary rites and also involving governmental institutions like the planning department). One 'tendana' emphasized the point that because of development, they accept anybody of good character to settle among them and that; lands are also released freely to organizations for developmental purposes.

As to whether there are restrictions to the use of land, they said no except the planning restrictions and obeying the rules of the land (example, keeping away from sacred grooves). In answering a question as to how long a land could be occupied, they said it depends on the use and the agreement. But generally, natives would have permanent occupation whilst strangers own would be based on agreements. Again, where it is for building, it is mostly permanent but for farming, it may not be. From the discussion so far, one could realize that accessing land in the district is not a problem. The problem comes in with the availability of the land. Much as the traditional authorities would want to welcome all into the district to contribute to the development of the place, they are limited in their efforts by the scarcity of land. The problem even gets aggravated with the fact that the land is now getting into the hands of individual households who might just be interested in maximizing profit from it or preserving it for their offspring.

4.12 Contributions of Land Delivery Agencies to the Management of Land in the District

Land management is a collaborative effort between the customary land owners and the formal governmental institutions. As seen in the literature, the formal land tenure system came in to complement the customary one. This section looks at the contribution of the formal land delivery agencies to the management of land in the study area.

4.12.1 Department of Town and Country Planning

This department prepares planning schemes and advises the district assembly land owners and other stake holders on the need to abide by the planning schemes. According to the department, individuals and institutions comply with the planning schemes. Land owners seek advice on the planning implications on their lands before selling them out.

When it comes to land uses, residential buildings are fast gaining grounds aside the farming lands which are already dominating.

In general, it is like the department is doing selective implementation of the planning schemes. An observation made indicates that they only insist on giving a permit where a land is to be sold for constructional purposes in a zoned area (main towns of the district). All other aspects of the schemes are not strictly enforced and this could still result in haphazard development. Again, where development is carried out by land owners, little is cared about planning schemes. The department recognizes the unco-operative nature of these land owners as a major challenge. They also face financial and logistical problems in their work. It can thus be said that the department in the district is not functioning as it ought to.

4.12.2 The Land Valuation Board

The Land Valuation Board among other things, carries out valuation for compensation, rentals for premises that government has an interest, rating purposes and particularly, stamp duty for registration of land. The board unfortunately has no branch in the Lawra District, but all the same outreach services are rendered from Wa, the regional capital.

The main activities the board undertakes in the district are rating valuation, rental valuation and valuation for compensation. Valuation has been carried out at the Lawra and Babile townships for rating, rental valuations have also been carried out on the premises occupied by Ghana Police and the Immigration Service at Lawra, whilst the valuation for compensation was at Nandom and Ko when the township roads and the secondary school, respectively were being constructed. This means that some lands acquired in the district were compensated for which did not come out in both the household survey and the interview with the traditional authorities, may be, because the respondents were not directly concerned.

The lack of valuation for stamp duty also goes to confirm that people are not registering their lands. The board even collaborated this by saying that individuals do not patronize their services as expected. The main problems confronting the board are lack of qualified professional staff, inadequate logistics including transportation facilities and lack of knowledge on the part of the

general public on the benefits of valuation services. The board certainly cannot perform effectively in the district because of these problems including the fact that there is no permanent office in the district.

4.12.3 The Lands Commission

The commission was established to basically manage public lands and give concurrence to transactions in all types of lands. It also educates the public on land issues and arbitrates in land disputes. It is the commission that prepares leases for land owners, which is a proof of good title, though one could go ahead to obtain the land title certificate at the land title registry.

Despite the invaluable services provided by the commission, its services are not extended to the Lawra District. This could therefore probably be one of the reasons why people have not taken the initiative to register their lands. When the regional office was contacted, they said they lack staff and the requisite logistics to either establish district offices or provide outreach services.

4.12.4 The Survey Department

The Survey Department mainly demarcates, surveys and maps out lands. It is an essential department in determining the boundaries of lands. That is the first exercise that is supposed to be carried out before one can think of registering his/her land. The department particularly provides the following services for land owners and other sister institutions; provision of base maps of settlement for land use planning purposes, demarcation of approved layout schemes, demarcation, survey and mapping of customary boundaries, and survey and preparation of composite plans for settlement of boundary disputes. Its services are extended to the district by way of outreach services due to lack of staff and land surveyors in the entire region. The patronage of their services is however very low in the district, may be due to the fact that people are not keen on registering their lands and also because land disputes are not widespread. The department faces problems like inadequate surveyors in the region, lack of modern equipment and logistics, lack of ICT experts and low enforcement of the survey laws leading to the existence of quack surveyors whose services are mostly patronized by unsuspecting landlords.

