

UNIVERSITY OF GHANA

**IMPROVING ACCOUNTABILITY OF CHIEFS IN LAND
ADMINISTRATION IN GHANA: A CASE STUDY OF STOOL LAND
ADMINISTRATION REFORMS IN THE AKYEM ABUAKWA
TRADITIONAL STATE**

BY

**JOHN-PAUL E. ADJADEH
(10194071)**

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DECLARATION

I do hereby declare that this work is the result of my own research and has not been presented by anyone for any academic award in this or any other university. All references used in the work have been fully acknowledged. I do bear sole responsibility for any limitations.

.....

JOHN-PAUL E. ADJADEH

(10194071)

.....

DATE

CERTIFICATION

I hereby certify that this thesis was supervised in accordance with procedures laid down by the University of Ghana.

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DR. DANIEL APPIAH
(SUPERVISOR)

.....

DATE

DEDICATION

This work is dedicated to my family

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LIST OF ACRONYMS/ABBREVIATIONS

CLS	-	Customary Land Secretariats
DFID	-	Department for International Development, UK
EAMA	-	East Akyem Municipal Assembly
FGD	-	Focus Group Discussion
IDA	-	International Development Association
LAP	-	Land Administration Project
MLF	-	Ministry of Lands and Forestry
PHC	-	Population and Housing Census

ABSTRACT

Scholars have noted that cultural ideas and power imbalances weaken accountability of chiefs in stool lands administration in Ghana. For this reason, the Land Administration Project (LAP) was initiated in 2001 with its main objective of ensuring transparency and accountability in stool land administration through the creation of Customary Land Secretariat (CLS). This study evaluated the extent to which the CLS has improved accountability of chiefs in stool land administration in the Akyem Abuakwa traditional state in Ghana, using the rational choice institutional theory to explain the nature and effectiveness of the CLS. In terms of methodology, the research used an interpretive philosophical approach to pursue a qualitative case study. In-depth interviews, a focus group discussion (FGD) and direct observations were used to collect data from chiefs and other actors involved in stool land administration for analysis. The findings of the research suggest that ideas and interests of actors are very important for the success of every institutional reform. The idea and power relations of chiefs influenced their ability to undermine the effectiveness of the CLS in ensuring their accountability to the local communities. The study concluded that the CLS created at Akyem Abuakwa State has not been an effective organization for improving the accountability of chiefs in stool land administration due to lack of ideological and political support from chiefs and the ‘subjects’ of chiefs. The study recommends that institutional reformers should look beyond the economic interests of stakeholders to take seriously the ideas and power relations of actors that actually enable or obstruct the goals of institutional reforms.

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

Public accountability has moved beyond its traditional function of bookkeeping in public administration into a much broader form (Harlow, 2002). Public accountability relationships have almost completely reversed from the early centuries status-quo of rulers holding their officials accountable to the current state where rulers are held accountable by their citizens (Dubnick, 2002). Accountability is seen as a tool that makes public institutions accountable to their creators and financiers (Mulgan, 2003). Accountability is a key indicator of good governance and ensures that governments make use of national resources in the best interest of the citizenry. Leaders are expected to keep citizens informed of all collective decisions made on their behalf (Barton, 2006). Accountability does not only involve the responsibility to make public all essential details needed, but also the right to receive clarification and the corresponding duty to justify one's conduct (Plattner, 1997). Accountability saves the public purse from wasteful and over-bloated expenditure (Aggestam, Chow, Day, & Pollanen, 2014).

The public sector in developing countries which consists of institutions of government, is largely fraught with many challenges, the crux of which is corruption. Supervisory negligence and the absence of punitive actions result in the lack of adherence to established procedures causing corruption. The absence of clearly defined structure of reporting or accounting for public funds creates the grey area where some officials take undue advantage to fiddle with public funds (Lodhia & Burritt, 2004; Ryan & Walsh, 2004;

Odugbemi & Lee, 2011). Public officials in developing countries are very reluctant to render accounts to their subordinates for fear of being publicly criticized and held accountable for financial malfeasance (Curristine, Lonti, & Joumard, 2007). Corruption, weak public education, weak monitoring and evaluation system, low implementation capacity and low coordination among stakeholders have been identified as the challenges of ensuring accountability in public administration (Adisalem, 2015).

Transparency and accountability in land transactions have been found to bring about huge investments and investor confidence in countries (de Soto, 2000; Darby, 2010). The genuineness of land documents coupled with transparency in land acquisition has been found to boost the value of land as collateral in securing credit from banks for investments (De Soto, 2000). According to de Soto (2000), registered land rights enhance credit access though a lot of the underprivileged possess valuable landed property that are not registered. The drive to promote accountability and transparency in the management of natural resources in developing countries has been championed largely by donor agencies (Appiah, 2012). In Ghana, scholars have argued that there is a need for accountability of chiefs to increase security of land investments, reduce conflicts over communal lands, and reduce the cost of formalization of land transactions (Awuah, Hammond & Lamond, 2013).

1.2 Problem Statement

Stool land transactions in Ghana are generally bedevilled with the absence of accountability and transparency leading to insecurity of land tenure (Bugri, 2013). Cultural factors and power imbalance between chiefs and their subjects in local communities have

contributed to weak accountability in stool land administration in Ghana (Kludze, 1987; Appiah, 2012). The reverence for traditional authorities impedes the quest for accountability of chiefs in stool land administration. Ideas, interests, formal rules and power imbalances contribute immensely to the nature of accountability and transparency in stool land administration in Ghana. Brobbey (2008) indicated that Ghanaians possess such great respect, in some cases almost bordering on reverence, for chiefs that what the chief tells his people in many cases is almost unconsciously complied with. This cultural phenomenon prevents the subjects of chiefs from demanding accountability from their chiefs. Demanding accountability from a chief without following the appropriate customary or cultural norms could lead to one being customarily surcharged for disrespecting local authority (Agbosu, 2005).

The reverence for chiefs and the inability of subjects to hold their chiefs accountable is worsened by the general opinion that entering the chief's palace is a rare opportunity and not a thoroughfare; this opportunity comes with anxiety where subjects are expected to be civil and cannot exercise their displeasure about the chief (Agbosu, 2005). Furthermore, in Ghanaian customary settings, one does not enter the chief's palace empty handed. One is expected to come with drinks in hand as a sign of courtesy to the chief (Brobbey, 2008); a custom that besets the essence of visiting a chief with the purpose of demanding accountability and transparency in stool land transactions. Some studies have found out that some chiefs do not use the 'drink money' for the betterment of their people, but rather keep them for their personal use (Blocher, 2006). One could petition the Traditional Council, the Regional House of Chiefs, and the National House of Chiefs over the misuse

of land revenue by traditional authorities (Brobbe, 2008); but, the chieftaincy institution is a close-knit network, and its members are reluctant to punish their own.

During the colonial era, stool land administration reforms implemented to ensure the accountability of chiefs suffered stiff oppositions from some chiefs and influential people in their communities (Firmin-Sellers, 1995). Firmin-Sellers (1995) reports that some divisional chiefs challenged the legitimacy of new rules that were deemed to undermine existing customary procedure, while other chiefs Divisional chiefs challenged their allegiance to their Paramount chiefs to avert payments to the paramount stool. Conflicts between the Paramount chief and his Divisional chiefs over accountability in stool land transactions instigated frequent destoolment of chiefs. The rate of destoolment increased the indiscriminate sales of lands. The chiefs knew they could be destooled anytime, thus, hastened to amass wealth by selling more lands.

In the Akyem Abuakwa traditional state, Nana Ofori Atta who reigned as Okyenhene from 1912 to 1943 launched a campaign to improve accountability in stool land transactions. There was a bye-law in 1913 that all land transactions made by the divisional chiefs must be pre-approved by the Paramount chief (Okyenhene). To ensure the success of this initiative, divisional chiefs were given regular maintenance allowance and a fixed salary (Firmin-Sellers, 1995). Nana Ofori Atta and the Traditional Council also established a treasury system where chiefs were made to pay monies from stool land transactions to ensure accountability to their subjects. The treasury was also audited annually by the Audit Service (Appiah, 2012). Not every traditional state succeeded in creating and enforcing

formal rules of accountability for their land administration system. In the Ga state, the high level of power play and unstable chieftaincy system among chiefs affected the success of their land administration reform. Competitions among the Ga chiefs ultimately sabotaged the attempt to enforce system (Firmin-Sellers, 1995).

After independence from colonial rule, the formal rules of accountability that governed chiefs and stool land transactions were left to decay as new governments created new systems of local government outside the traditional chieftaincy system (Appiah, 2012). The current 1992 Constitution of Ghana requires chiefs who manage stool lands to be accountable to their local communities: It states in Article 37(8) that “The State shall recognise that ownership and possession of land carry a social obligation to serve the larger community and, in particular, the State shall recognise that the managers of public, stool, skin and family lands are fiduciaries charged with the obligation to discharge their functions for the benefit respectively of the people of Ghana, of the stool, skin, or family concerned and are accountable as fiduciaries in this regard.” Notwithstanding this constitutional obligation, no steps were taken by government to create formal regulations and organizations to enable chiefs discharge their obligations of accountability.

In 2003, the Government of Ghana, with funding from the World Bank and Department for International Development (DFID), revived land administration reforms to ensure a more transparent and accountable management of lands in the country (Antwi, 2008; World Bank, 2013). Since 2003, the reforms called the Land Administration Project (LAP) have been implemented in various parts of the country including the Akyem Abuakwa

traditional area. One of the core objectives of the LAP was to help chiefs in each traditional area to create a formal organization called the Customary Land Secretariat (CLS) to manage stool lands in a transparent and accountable manner (World Bank, 2003; Fiagbedzi, 2006; Kakraba-Ampeh, 2010; World Bank, 2013). The role of the CLS is to ensure the keeping of accurate and up to date records of land transactions in the traditional areas to facilitate transparency and accountability. However, since the inception of the LAP, only few Traditional Councils have put in place the CLSs (World Bank, 2013).

The CLS project raises a lot of mind boggling questions. What is the interest of the chiefs in accepting the CLS? How do the existing customary norms support or undermine the CLS? What type of personnel can the chiefs trust to work with? How would the CLS integrate into the existing chieftaincy structure to ensure trust and effective administration? This research seeks to assess the extent to which the CLS has been effective in ensuring the accountability of chiefs in stool land transactions. The research focuses on the CLS created in the Akyem Abuakwa traditional state in 2004. After a decade of land administration reform in the Akyem Abuakwa traditional state, how have the ideas and power relations of the reform stakeholders shaped the creation and effectiveness of the CLS as an organization for improving accountability of chiefs in stool land administration? Will the CLS project in the Akyem Abuakwa traditional state succeed in creating a transparent and accountable organization for stool land administration? Using the rational choice institutional theory (Firmin-Sellers, 1995), the research examined how cultural values, ideas and power relations have impacted on the effectiveness of the CLS.

1.3 Objectives of the Study

In the context of the stool land administration reform in the Akyem Abuakwa traditional state, the research sought to achieve the following objectives:

- i. Find out the nature of power relations between chiefs, ‘subjects’ of chiefs, and external actors with interest in the stool land administration reforms.
- ii. Examine how the power relations among the reform stakeholders shape the creation of the CLS.
- iii. Examine the extent to which the CLS has improved the accountability of chiefs in stool land administration.

1.4 Research Questions

The research objectives translate into the following research questions:

1. What is the nature of power relations between chiefs, ‘subjects’ of chiefs, and external actors with interest in the stool land administration reforms?
2. How did the power relations among the reform stakeholders shape the creation of the CLS?
3. How has the CLS improved the accountability of chiefs in stool land administration?

1.5 Justification of the Study

The study contributes to understanding the State through the relationship between the formal and informal State. A formal state is well established with codified rules and regulations communicated through widely accepted official channels while an informal

state has unwritten rules of customary laws and customs created, communicated, and prescribed outside of formally sanctioned channels (Haider & McLoughlin, 2016; Soderbaum, 2012; Tornainen & Saastamoinen, 2007).

This study contributes to the understanding of how the CLS created stool land administration in the domain of traditional states has been effective in achieving the objective of ensuring transparency and accountability (Lester & Sterwatts Jr., 2000; Anderson, 2011; Appiah, 2012; Dunn, 2012). The findings of the study could help in the efforts to strengthen accountability through the CLS across the Traditional Councils. Lessons drawn from this study with regard to accountability and transparency could serve as a useful resource which can be adopted by the LAP in creating CLSs.

Finally, the study contributes to the emerging literature within rational choice institutionalism that focuses on the role of ideas and power relations in shaping interests and institutional effectiveness (Rodrik, 2014). It does so by using the rational choice institutional theory to examine how ideas interact with cultural values and power relations to impact on the effectiveness of the CLS.

1.6 Thesis Organization

Chapter One of this study is the introduction, encompassing a background, problem statement, objectives, research questions, and a justification of the study. Chapter Two reviews related literature regarding accountability, institutions of accountability, and stool land administration in Ghana. The chapter also presents the rational choice institutional

theory that underpins the analysis of the processes and outcomes of the CLS project in the Akyem Abuakwa traditional state. Chapter Three presents the methodological framework and tools used in conducting the research. The data collection and analysis techniques. Chapter Four presents the analysis and discussion of the empirical findings. Chapter Five concludes with the summary of key findings and recommendations.

CHAPTER TWO

LITERATURE REVIEW

2.0 Introduction

This chapter presents a review of relevant conceptual, empirical and theoretical literature on land administration reforms. It begins with a review of conceptual and empirical literature on power, institutions, and accountability. It is followed by a discussion of the rational choice institutional theory underpinning this study. Finally, the chapter presents a review of the literature on land reforms in developing countries, with a particular focus on Ghana.

2.1 Conceptual Frameworks

This chapter defines the concepts of power which are in the forms of ideational, economic resources, authority and coercion; institutions, and accountability to clarify the specific meanings of their usage in this study.

2.1.1 Concept of Power

Traditional authorities have the capacity to manage lands on behalf of their people due to the customary and statutory powers conferred on them. Power which is synonymously used to mean influence, control, and authority is defined as the relationship of behavioural influence between people or human actors (Dahl, 1957; Fiske, 1993). Power is defined here from a human relational perspective. Power is seen as hierarchichal where a person or a group has more behavioural influence than others. The relationship is expressed in the amount of influence one has over the behaviour of a person or a group of people,

compelling others to perform a task that they would otherwise not do (Dahl, 1957; Gledhill, 1994). In the view of Keltner, Gruenfield, & Anderson (2003), power is defined as an individual's "relative capacity to modify others' states by providing or withholding resources or administering punishments". Inferably, the individual has the power to influence the behaviors and lives of others.