It can be seen from this section that the services of these formal land delivery agencies are not so much patronized by the people of the district. Land management in the district is therefore

mostly in the hands of the customary custodians who are fast losing that role to individuals. It would be appropriate if these individuals are encouraged to register their lands and follow other formal requirements to forestall any future land conflicts and facilitate transactions in land.

4.13 DADU's Views on Crop Production in the District

DADU is the body that oversees the development of agriculture in the district. It carries out extension services including transfer of new farming technologies to farmers and the formation of farmer based organizations. It was therefore appropriate to find out how agriculture (crop) is faring in the district and determine how sustainable it is. At the unit, maize, sorghum, millet, groundnuts and cowpea were said to be the main crops grown in the district. This agrees perfectly with what was obtained from the household survey. The table below shows the yields for these crops and the area cultivated in the district from 2004 to 2007.

Table 4.17: District Crop Yields (Metric Tons) and Area (Acres) Cultivated, 2004 – 2007

Crop	Year							
	2004		2005		2006		2007	
	Area	Yield	Area	Yield	Area	Yield	Area	Yield
Maize	5168.5	1080	7166.9	1865	7938	1953	7779	1340
Millet	24197	4210	28345	6515	29799	5794	26820.4	5319
Sorghum	75978	23200	129933.7	42569	131385	42932	78830.6	26164
Groundnuts	32256	15700	30814.6	12948	33113	16951	33775.6	16425
Cowpea	4989.6	1550	6922.4	909	5582	1838	5748	1931

Source: DADU, Lawra District, 2009

From Table 4.17, the yield has not been consistent with the acres cultivated and the acreage too keeps reducing in some instances. Taking maize, millet and sorghum, for example, the acreage dropped from the 2006 figures of 7938, 29799 and 131385 to 7779, 26820.4 and 78830.6, respectively in 2007. The yields too dropped as such, it was particularly noticeable in the acreage and yields for sorghum, which is widely cultivated in the district. With groundnuts, the yield appears to be falling even though there was an increase in the acres cultivated as seen in the 2006 and 2007. The impression these observations are creating is that, the land available for cultivation keeps diminishing, and that the fertility too is reducing such that even larger farms cannot produce up to what hitherto smaller farms could produce. This supports the outcome of the household surveys that soil fertility is falling and the land available for farming is also

reducing due to individual land ownership and land fragmentation. If the trend continues then sustainable livelihoods are under serious threats.

DADU also attributes these variations in the yields to low soil fertility, poor weather conditions and low adoption of improved cultural practices. It also acknowledges the fact that the present average farm size of about five acres per farmer is on the decreasing side and blames it on population pressure on the land. In a nutshell, agricultural (crop) production is declining in the district, and this is partly due to the infertility of the land and its diminishing size among other factors.



CHAPTER FIVE

SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

This chapter outlines the main findings of the research, draws conclusions based on these findings. It gives recommendations on how best to manage land in the district and tackle some of the issues identified. It ends with recommendations for further research.

5.2 Findings of the Research

5.2.1 Changing Trends of Land Tenure

The study reveals that land ownership is now in the hands of individuals. Any other traditional authority, be it chief or 'tendana' owns and manages his land as an individual just like any other ordinary person and not as was purported, managing the entire land on behalf of their people. Land was initially owned by the 'tendana' who invited other clans/families to settle on that land and gave parcels to these individual families/clans, and once that was done, absolute ownership was transferred and the latter became the owners. And because of the kind of inheritance in the district, these families/clans have also divided these lands to individual households who now control and manage them as their own independent of any mandatory control from either the 'tendana' or clans head. This would have been very good for investment since dealing with individuals would be easier than a group. But for the fact that these lands are small and fragmented, it would still be a disincentive to large scale investment.

The tendency for these individual land owners to safeguard and conserve the land for future generations is very slim unless policies are put in place to compel them to. In this case, the communal ownership, where the use of the land was controlled by a body from above was more sustainable, since individuals could enjoy the fruits of the land without necessarily disposing of the lands.

5.2.2 Accessibility to Land in the District

It was also realized that all lands in the district have owners and so can only be accessed by inheritance, purchase or as a gift. Land can however be easily accessed by all irrespective of

one's citizenship or sex through any of the mentioned means. Natives of the district who are males, however, have greater chances of accessing land because of the tradition that land is to be shared equally among a man's sons. Lands are offered for sale by individual landlords to anyone who is interested especially in the towns (Nandom, Lawra and Babile). Thus, there is easy access to land for individuals and organisations who need land for their operations provided they can afford. Some 'tendanas' are quite unhappy about the turn of events, because they gave out the lands to the individuals through their families free of charge and they in turn are now selling them.