The objects in any power relationship are actors who may be individuals, groups, governments, nation-state, or other human aggregates. The base of an actor's power consists of all the resources available at his/her disposal that he/she can appropriate to influence the behaviour of another; such resources include material resources like land, financial resources, legal enactments, and ideas (Dahl, 1957, 1961). Chiefs who manage stool lands are deemed to have power over their subjects who have interests in getting access to such land. Moreover, the legitimate authority of chiefs derived from their offices and legal enactments gives them power over their subjects. However, the subjects of chiefs also have constitutionally-backed power to demand accountability from their chiefs. According to Dahl (1961), power is expressed in a community by a concrete individual to cause those who are subject to the power to follow the preferences of those who possess the power. The study examines how the power relations between chiefs and their subjects has been used to support or block the effectiveness of the CLS. Power is a driving force and provides the platform for the establishment of an effective institution.

Ideas, economic resources, authority and coercion are the forms of power used in this study to explain the concept of power in stool land administration. These forms of power are explained in turn.

i. Ideational Power

Ideas matter but only when powerful actors emerge to strongly advance or even guarantee their success (Blyth, 2008; Scott, 2008). Institutional reforms are therefore ways of conserving, protecting or enhancing the ideas of powerful actors. The ideas of less powerful actors will not matter if not supported by powerful political elites in the society. Ideas about accountability of chiefs could succeed only if it is supported by the chiefs or actors who are more powerful than the chiefs. It is therefore important to examine the power relations among actors supporting reforms to understand the reform outcomes. According to Grindle (2010), the three-specific means through which citizens should be able to hold officials and agencies answerable are sanctions, collective action to demand responsiveness, and claims for citizenship rights. Citizens who believe that revenues from stool land transactions are not being used for the intended purposes can organize a forum to voice out their displeasure and the elders can also use appropriate customary procedures to demand for proper accounts as well as initiating destoolment procedures against a chief who has refused to render account upon several requests and attempts. Actors should have appropriate knowledge and ideas about the mechanisms for holding public officials accountable.

ii. Economic Resources: Stool lands and Land Administration

From the standpoint of geography, land is physically non-depreciable and not influenced by time; fixed in location; limited in supply; a store of value, a basis for investments; and a means of production, hence a store of wealth (Darin-Drabkin, 1977). In Ghana, stool land

refers to land that is collectively owned by members of a local community who are governed by a structure of traditional authorities referred to as chiefs. The stool is a wooden seat on which a chief sits to govern. Stool lands therefore refer to communally owned lands held in trust by chiefs for members of a local community (Kakraba-Ampeh, 2010; Berry, 2009). Article 295 of the 1992 Constitution of Ghana defines stool land as “a land or an interest in, or a right over, a land controlled by a stool, the head of a particular community or the captain of a company, for the benefit of the subjects of the stool or the members of the community or company.” It is estimated that about 80% of the land in Ghana is under communal tenure (Amanor, 2010; Fiagbedzi, 2006; Antwi, 2008). Individuals may own parcels of stool land through family inheritance (indigenously secured through the cultivation of tree crops), grants by chiefs, or through purchase.

According to Article 37(8) the 1992 Constitution of Ghana, ownership and possession of stool land carry a social obligation to serve the larger community and, in particular, the managers of stool lands are fiduciaries and are accountable as fiduciaries in this regard. Chiefs who manage stool lands are therefore constitutionally obliged to be accountable for their stewardship to their local communities. The objective of the LAP is to create CLSs that could help improve the accountability of chiefs in stool land administration was premised on this constitutional obligation (World Bank, 2003).

iii. Authority: Traditional Authority

Stool lands are vested in the stool and managed by the traditional authority or chief on behalf of members of the community who are referred to as ‘the subjects’ of the chief

(Bugri, 2013). The organization of chiefs that govern local communities in Ghana is collectively referred to as chieftaincy (Appiah, 2012). The concept of traditional authority stems from Weber's tripartite classification of authority which is traditional, charismatic and legal-rational. Traditional authority which is characterized by the ability and the right to rule, often through heredity, is legitimated by the sanctity of tradition. It does not change overtime and is legitimized by customary rules and norms that are largely unwritten or informal (Williams, 2003).

In the Ghanaian context, traditional authorities who are also referred to as chiefs have got constitutional and other legal backings. Section 57 of the Chieftaincy Act 759 (2008:26) defines a chief as "a person who, hailing from the appropriate family and lineage, has been validly nominated, elected, or selected and enstooled, enskinned or installed as a chief or queen mother with the relevant customary law and usage." This is also stated in Article 227 of the 1992 Constitution. The Office of Administrator of Stool Lands Act, Act 481 of 1994 also defines as traditional authority as "a House of Chiefs or any council or body established or recognized as such under customary law." Traditional authorities symbolize the culture and heritage of their people as well as traditional heads of their people. Aside executive, legislative and judicial powers conferred on chiefs (Brobbeey, 2008), they also champion developmental projects in their traditional areas to benefit their subjects.

The LAP considered the inevitable roles of chiefs in land reforms due to their involvement in allocation of stool lands under numerous forms of tenure, including leasehold sales of residential and commercial plots at market rates (Antwi, 2008). Chiefs are expected to be

accountable to their own communities for the proceeds they receive from land transactions and from rents and royalties (CDD, 2005). (Collins & Mitchell, 2018) Collins & Mitchell, (2018) however observed that local power dynamics in stool land administration has the potential to undermine the ability of marginalized groups in accessing secured landrights due to the exploitative and contentious politics that is often characterized by land tenure system.

iv. Coercive Power

Coercive power is the ability to manipulate the attainment of goals. In other words, coercive power uses the threat of force to gain compliance from others; thus, one is forced to do something that he/she does not desire to do due to the expectation of one being punished if he/she fails to conform to the influence attempt (French & Raven, 1959). In relation stool land administration, subordinate chiefs could be coerced by their superior chiefs and kingmakers with threats of destoolment to ensure they account for stool land revenues. The use of coercive force could however create major disagreement between these major actors since coercion is characterized by the ability to punish or withhold rewards, as well as dependency on the influential authority (Yin, 2010).

Though coercive force is noted to be needful when there is harmful condition to ensure safety, if used inappropriately or too often, it could prompt backlash or revolts from subordinates (Lauby, 2012). In similar way, coercive force could also lead to distrust and resentment from subordinate chiefs towards superior chiefs and actors that use threats to get chiefs account for stool and revenues.

2.1.2 The Concept of Institutions

Institutions refer to the rules that structure human relationships and behaviour (North, 1990; Hodgson, 2006). Institutions therefore go beyond formal rules and structure of organizations to include unwritten rules and customs that regulate social, economic and political behaviour (Huntington, 1968; Oslen & Peters, 1996; Peters, 2013). Institutions both constrain as well as empower behaviour and the durability of institutions depend on how they can create unwavering expectations of the behaviour of others (Hodgson, 2006).

Formal institutions according to Ingraham, Moynihan, & Andrews (2013) are based on formal rules characterised by clearly bounded, rigidly structured, hierarchical organization. This form of rigid structure eliminates irrational contemplations and individual discretions. In the public sector, these structural characteristics are enshrined in statutes and laws. Thus, changing the formal structure will affect the efficiency of the organization. Similarly, Zenger, Lazzarini, & Poppo (2001) also defined formal institution as rules that are readily evident through written documents or rules that are determined and executed through official position, such as authority or ownership. Formal institutions, thus, include clear incentives, contractual terms, and firm boundaries as defined by equity positions.

Public administration scholars began to look at informal rules when formal structures of organizations were losing their grip in effective management (Ingraham, *et al.*, 2013). Informal institution is defined by Zenger *et al* (2001) as rules based on implicit understandings, being in most parts of socially derived and therefore not accessible through written documents or essentially authorized through formal position. They include social norms, practices, and political processes, thus, playing crucial role in defining societal

rules. There is an emerging consensus that formal institutions require informal institutions to be effective and sustainable (Tyler, 2006).

Formal and informal institutions highlight on power play in an organization since relationship and distribution of power are fundamentally definite and determined by the formal and informal rules of the game – whether social, political or economic (Skoog, 2005). In the context of this study, the creation of the CLS is an attempt to create formal rules and structures to ensure effective management of stool lands and the accountability of chiefs. However, the CLS operates in an environment where chiefs are also governed by unwritten customary norms and traditions. How the new formal rules will interact with the existing informal rules of customary law to ensure the accountability of chiefs to their local communities is a matter to be grappled by the land administration reform.

2.1.3 The Concept of Accountability

Accountability is a persistent concern for checks and oversight as well as institutional constraints on the exercise of power. The term accountability is a broad concept and its meaning remains evasive. Bovens (2007) however defined accountability to mean “a relationship between an actor and a forum, where the actor is obliged to explain and justify his/her conduct to the forum.” Bovens (2007) observed that the elements of sanctions such as fines, disciplinary measures, civil remedies, or even penal sanctions make it easier for accountability. The idea of accountability can be categorized according to the type of person, group or institution the public official answers to. O'Donnell (1999) in conceptualizing accountability posited the vertical and horizontal dimensions to

accountability that this study adopts in the analysis of power relations among chiefs and between chiefs and their subjects.

i. Vertical Accountability

Vertical accountability describes the relationship between state actors and citizens (O'Donnell, 1999; Bovens, 2005). Vertical accountability leaves open whether accountability will flow from top-down (superior to subordinates) or bottom-up (subordinates holding their superiors accountable). In the latter case, clients, shareholders, citizens and societal organizations who delegate decision making powers and discretion to agents, for instance executives, politicians, and patrons, hold them to account for their failures or successes (O'Donnell, 1999; Lindberg, 2009). In relation to customary land management, vertical accountability is seen as when citizens hold their chiefs to account for transactions and royalties accruing from stool lands.

ii. Horizontal Accountability

Horizontal accountability is the relationship between two state actors including cases where the legislature, executive and the judiciary acts as checks and balances of each other in a democratic dispensation. Horizontal accountability can be referred to as intra-state relationship and it usually takes place between independent state agencies that have the ability to check the abuses of other state agencies and branches of government. There is therefore relative autonomy in horizontal accountable agencies (O'Donnell, 1999).

In the case of Ghana, horizontal accountability is seen in the cases where the executive renders accountability to the legislature. This is so because they are both on the same footing and the 1992 Constitution makes it a formal requirement for the executive to do so (Kuffuor, Brenya, Asamoah, Adu-Gyimah, & Dugan, 2014). Horizontal accountability occurs in customary land administration system when paramount chief and divisional chiefs act as checks and balances to each other, hence holding each other accountable.

2.2 Theoretical Framework: Rational Choice Institutional Theory

The study employed the rational choice institutional theory to explain the nature of ideas and power relations between chiefs and their subjects, as well as the effectiveness of the CLS in improving accountability of chiefs in stool lands administration. The rational choice institutional theory is discussed in turn. The rational choice institutional theorists argue that rational actors use institutions to maximize their utility, the nature and functions of institutions like the CLS to reflect the self-interests and power of the actors who created the institutions (North and Weingast, 1989; Shepsle, 1989; de Figueiredo Jr, Rakove, & Weingast, 2006; Katznelson and Weingast, 2007). Rational choice institutional theory which seeks to explain how institutions are created, the behaviour of rational actors within institutions and the outcomes of strategic interaction of actors within institutions.

Laying the foundations of rational choice institutional theory, Shepsle (1989) argued that the ideas and interests of individuals constituted the fundamental building blocks of institutions. Institutions are empty shells filled by individuals who come along with their personal roles, statutes and values, which is seen in both the formal and the informal setting.

Individuals are rational and purposive actors who seek to maximize privately held ideas, interests and values through institutions. The effectiveness of institutions therefore depend on the extent to which they enable or prevent individual actors to maximize their interests.

The insight of Shepsle (1989) into the understanding of an institution as simply an empty shell filled by individuals who come along with their personal roles, statutes and values gives a clear mental view of the CLS as an institution. The CLS in itself is an empty shell where actors such as chiefs, citizens, officers of the administrator of stool lands come with their personal roles, statutes and values to maximize their values. An actor's acceptance of the establishment of the CLS may be motivated by their privately held values.

North and Weingast (1989) also use the rational choice institutional approach to examine the nature of governance and power-play in the seventeenth century England, with a focus on the exercise of arbitrary power and confiscatory power. North and Weingast found that rulers exerted their power to maximize their utility such as increasing their wealth or revenue. They observed that during transactions, the problem of compliance can be reduced if institutions are carefully selected to match anticipated problems. There is therefore the need for self-reliant constitution to guide actors to abide by the bargain after it is made, especially in moments where rulers exert arbitrary powers and refuse to abide by the bargain reached. In the case of England, during the seventeenth century, arbitrary power was controlled by parliament which also ensured the independence of the judiciary. This made the government more financially solvent. The political institutions have continued to

be supported by the ruling elite and society. The key point is that political elites will create and support institutions that enable them to maximize their interests and benefits.

From a rational choice institutional perspective, institutions such as the CLS can only be fully supported by actors therein, if it is designed to reflect their self-interests and power. Actors will suppress the progress of an institution if the institution was not designed to benefit them. Therefore, the CLS can only be sustained by the traditional authorities as an institution to manage stool lands if it was designed to increase their interests in maximizing more ground rents, royalties and power. In circumstances where the benefits they hitherto enjoyed reduces or perceived to reduce, patronage and support will reduce, causing the collapse of the institution. de Figueiredo Jr, Rakove, & Weingast (2006) are of the opinion that though humans are cognitively limited, it does not imply they would not act rationally to maximize their utility. Therefore, for rational actors to have confidence in an institution and to give the institution their uttermost support, the functions and benefits must be clearly defined with full understanding and consensus from all actors. There is therefore the need for consultations and negotiations where the preferences and stands of all actors are made clear for consensus building.