In the villages however, there has not been any offer to buy land there. They therefore still maintain that land is not for sale. That, notwithstanding, land could still be easily accessed by both natives and non-natives through gifts and inheritance.

5.2.3 Institutions that Govern the Acquisition and Possession of Land in the District

The study again shows that the 'tendana' is now just the ceremonial custodian of land in the area with roles different from the common belief that the land belongs to him. He is the spiritual head of the land and pacifies it to maintain peace and the fertility of the land. He also cuts the sod for new buildings to be put up and for the digging of graves. He again identifies boundaries of families' lands in times of disputes. He used to be the overall landlord who distributed land among the people according to their needs. But with the increase in population and urbanization, the best was for him to take a back stage and allow the forces of demand and supply to take control of the land market.

From the study, it came out that chieftaincy is alien to the culture of the people of the study area. Chiefs therefore play very minimal roles when it comes to the control and management of land. They settle land disputes in collaboration with the 'tendana' and also witness transactions in land at a cost. Some chiefs however could take undue advantage of this leeway and unnecessarily burden potential land dealers with heavy charges. Their charges might not be morally right since they rather tend to benefit at the expense of the 'tendana' who spiritually safe guards activities on the land.

Another finding was that family/clan heads were very powerful when it came to the alienation of land, they released most of the lands to land owning individuals. They governed the acquisition and possession of land in the past. This power has however been transferred to individual households through inheritance and purchase. This though would ease transactions in land, has the tendency of making natives of the land tenants on their own land. This would happen where all the lands are sold out.

Further revelation from the study was that formal land delivery agencies are either not operative in the district or their services are not effective leading to poor patronage. The Town and Country Planning Department in the district concentrates on giving building permits. The Survey Department and the Land Valuation Board only provide outreach services from the regional capital. Lands Commission is just at the regional level and has not extended its services to the district whilst the OASL and the Land Title Registry have not even got offices at the regional level.

Lands are not registered formally and planning schemes are skewed towards buildings to the neglect of the other aspects. Land management is therefore solely in the hands of customary law, which is also undergoing a lot of transformation. This therefore could have serious implications for the ownership and use of land in the future. The problems mostly associated with land in the cities like multiple sale of land, haphazard development without due regards to planning schemes, indeterminate boundaries to lands and insecure tenures could creep in.

It should however be noted that formalization of land transactions guarantee tenure of the land for investment. Customary tenure alone creates insecurity since they are not written down and also, they keep changing. Production under the customary tenure as seen in the literature is mainly for consumption which cannot support the growth of an economy. Perfecting of transactions in land also enhances the value of that property, which would help ensure sustainable livelihoods.

5.2.4 Uses to Which Land is Put to

Land in the district is basically used for farming and building of houses. Farming dominates, but building is fast gaining grounds now. Some farming lands are therefore being converted into building lands. This has the potential of depriving some people of their livelihoods. The farming is more subsistence than commercial. Commercial farming is essential in assuring the people of sustainable livelihoods than the subsistence farming. Subsistence farming might just help them get their food to eat, but the question is whether that would offer them the other necessities of life like clothes, health, education etc. People might have to take a second look at their thinking towards farming to make it more businesslike than it is now.

5.2.5 Fragmentation of Land and its Effects on Agricultural Production

It again came out clearly that land in the district is not only limited in supply to the farmers, the farms are also fragmented and scattered over the place. This is mainly due to the increased in population and the system of inheritance. This does not encourage the people to go into commercial farming, which is a limitation on their livelihoods. This is because it would not be easy and economical to practice mechanized farming.

Again, farmers are not able to allow their farms to either fallow or fallow long enough to regain nutrients lost through continuous cropping because of the limited land. The land is being over utilized, i.e. the natural resource based is being undermined making it very unsustainable. Yields have dropped as a result of these factors including the low adoption of cultural practices. Since farmers depend on their farm produce for food and virtually all their needs, the drop in yields has serious implications on their life. Their standard of living is low since most of them are not able to satisfy their basic family needs, and those who are able to meet these needs do so with a lot of difficulties. As such, land is no more seen as something that is capable of sustaining their livelihoods in the district.

5.3 Recommendations

5.3.1 Formation of Cooperatives

Looking at the sizes of farms and the level of land fragmentation, it discourages one from committing so much resources into the land with the aim of recouping his/her investment and

making some profits. In such a situation, it would be more appropriate if a number of them, say between 5 and 10 of them come together to form cooperatives where they would pool their resources including land together in a venture. With such cooperatives, members would be assured of land, and credit could also be sourced from financial institutions to enable them do commercial farming. Other advantages that the cooperatives could bring in are; stable pricing and marketing of their produce and training from governmental and non-governmental organisations.