In the context of the CLS project, consultations and negotiations among rational actors will create the atmosphere for actors such as the paramount chief, divisional chiefs and members of the local community to create rules that can enhance transparency and accountability of chiefs in stool land transactions. This is notwithstanding the fact that local customs and traditions make it difficult for ordinary citizens to negotiate rules of

accountability with traditional authorities. Brobbey (2008) suggests that Ghanaians have such great respect, in some cases almost hinging on reverence, for chiefs that what the chief tells his people in many cases is almost instinctively obeyed. This also implies that in traditional areas where powerful chiefs are interested in creating formal rules of accountability to govern stool land transactions, the chances of reform success will be very high. This is corroborated by the work of Firmin-Sellers (1995) who showed that the leadership of the paramount chief of the Akyem Abuakwa traditional state, Nana Ofori Atta, was key in the creation of effective formal rules of accountability that ensured transparency and accountability of chiefs in stool land transactions during the colonial era.

Knowledge, ignorance, and uncertainty often make the difference between success and failure of policies. Ideas are very critical in advancing social change or maintaining the status-quo (Rueschemeyer, 2006). The role of ideas in shaping the interest and strategic interactions of rational actors is however almost missing from rational choice institutional theory, until recently (Rodrik, 2014). Goldstein and Keohane (1993) posited that the impact of 'ideas' on political outcomes should be treated as independent of material interests and incorporated into rational choice analysis only as a residual after the impact of material interests has been determined. Rodrik (2014) however argues that rational choice institutionalists should treat ideas as the fundamental variable that shapes and underpin the interests and strategic interactions of rational actors.

Policies would be sustained only if the dominant group views their ideas and interests protected by the policies. Rodrik (2014) argues that reforms do not happen when vested interests are defeated but reforms happen when acceptable ideas and strategies are used to

Figure 1 above illustrates the accountability relationship between the various actors within the CLS institution. Horizontal relationship is established between the Paramount chief (Okyenhene) and his divisional chiefs while a vertical relationship is established between the paramount chief and the citizens. The study analyzes how the creation of the CLS impacted on vertical and horizontal relationships of accountability in the administration of stool land in the Akyem Abuakwa traditional state.

It is argued that the LAP reform objective is to improve the accountability of chiefs in stool land administration through the CLS can only be achieved if supported by powerful actors who see the CLS as promoting their ideas and interests. Therefore, the nature of the accountability facilitators, and the extent to which they support or undermine the objective of the CLS, should be analyzed in the action arena where the ideas, power relations, and actions of the Paramount chief, divisional chiefs, and the subjects of chiefs matter for the success of the CLS project. In sum, the underlying logic of rational choice institutionalism is that institutions are arrangements of rules and power relations created in pursuit of the ideological interests or preferences of actors. As stated by Rodrik (2014) even if rational actors are driven by interests, they only have one limited and preconceived idea of where their interest lies. However, the ideas and interests of purposive actors to improve accountability of public office holders can be achieved if backed with power.

2.3 Empirical Literature Review on Communal Land Administration Reforms

This section reviews literature on communal land administration reforms in Africa, particularly in Ghana. Dale & McLaughlin (1999) defined land administration as “those

public-sector activities required to support the alienation, development, use, valuation, and transfer of land.” This definition again focuses on the public-sector, excluding the private sector from land administration. According to Williamson (2000) for a land administration process to be successful, it must be trusted by the general public, protect the majority of land rights as well as ensuring security of land tenure for the people. In this study, land administration refers to “the process of recording and disseminating information about the ownership, value and use of land and its associated resources to protect the majority of land rights as well as ensuring security of land tenure for the people.” A political perspective of land administration cannot be overemphasized. The political perspective is regarded as creating institutions that define the land ownership rights, transparent access to land and relationship of accountability between traditional leaders of stool land-owning groups and their members that have been extremely political.

Land administration structures in Africa are noted to be highly centralized with a top-down decision-making procedure, however fraught with resource constraints, corruption, with a lot of private interests (Cousins, 2000). Land administration reforms have therefore been promoted to improve access to land for investments (World Bank, 2005). The World Bank (1975) indicated that the prevailing condition of ‘traditional-communal’ land tenure in Africa poses a lot of challenges to development, hence attempts to reform the land administration system into marketable individual freeholds (World Bank, 2003).

The ideas of the World Bank to transform communal lands into individual property rights have met resistance from some scholars and traditional authorities. Some scholars have

contended the creation of individual property rights from communal lands could lead to landlessness amongst the poor and vulnerable as the affluent would capture the lands which could possibly increase conflict (Sjaastad & Cousins, 2009; Tsikata, 2004). Other scholars added that transforming communal land into individual freeholds could impoverish the rural poor where subsistence livelihood depends on access to inheritable communally-owned lands (Cutalo, Dyer, & Vermuelen, 2008; Kanji, Cutalo, Hilhorst, Toulmin, & Witten, 2005; Meizen-Dick & Mwangi, 2009).

Communal land administration in Botswana has been noted by many scholars as the best practice model of transparency and accountability in Africa (Burns, 2007). Communal lands in Botswana were previously controlled by traditional rulers (Kgosis) as custodians of the land in their respective communities. Hitherto, there was no distinction between private and public revenue; chiefs were in charge of all revenue from communal lands (Vaughan, 2003; Malatsi & Finnström, 2011). Communal lands in Botswana are now managed by Land Boards. Botswana's Land Boards emerged through the 1968 Tribal Lands Act. The Tribal Lands Act removed the control of communal (or tribal) lands from the chiefs to the Lands Board created in local communities, and formalized the tribal rules of land administration into legal rules (Adams, Kalabamu, & White, 2003; Nkwae, 2008). The 1968 law though maintain communal land ownership but detached the management of communal lands from the purview of chiefs to the Land Boards. Gradually, the chiefs on the Land Boards lost their positions to other officials. The Land Board is responsible for land allocation, conflict arbitration, land use planning, as well as rents mobilization (Adams, Kalabamu, & White, 2003). Since the colonial period, the chiefs in Botswana how

continued to be paid salaries to take care of their economic interests; and, this helped to facilitate the transfer of communal lands to the Land Boards (Nkwae, 2008).

Ghana has attempted many land administration reforms in the past to help improve land governance and the land registration system (Appiah, 2012). The most recent of such reforms include the passing of the Lands Commission Act in 2008 to restructure some five public sector land agencies into a single agency to facilitate land registration. To ensure a better and a more transparent management of lands, the Government of Ghana with support from World Bank and other international donor agencies introduced the Land Administration Project (LAP) (Antwi, 2008; Fiagbedzi, 2006; Kakraba-Ampeh, 2010; Jones-Casey & Knox, 2011). Through the implementation of the LAP, chiefs and their Traditional Councils have been supported by the project to create organizations called the Customary Land Secretariats (CLS) for improving transparency and accountability in stool land administration (Antwi, 2008; Fiagbedzi, 2006; Kakraba-Ampeh, 2010).

Scholars have however noted that the establishment of the CLSs in the various traditional areas through a top-down (supply-led) approach has not helped to make the CLSs effective (Appiah, 2012). The supply-led approach created high expectations from the chiefs for funding of the operations of the CLS which include payment of salaries of staff, maintenance of equipment and other expenses. As a result of the poor results from the supply-led approach, the LAP changed its strategy a demand-led approach where chiefs and local communities were required to request for the creation of the CLS (Kakraba-Ampeh, 2010). The demand-led CLSs were also to be funded by the chiefs and their

subjects. Some scholars argue that the supply-led and demand-led approaches have not produced transparent and accountable CLSs because the approach ignores the historical path of power relations between chiefs and their subjects (Appiah, 2012). A study conducted by Yang, Yokoyama, Lohsen, & Mohta (2015) revealed that exploitations and outright corruption in stool land transactions continue to characterize the land sector in Ghana due to the lack of power by the subjects of chiefs to demand accountability. Using the rational choice institutional theoretical approach, this study examines the extent to which the CLS project in the Akyem Abuakwa traditional state has improved the accountability of chiefs in stool land administration.

CHAPTER THREE

METHODOLOGY

3.0 Introduction

The methodological considerations employed in collecting and analyzing data are discussed in this chapter. This comprises the philosophical approach, research design, sources of data, techniques in data processing and analysis and ethical considerations.

3.1 Interpretive Philosophical approach

Philosophical approach in research is defined as the researcher's "world view," (Saunders, Lewis, & Thornhill, 2012). It means the researcher approaches the research with philosophical assumptions and standpoint. This means that the researcher's world view, paradigm or sets of beliefs are brought to the research project (Creswell, 2012). The interpretive philosophical paradigm underpins this research work.

An interpretive paradigm belongs to the sociology of regulations and its purpose is to understand the world from the individual's view point (Creswell, 2012). Interpretivists who try to understand differences between human and social actors advocate for the necessity of the researcher to understand the differences between humans in their role as social actors because reality is subjective, hence enabling the researcher to study the respondents in their natural setting (Creswell, 2012; Saunders et al., 2012). The interpretivist philosophical approach acknowledges the complex role of powerplay in institutional reform process, considering the power of individual actors to make strategic choices and to disrupt, mediate or interpret the institutional reform process (Coburn, 2016). The interpretivist approach is

adopted for this research based on the rational choice institutional approach where actors act based on their interpretation of how rules promote their ideas and interests (Rodrik, 2014). The acceptance of institutions such as the CLS will be largely dependent on how the actors interpret the nature and role of the CLS.

3.2 Qualitative Research Approach: Case Study

The importance of a research approach is to enhance the capability of the researcher to acquire empirical evidence to aid in making meaningful conclusion and answer the research questions to address the research objectives (Creswell, 2012). There are two key approaches to research: qualitative and quantitative. The researcher adopted qualitative approach to this study. Qualitative approach to research provides the method for examining carefully into an issue to gain deep understanding of how individuals or groups represent a specific social problem (Creswell, 2012).

Interestingly, the qualitative approach to research has several advantages when conducting research concerning accountability. It therefore permits in-depth analysis of the experiences and perceptions of respondents concerning land administration and accountability. Qualitative approach enables participants to share their experiences from their perspective, gives the researcher a degree of flexibility in discussing very sensitive and difficult topics as well as enhancing group dynamics during group interviews or focus group discussion (Watkins, 2012). Frankfort-Nachmias & Nachmias (2008) succinctly summarized the merits of qualitative research to include providing ‘rich description’ and

‘growing understanding’. This implies that qualitative research is the most appropriate approach in conducting a research that seeks to explain or vividly describe a phenomenon.

The main purpose of the research is to evaluate the extent to which the Akyem Abuakwa CLS has improved the accountability of chiefs in stool land management. The qualitative approach was appropriate for the study because it draws together respondents’ knowledge, priorities and their contemporary understanding of communal or customary land phenomenon. To achieve the research objective of evaluating the extent to which the Land Administration Project has improved Akyem Abuakwa CLS as an accountable institution, there was the need to seek deeper understanding of real experiences of stool land stakeholders, hence the qualitative approach adopted.

To accomplish this qualitative task, a case study design was employed for the study (Yin, 2013). A case study denotes a descriptive thorough analysis of a confined system. A case study design enables in-depth investigation into cases, and the ability to employ multiple sources of evidence with respondents in their natural setting. Case study is also very useful in finding answers to the ‘why’ and ‘how’ questions (Yin, 2013). Case study approach also allowed for an in-depth interview with the various actors within the stool land administration system such as the Paramount Chief, Divisional Chiefs, members of the Plot Allocation Committee and officers of the CLS.

The Akyem Abuakwa CLS was used as the case study because Akyem Abuakwa, Gbawe and Manhyia areas had customary stool land management systems that were used by the

LAP as the models for the establishment of the CLS (Mirekua, *et al.*, 2016). The researcher's past working relationships with chiefs under the Eastern Regional House of Chiefs played a key role in the selection of the Akyem Abuakwa CLS to facilitate access to data. Stool land administration during the colonial era in Akyem Abuakwa was characterized by power imbalance and cultural factors where land value began to increase due to the existence of natural resources such as gold, diamond, timber, cocoa among others. This era was however characterised by power play where some of the traditional authorities who attempted land reforms suffered stiffer oppositions from other powerful chiefs and influential people in their jurisdictions (Firmin-Sellers, 1995).

3.3 Study Area

A study area is a geographical area where empirical data is collected and analyzed in a research. The study area for this research is the Akyem Abuakwa traditional area. The total land area of Akyem Abuakwa traditional area is approximately 508.3 square kilometers. The capital, Kyebi, is 55 km from Koforidua, 105 km from Accra and 179 km from Kumasi. Akyem Abuakwa shares boundaries with six Districts namely; Atiwa District to the north, West Akim District to the north west, Fanteakwa to the east, New Juaben to the south, Yilo Krobo to the south east and Suhum-Krobo-Coaltar District to the west (Fig.2). Akyem Abuakwa lands are suitable for cultivation of both food and cash crops with about 65% of the inhabitants engaged in active farming. They are also endowed with diverse mineral deposits such as gold, diamond and bauxite (Ghana Statistical Service, 2010).