5.3.2 Institute a Formula for Sharing Proceeds from Land

It is a well known fact that lands passed through the hands of 'tendana' to family/clans heads and now mostly to individuals who administer them in the locality. It is also known that though chiefs did not play any role in discovering the lands, they have some financial benefits from land transactions, and this financial benefit is even decided by the chief. In view of these facts, it would be appropriate if a formula is laid down as to who is to benefit from transactions in land and the quantum of these benefits. A formula that gives the original owners of the land (tendana) 10% of the proceeds, 5% to the chief and the rest for the present owner would be considered fair. This would forestall any future confrontations and also regulate the amount a chief could collect for witnessing the transactions in land.

5.3.3 Set up Formal Land Delivery Agencies and Equip them

It is realized that the land delivery agencies are not operative in the district or they are not effective. This means that land management is purely in the hands of the local people. Issues like insecurity of tenure and land, multiple sale of land with its concomitant problems, haphazard development, indeterminate land boundaries, land gazumping, etc. are very eminent now or in the very near future. It would thus be appropriate if these agencies are put in place and given all the necessary logistics for them to play their roles of complementing the efforts of the customary land management authorities to bring about smooth and orderly development in the district and also serve as a check to these obvious problems. Without the concurrence of lands commission, for example, all transactions in land in the district are not in conformity with the laws of Ghana and this is a big indictment on the ownership of land.

5.3.4 Improving Titles to Land

Closely following the setting up of the formal land delivery agencies is the need for land owners to perfect their titles to the land. This is done by registering the lands and obtaining lease documents and/or land title certificates. Titles to land could be used as collateral in accessing credit from financial institutions. One could also use them as his/her share of contribution to a joint business venture. Formal title to land also creates confidence in all dealings in land. Despite these benefits that come with formal titles, titling in the district is absent. The land delivery agencies therefore owe it a duty to disseminate their roles to the people of the district, espousing all the advantages that come with their services and encourage them to patronize these services.

5.3.5 Extension of LAP to the District

LAP has an elaborate plan for the land sector of Ghana and if this is extended to the study area, it would streamline the dealings in land, develop the land market and establish an efficient land administration system which would lead to enhance socio-economic development of the place. For example, LAP has established customary land secretariats in some communities to oversee the administration of customary lands. Such a facility in the district would be so much welcome in guiding the way lands are transacted over there.

5.3.6 Securitization of Land

Securitization of land is a form of converting the interest in land into securities. These securities could then be traded in the market and whoever buys them becomes a part owner in whatever venture the land is put to. When such a thing happens, the land owner does not sell the land outright but rather invites people to join him as co-owners of the land. Securitization of the land would serve two main purposes in the study area; it would bring in the necessary resources to help undertake businesses on the land, and secondly, since the land owner retains some shares for himself, the land would be conserved for the future generations also. The concept has the ability to prevent land owners from becoming tenants on their own land. Securitization of land would work very well where titles to land are clearly spelt out.

5.3.7 Urgent Need for Education on Uses and Dealings in Land

There is the need to educate people on sustainable uses of the land so that future generations could still come and rely on it for their sustenance. Better farming methods should be adopted so

that the fertility of the soils could be maintained. People should also be educated on the options available to them in dealing with the land, for example, the possibility of they leasing out a land instead of outright sale should be made known to them. With the leasing, the land reverts to the original owner after the lease has elapsed. Other business choices involving the land but that would not take the land away from them should be emphasized. They should also be educated on the need to see land as a business resource instead of treating it as a non-business entity, for example, giving out land free of charge because it was never sold by their ancestors. Times are changing and the way things were done need to catch up with the present. Land is a limited resource and should be treated as such.

5.3.8 Modernization of Agriculture (Crop) in the District

Crop farming was seen to be the major occupation of the people i.e., their main source of livelihoods. However, yields were found to be on the decline. Thus, a boost to this sector would reflect in the living standards of the people. Modern farming techniques in the form of farming technologies, machines, fertilizers and other modern inputs should be introduced to the farmers and efforts be made to support them acquire these inputs. This would step up their production levels and help improve upon their lives. Efforts should also be made to provide dug-outs and dams and even pumps to utilize water in the Black Volta for irrigational purposes. This is particularly important since the farming is seasonal and the district has the potentials for irrigation farming.

5.4 Conclusion

The study was able to determine that land ownership in the study area has gone through a number of transformations from the tendana to clan/family heads and is presently more of individual ownership than communal ownership. Even the traditional authorities treat the land they have now as individual properties. This would have had the potentials of enhancing transactions in land and encouraging investment. But there is an impediment here, the land was found to be limited in supply and heavily fragmented, this does not facilitate large scale investment. In fact, because of these, agricultural production has been on the low side since farmers cannot allow their farms to fallow/fallow long enough, leading to low standard of living. There is however easy access to land by all provided the land is available.

Land titles too are not formalized because of the virtual absence of formal land delivery agencies and their services in the district. This would not raise the investor confidence in obtaining land and committing so much resource into it.

However, formation of cooperatives could help them pool their resources together to reap the full benefits of their lands, securitization of lands could also be a way of benefitting from the land today and still safe guarding it for the benefit of future generations. Extension of LAP, especially the establishment of the customary land secretariat in the district could help direct the management of land there. Modernization of agriculture could also help maximize the use of the land resource in the area.

5.5 Recommendations for Further Research

The study did not focus on some issues that came along side and so were not investigated. There is therefore the need to further find out about these issues, which include;

- a) Women's land ownership rights in the district could further be studied to see whether the transformation in tenure is a holistic one or there are still some limitations.
- b) Again, there would be the need to find out the viability of large scale livestock production since almost all the farmers keep it on small scale to supplement whatever yields they get in the fields.
- c) The study did not also look at the farming systems in the area even though farming is the mainstay of the district, thus further studies could be done in that area.
- d) Finally, land use planning is so much essential in improving upon the values of land or otherwise. But it was not also looked at in detail in the district, so it is another area that calls for further research.

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APPENDICES

Appendix I

Calculation of Sample Size

From the 2000 Population and Housing Census, Lawra district has a population of 87525 with an average household size of 6.7 and a growth rate of 1.7%.

To project this population to the 2009 figure $(Pop_{2009}) = Pop_{2000} (1 + r)^t$

Where Pop_{2009} = 2009 population figure, Pop_{2000} = base year population (2000), r = growth rate and t = the time.

Therefore, $Pop_{2009} = 87525 (1 + 0.017)^9$
 $= 103,280$

Thus, households as at 2009 $= 103280/6.7 = 15415$

But Sample Size $(n) = N/1 + N(\alpha)^2$, Where N = Total Population, n = Sample Size and α = Margin of Error.

But a confidence level of 90% is taken, giving a margin of error of 10%

Therefore, $n = 15415/1 + 15415(0.1)^2$
 $= 99.355$, approximately, 100 households.

Below are the localities with their population and proportional sample sizes

Locality	Population	Sample Size
Babile	3044	14
Boo	1770	8
Bu	1192	5
Domweni	1584	7
Kunyukuo	1053	5
Lawra	5763	26
Nabugangn	1054	5
Nandom	6526	30
Total	21986	100

KWAME NKRUMAH UNIVERSITY OF SCIENCE AND TECHNOLOGY

DEPARTMENT OF PLANNING

QUESTIONNAIRES FOR HOUSEHOLDS

Introduction: This questionnaire is a research instrument for my master thesis on "*Land Tenure and Sustainable Livelihood in the Lawra District*". This is an academic exercise and all information collected will be treated confidentially and will only be used for the intended purpose.

i. General

1. Where do you come from?
2. How old are you?
3. What is your profession?
4. Sex a) ☐ Male b) ☐ Female
5. Have you had formal education?
a) ☐ None b) ☐ Completed Primary School c) ☐ Completed JSS/Middle School
d) ☐ Completed Technical/Vocational School e) ☐ Completed SSS
f) ☐ Completed Tertiary Institution/Teacher Training College g) ☐ Others (Specify) ...
.....
6. Do you own land? a) ☐ Yes b) ☐ No
7. If yes, when did you acquire it?
8. If no to (6), why?

9. What uses are you putting the land to? (List them)

10. From whom did you acquire the land?

- a) ☐ Chief b) ☐ Tendana c) ☐ Clan/Family Head d) ☐ Individual
e) ☐ Any Other (specify)

11. What conditions are attached to the acquisition?

12. Do you have a title document covering the land? a) ☐ Yes b) ☐ No

13. If no to (12), why?

14. If yes to (12), which institution did you obtain it?

15. Do you have permit to use the land? a) ☐ Yes b) ☐ No

16. If no to (15), why?

17. If yes to (15), from which institution did you get the permit?

18. Do you pay ground rent? a) ☐ Yes b) ☐ No

19. If no to (18), why?

20. If yes to (19), to whom/which institution?

ii. Natives Only

21. Whom do you look up to for land?

- a) ☐ Chief b) ☐ Tendana c) ☐ Clan/Family Head d) ☐ Individuals
e) ☐ Any Other (Specify)

22. Who used to own your land in the past?

- a) ☐ Chief b) ☐ Tendana c) ☐ Clan/Family Head d) ☐ Individuals
e) ☐ Any Other (Specify)