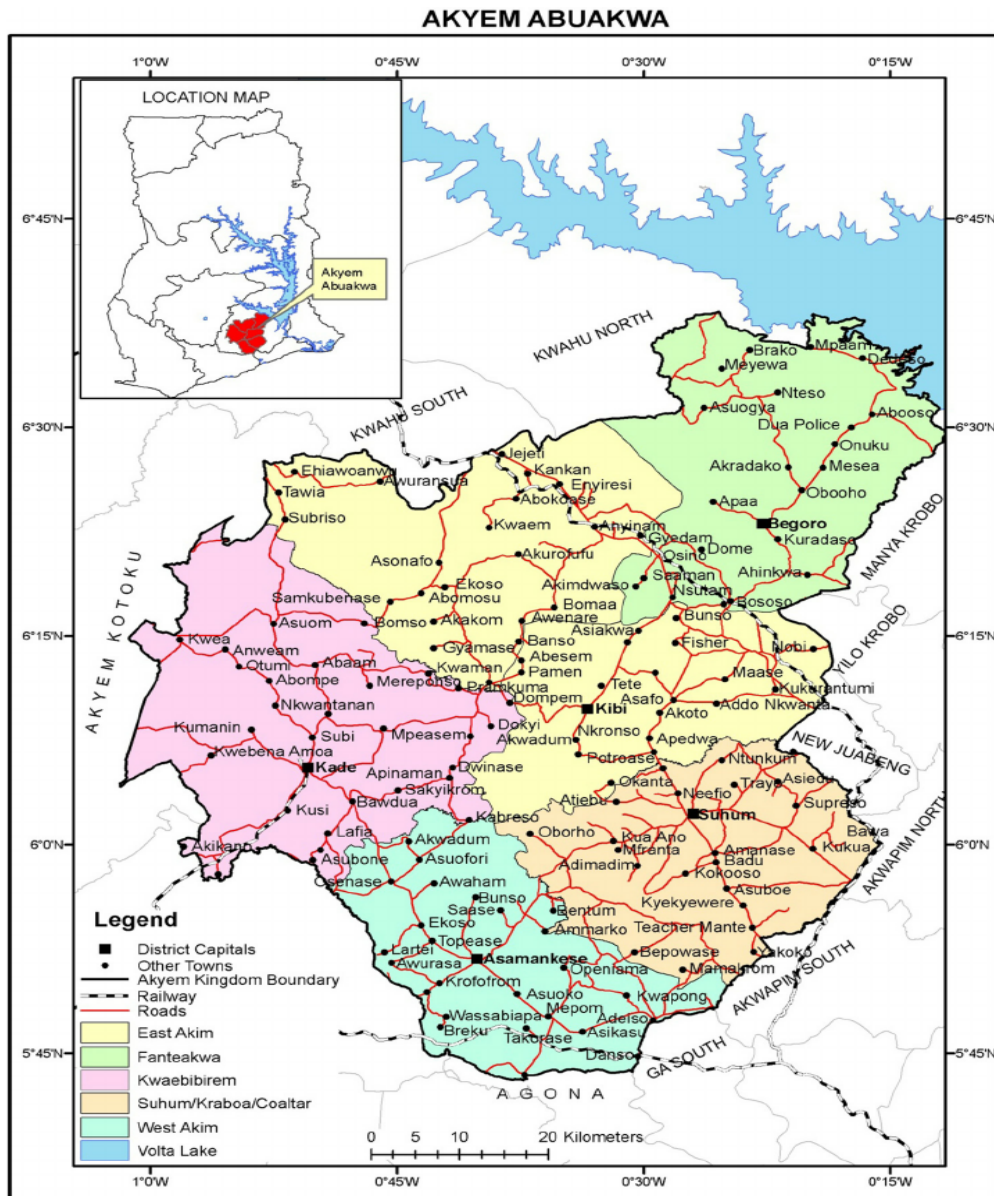


Fig. 2: Map of the Study Area. Source: Ghana Statistical Service, 2010.

The Akyem Abuakwas, a sect of the Akyem tribe, made their temporary capitals in a number of areas, including Praso, until they finally settled at Pameng. It was however during the reign of Nana Ofori Panin that the capital of Akyem Abuakwa was finally moved to "Kyebirie" (named after a black hat used by a hunter using the area as his hunting

grounds). It is now known as Kyebi. According to the 2010 Population and Housing Census (PHC) of Ghana, Akyem Abuakwa's total population stands at 167, 896, representing 6.4 percent of the total Eastern Regional population, with more than half (51.3%) of the populace being farmers and 68% of the population 15 years and above being economically active. A total of 107,654 persons out of a population of 122,816 who are 11 years and older residing in the district are literate in one language or another. The Akyem Abuakwa traditional area has six (6) Divisional areas under the Paramount chief with five hundred and eighty (580) towns and villages (Ghana Statistical Service, 2010).

3.4 Sources of Data

The study used both primary and secondary data. Primary data is an original data collected by the researcher while secondary data is the data acquired from journals, books, magazines, documents, reports, and the web (Silverman, 2013). Primary data was collected from key respondents through in-depth interviews using interview guide and focus group discussion to seek respondents' opinions on accountability of chiefs in stool land administration and how the introduction of the CLS in Kyebi has helped to improve transparency and accountability in the stool land administration system. Data from the Office of Administrator of Stool Lands (OASL) on 'Guidelines for Land Administration Project for the Customary Land Secretariats' as well as data from Lands Commission on stool land transactions within Akyem Abuakwa were also used for the study. In addition, data was sourced from books, journals and web documents. The blend of these data sources gave enough credibility to the work and empowered the researcher to interrogate every data or information assembled through the investigation.

3.5 Study Population and Qualitative Sampling Techniques

The study population which is the actors useful to the CLS project composes of the Paramount chief and Divisional chiefs of Akyem Abuakwa Traditional Area, officials of the Akyem Abuakwa CLS, officials of Public Sector Land Agencies which include OASL and Lands Commission, the Kyebi Plot Allocation Committee and the elected Unit Committee members of the East Akyem Municipal Assembly.

The choice of sampling design largely depends on the researcher accessibility to information about the study population (Kumar, 2011; Kothari, 2004). To accomplish the objectives of the study, respondents were carefully chosen using purposive sampling technique. Purposive or nonprobability sampling is ideal when the number of elements in a population is either unknown or cannot be individually identified (Kothari, 2004; Saunders et al., 2012). The respondents included the Paramount and Divisional Chiefs of Akyem Abuakwa Traditional Council, staff of the Akyem Abuakwa CLS, officials of the OASL and the Regional Lands Commission, members of the Plot Allocation Committee of Kyebi, and Unit Committee members of the East Akyem Municipal Assembly (EAMA). In consonance with the purposive sampling technique adopted for the study, the respondents are presented in Table 1 below.

Table 1: Summary of the Sample Size

Respondent groups	Method of data collection	Number interviewed
Paramount and Divisional chiefs of Akyem Abuakwa Traditional Area: (Okyenene, Nifahene, Benkumhene, Osiewohene, Adontenhene and Gyasehene)	Purposive interview	6
Akyem Abuakwa CLS staff	Purposive interview	1
Officials of Public Sector Land Agencies: (Regional Administrator of Stool Lands and Regional Lands Commissioner)	Purposive interview	2
Elected Unit Committee members of the East Akim Municipal Assembly	Purposive interview	4
Kyebi Plot Allocation Committee	Focus Group Discussion	7
TOTAL		20

3.6 Research Instruments

A Research instrument indicates the techniques used in eliciting the data required for an investigation (Creswell, 2012). In-depth interviews and a focus group discussion were the main research instruments used to gather data for the study.

3.6.1 In-depth Interviews

In-depth interview is a qualitative research technique that requires the researcher to undertake an intense discussion aimed at obtaining information from respondents on an idea, program or situation (Boyce & Neale, 2006; Creswell, 2012). As stated by Babbie (2013), in-depth interviews are very suitable when researchers intend avoiding leading a situation. In-depth interviews were conducted with the Paramount and Divisional chiefs of

Akyem Abuakwa Traditional Council, CLS staff, an official of the OASL, and official of the Eastern Regional Lands Commission, and elected Unit Committee members of the East Akyem Municipal Assembly. An interview guide was used to solicit the views of these respondents. The duration for each session of the interviews was between sixty to seventy minutes. An audio recorder was used to record each session. The justification for adopting in-depth interviews was to obtain subjective information on respondents' experiences, observations and encounters about the CLS in Akyem Abuakwa and accountability of chiefs in stool land administration.