23. Who owns the land now?

a) ☐ Chief b) ☐ Tendana c) ☐ Clan/Family Head d) ☐ Individuals

e) ☐ Any Other (Specify)

24. What portion of the land could you access in the past?

25. What portion of the land can you access now?

iii. Farmers Only

26. What is the size of your family?

27. What do you cultivate on your farm? (List them in order of priority)

28. What do you cultivate for? a) ☐ Sale b) ☐ Consumption

c) ☐ Both Sale and Consumption d) ☐ Any Other (Specify)

29. What is the size of your farm?

30. Do you have the farm located at one place? a) ☐ Yes b) ☐ No

31. Would you have preferred something bigger than what you have? a) ☐ Yes b) ☐ No

32. If no to (31), why?

33. If yes, what are the constraints to having a bigger farm size?

34. Has there ever been any sharing of your farm with another person? a) ☐ Yes b) ☐ No

35. If yes to (34), how many times or among how many people has it been sub-divided?

36. If no to (34), Why?

37. Are there any plans to sub-divide the farm? a) ☐ Yes b) ☐ No

38. Are you able to allow the farm to fallow? a) ☐ Yes b) ☐ No

39. If yes, for how long?

40. If no, what is/are the reason(s)?

41. In your opinion, have yields increased or decreased from what they used to be?

a) ☐ Increased b) ☐ Decreased c) ☐ No Change d) ☐ Can't Tell

42. Please, quantify the yields before and after division of the farm in the table below

Farm Product	Yield Before Sharing of farm (Silos or Bags)	Yield After Sharing of Farm (Silos or Bags)

43. What do you think accounts for the change in yields? a) ☐ Reduced Soil Fertility

b) ☐ Reduced Farm Size c) ☐ Unfavourable Weather d) ☐ Can't Tell

e) ☐ Any Other (Specify)

44. Are you able to cater for the basic family needs (Food, Clothes, Shelter, Education, Health etc)? a) ☐ Yes, without difficulty b) ☐ Yes, with difficulty c) ☐ No

45. Please, explain your response to (44)

46. Do you think this land can continue to substantially support your family?

a) ☐ Yes b) ☐ No

47. Please, explain your response to (46)

48. What else do you do aside farming to supplement the up-keep of your family?

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DEPARTMENT OF PLANNING

QUESTIONNAIRES FOR TRADITIONAL AUTHORITIES

Introduction: This questionnaire is a research instrument for my master thesis on "*Land Tenure and Sustainable Livelihood in the Lawra District*". This is an academic exercise and all information collected will be treated confidentially and will only be used for the intended purpose.

Locality:

Respondent (Name, Title & Tel No.):

Date and Time of Interview:

1. Who owns land in the locality here?
2. What kind of control do you exercise in land matters?
3. What are the conditions required for the acquisition of land?
4. For what uses are lands released?
5. Do you have some of your lands compulsorily acquired by the government? a) ☐ Yes
b) ☐ No
6. If no to (5), why?
7. If yes to (5), have compensation been paid? a) ☐ Yes b) ☐ No
8. If yes to (7), who assessed the compensation?

9. What roles did the Tendana and Chief use to play in land matters?

ROLES	
Chiefs	Tendana

10. Have these roles in (9) changed? a) ☐ Yes b) ☐ No

11. If yes to (10), what are your roles in land matters now?

ROLES	
Chiefs	Tendana

12. What have accounted for these changes?

13. If no to (10), why? Explain

14. Who qualifies to have access to land in this locality

15. What procedures does one need to follow to acquire land?

16. Are there any restrictions to the use of the acquired land?

17. How long could one occupy an acquired land?

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DEPARTMENT OF PLANNING

QUESTIONNAIRES FOR DISTRICT AGRICULTURAL DEVELOPMENT UNIT (DADU)

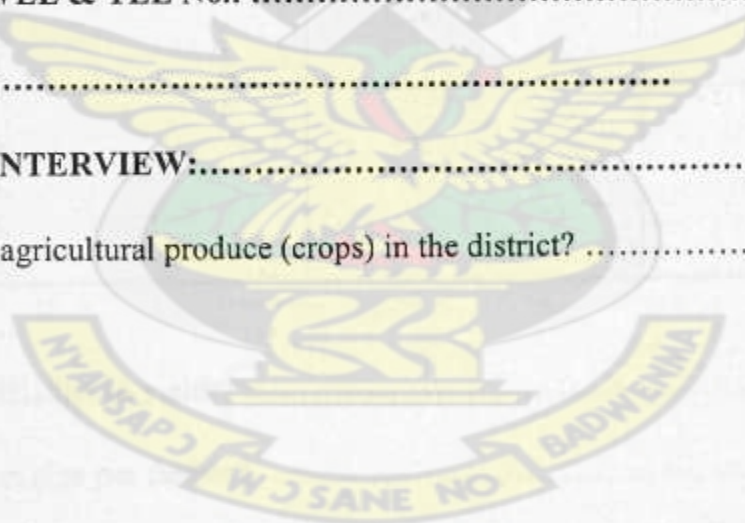
Introduction: This questionnaire is a research instrument for my master thesis on "*Land Tenure and Sustainable Livelihood in the Lawra District*". This is an academic exercise and all information collected will be treated confidentially and will only be used for the intended purpose.

NAME OF INTERVIEWEE & TEL No.:

POSITION:

DATE AND TIME OF INTERVIEW:.....

1. What are the five main agricultural produce (crops) in the district?



2. Can you list their yields and acreage of land cultivated for the past five years?

Year	Crop	Yield	Acreage
	1.		
	2.		
	3.		
	4.		
	5.		
	1.		
	2.		
	3.		
	4.		
	5.		
	1.		
	2.		
	3.		
	4.		
	5.		
	1.		
	2.		
	3.		
	4.		
	5.		

3. What account for the variation in yields?

4. What is the average farm size per farmer?

5. In your opinion, is the average farm size per farmer increasing or decreasing?

6. What account for the answer given in (5)?

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DEPARTMENT OF PLANNING

QUESTIONNAIRES FOR TOWN & COUNTRY PLANNING DEPARTMENT IN THE DISTRICT

Introduction: This questionnaire is a research instrument for my master thesis on "*Land Tenure and Sustainable Livelihood in the Lawra District*". This is an academic exercise and all information collected will be treated confidentially and will only be used for the intended purpose.

NAME OF INTERVIEWEE & TEL No.:

POSITION:

DATE AND TIME OF INTERVIEW:

1. What roles do you play in the management of land in the district?

2. What legal instrument(s) established your department?

3. Do people/institutions readily co-operate with you in the execution of your duties?

a) ☐ Yes b) ☐ No

4. If no, from whom or which institutions do you face the difficulties?

5. What are these difficulties?

6. If yes to (3), explain the cooperation you get

7. In what ways do you collaborate with Traditional land owning authorities?

8. By your planning schemes, which land uses are dominating?

9. Please, why the answer(s) to (8)?

10. Which land uses are fast gaining grounds in the district?

11. Can you justify the answer(s) given to (10)?

12. What challenges do you face in your work that makes it difficult for you to render good services and be efficient?

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DEPARTMENT OF PLANNING

QUESTIONNAIRES FOR LANDS COMMISSION AT THE REGIONAL LEVEL

Introduction: This questionnaire is a research instrument for my master thesis on "*Land Tenure and Sustainable Livelihoods in the Lawra District*". This is an academic exercise and all information collected will be treated confidentially and will only be used for the intended purpose.

NAME OF INTERVIEWEE & TEL No.:

POSITION:

DATE AND TIME OF INTERVIEW:

1. What roles do you play in the management of land?
2. What legal instrument(s) established your outfit?
3. Do people/institutions readily co-operate with you in the execution of your duties?
a) ☐ Yes b) ☐ No
4. If no, from whom or which institutions do you face the difficulties?
5. What are these difficulties?
6. If yes, explain the cooperation you get
7. In what ways do you collaborate with Traditional land owning authorities?
8. Are your services extended to the Lawra District? a) ☐ Yes b) ☐ No
9. If no to (8), why?

10. If yes to (8), how do you operate there?

11. If yes to (8), what is the patronage? a) ☐ High b) ☐ Low c) ☐ Moderate

12. Who are the patrons? (Label them 1,2,3 etc in descending order)

a) ☐ Individuals b) ☐ Organisations c) ☐ Others (Specify)

13. What kind of lands are being acquired? (Label them 1,2,3 in descending order)

a) ☐ Public land b) ☐ Family/Individual land c) ☐ Skin land

14. Of what uses are people acquiring land for?

15. What acreage or hectares of land does government own in the district?

16. What challenges do you face in your work that makes it difficult for you to render good services and be efficient?



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DEPARTMENT OF PLANNING

QUESTIONNAIRES FOR LAND VALUATION BOARD AT THE REGIONAL LEVEL

Introduction: This questionnaire is a research instrument for my master thesis on "*Land Tenure and Sustainable Livelihood in the Lawra District*". This is an academic exercise and all information collected will be treated confidentially and will only be used for the intended purpose.

NAME OF INTERVIEWEE & TEL No.:

POSITION:

DATE AND TIME OF INTERVIEW:

1. What roles do you play in the management of land?

2. What legal instrument(s) established your outfit?

3. Do people/institutions readily co-operate with you in the execution of your duties?

a) ☐ Yes b) ☐ No

4. If no, from whom or which institutions do you face the difficulties?

5. What are these difficulties?

6. If yes to (3), explain the cooperation you get

7. In what ways do you collaborate with Traditional land owning authorities?

8. Are your services extended to the Lawra District? a) ☐ Yes b) ☐ No

9. If no to (8), why?

10. If yes to (8), how do you operate there?

11. If yes to (8), what is the patronage? a) ☐ High b) ☐ Low c) ☐ Moderate

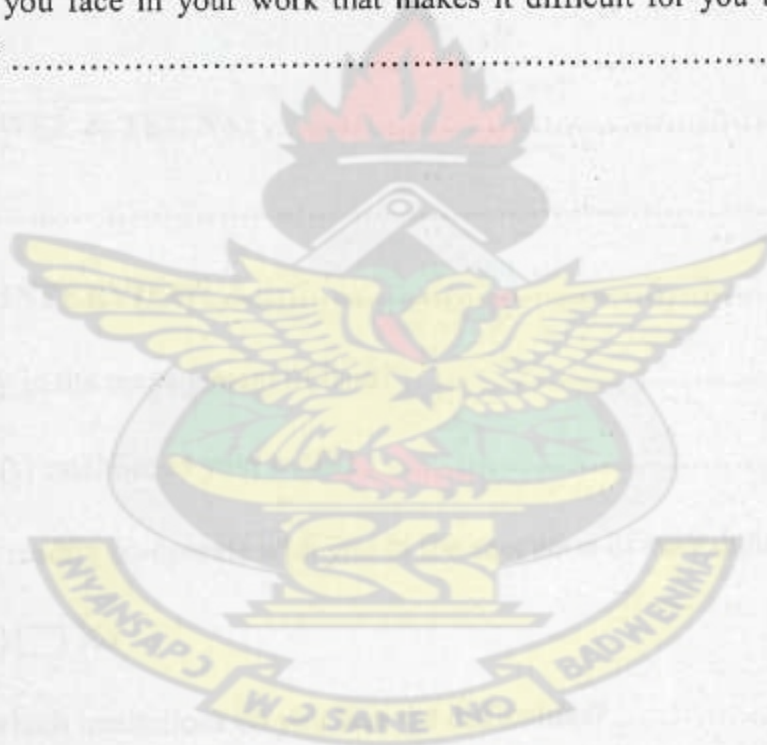
12. Who are the patrons?

a) ☐ Individuals b) ☐ Organisations c) ☐ Others (Specify)

13. What quantum of compensation for compulsorily acquired land in the district have you assessed before?

14. If not at all, why?

15. What challenges do you face in your work that makes it difficult for you to render good services and be efficient?



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DEPARTMENT OF PLANNING

QUESTIONNAIRES FOR THE SURVEY DEPARTMENT AT THE REGIONAL LEVEL

Introduction: This questionnaire is a research instrument for my master thesis on "*Land Tenure and Sustainable Livelihood in the Lawra District*". This is an academic exercise and all information collected will be treated confidentially and will only be used for the intended purpose.

NAME OF INTERVIEWEE & TEL No.:

POSITION:

DATE AND TIME OF INTERVIEW:

1. What roles do you play in the management of land?

2. What legal instrument(s) established your outfit?

3. Do people/institutions readily co-operate with you in the execution of your duties?

a) ☐ Yes

b) ☐ No

4. If no, from whom or which institutions do you face the difficulties?

5. What are these difficulties?

6. If yes to (3), explain the cooperation you get

7. In what ways do you collaborate with Traditional land owning authorities?

8. Are your services extended to the Lawra District? a) ☐ Yes b) ☐ No

9. If no to (8), why?

10. If yes to (8), how do you operate there?

11. If yes to (8), what is the patronage? a) ☐ High b) ☐ Low c) ☐ Moderate

12. Who are the patrons? (Label them 1,2,3 etc in descending order)

a) ☐ Individuals b) ☐ Organisations c) ☐ Others (Specify)

13. What challenges do you face in your work that makes it difficult for you to render good services and be efficient?

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Appendix IX

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Guide for Focus Group Discussions

1. Traditionally, who owns the land in the locality here?
2. Who owns the land now?
3. What are the roles of chiefs and tendana in land matters?
4. Is it easy for one to acquire a land now?
5. Are there problems with the management of land in the locality here?
6. Can the land continue to sustain livelihoods now and the future?
7. What is the way forward?