A visit was made to the OASL on the 27th March 2018. The Administrator shared his views during the interview with supporting data. The researcher then visited the Palace of the Kukurantumihene (divisional chief) and Adontenhene (divisional chief) of Akyem Abuakwa on 1st March 2018 to conduct interviews. Despite Kukurantumihene's busy schedule and few interruptions by school pupils who were cleaning up the palace towards the Independence Day celebration on 6th March, he welcomed the researcher with much joy and offered a lot of in-depth historical perspective as well as his views on the questions asked. The researcher continued to Begoro to interview the Begorohene (divisional chief) and Benkumhene (divisional chief) of Akyem Abuakwa State. Begorohene invited few of his elders to sit in the interview session where he shed light on stool land administration within his divisional area.

The researcher proceeded to Kyebi on, 2nd March 2018 to conduct an interview with Okyenhene (Paramount chief) and the officials of CLS which is also situated in the

Okyenhene's Palace. Okyenhene offered many useful information on the subject matter with supporting documents. The researcher went on to interview the officer at the CLS in Kyebi who doubles as a member of the Kyebi Plot Allocation Committee to seek his views on stool land administration and the roles played by the secretariat to improve accountability of chiefs within the stool land administration system. With few follow-ups, the researcher was granted an interview by an Official of the Regional Lands Commission in Koforidua on 12th March, 2018. The official was able to offer some relevant information despite his busy schedule and few interruptions by clients.

The researcher was in Akyem Tafo to interview the Tafohene (divisional chief) on 21st March 2018. He was warmly received by Tafohene after their Wukudae celebration (traditional ritual). Issues with regard to stool land acquisition, management and his role as the former chairman of the Regional Lands Commission Board were discussed in the interview. The researcher finally met the elected Unit Committee members of the East Akim Municipal Assembly to interview them on how the people of Kyebi acquire parcels of lands and also to enquire about issues of stool land ownership and accountability of chiefs. The visit took place on the 29th March 2018. The researcher visited the various homes of the Unit Committee members to conduct the interviews.

3.6.2 Focus Group Discussion

Focus group discussion is the process of collecting data through interviews or discussions with a group of people. The researcher ask a number of questions and elicits responses from all individuals in the group (Creswell, 2012). Focus group discussion, which is an in-

depth interview accomplished in a group, creates a congenial environment for spontaneous expression of each one and participants influencing each other through their answers to the ideas and contributions during discussion (Freitas, Oliveira, & Popjoy, 1998). The study also used focus group discussion where a discussion session was conducted for seven members of the Kyebi Plot Allocation Committee to seek their opinion on stool land administration within the Akyem Abuakwa traditional area. The Plot Allocation Committee is responsible for demarcating and allocating stool lands to interested clients.

The researcher returned to Kyebi on 15th March 2018 to conduct a focus group discussion with the Kyebi Plot Allocation Committee. The discussion started after an in-depth interview with the treasurer to the committee. The discussion commenced with seven out of the ten committee members. Members took turns to respond on issues and shared comprehensive information on stool land administration since they are responsible for plot demarcation and allocation within Kyebi. It was an interactive session which lasted for 55 minutes after which the researcher observed the committee to hold their meeting.

The meeting of the Plot Allocation Committee started at 12:00 noon after the focus group discussion with members. The chairman welcomed members and introduced a prospective client who needed land. The client made the committee aware that she needed the plot for housing purpose. Two members were delegated to accompany the client to see available land. The chairman informed the rest of the members present about a request by another client to renew his land allocation certificate which had expired after the land had been

unused for the past two years. Members agreed to invite the client to the next meeting to defend his request. The meeting ended at 12:45.

3.7 Data management, Analysis and Research Ethics

The interviews and focus group discussions were transcribed and categorized in relation to the themes (idea, power relations and accountability) of the theoretical approach that underpin the research questions. The data was coded for better analysis and interpretation.

Research ethics involves three basic principles including the magnanimity of treatment of participants (maximizing good outcomes and minimizing risks), respect for participants (protecting outcomes and ensuring well-informed, voluntary participation) and justice (a fair distribution of risks and benefits) (Creswell, 2012). All the approved ethical considerations were strictly adhered to in this research.

An introductory letter from the Department of Public Administration and Health Services Management of the University of Ghana Business School was submitted to the Akyem Abuakwa State Secretariat, Akyem Abuakwa CLS and the Eastern Regional Office of the OASL to seek clearance for data collection and interviewing of respondents. An appointment was made with the Okyenhene as well as all the Divisional Chiefs within the Akyem Abuakwa Traditional Area. Approval was given by interview participants before recordings were done. The researcher explained the purpose of the research to the participants. Participants agreed for their views to be used for this academic exercise.

CHAPTER FOUR

ANALYSIS AND DISCUSSION

4.0 Introduction

This chapter analyzes data from stakeholders of stool land administration in the Akyem Abuakwa traditional state based on theoretical themes from rational choice institutionalism. Analysis was done on the following themes: power relations, which analyzed the power relationship among the actors; ideas of actors about accountability, which analyzed how the actors understand accountability; how authority and ideas of actors shaped the CLS; and accountability, which analyzed the extent to which the CLS has improved accountability of chiefs in stool land administration.

4.1 Power Relations

The amount of power actors wield and how they use it can affect the success of a project or an institution, more especially, when the power is used arbitrarily. This section examined the nature of power relations between the paramount chief, divisional chiefs, and citizens in the Akyem Abuakwa traditional state.

4.1.1 Power Relations between Paramount Chief and Divisional Chiefs

Section 13 of the Chieftaincy Act of 2008, Act 759 confers statutory authority on the Paramount chief over the Divisional chiefs when it states, “The Paramount chief of a Traditional Area or in the case of Kumasi Traditional Area, the Asantehene, shall be the President of the Traditional Council.” Section 15 (3) continues to state “The President of a Traditional Council shall preside at meetings of the Council and where the President is

unable to attend a meeting, the chief next to the President in seniority on the Council shall preside at the meeting.” Findings from the research reveal the nature of power relationship between the Paramount chief (Okyenhene) and the Divisional chiefs in the Akyem Abuakwa traditional state. The Paramount chief statutorily and customarily expresses his authority and control over the Divisional chiefs. It was noted that the Paramount chief (Okyenhene) presides over all Traditional Council meetings and gatherings as the ‘Omanhene’ which literally means the Paramount chief of the entire traditional state. The Okyenhene being the Paramount chief and President of the Akyem Abuakwa State therefore possesses the customary and statutory lordship over his Divisional chiefs.

This relationship was established by Okyenhene when he stated, “If someone needs a land at Begoro, the Begorohene after agreeing to the request, must accompany the lessee to Kyebi and one-third of the transaction (drink money) accruing from the transaction paid to me (the Okyenhene stool).” This establishes that the Begorohene, a Divisional chief is subservient to the paramount stool. The power relationship between the Paramount chief and Divisional chiefs was further corroborated by Begorohene when he was responding to how stool lands are acquired in Begoro. He stated, “The client contacts me, I then instruct the Plot Allocation Committee to allocate the needed parcel to the person. I thereafter inform Okyenhene about the transaction and sign the indenture with him.” This suggests that Begorohene (Divisional Chief) is aware of the power wielded by the Paramount chief over him. The nature of the power relationship between the chiefs and how it has impacted on accountability in stool land administration shall be presented later in this chapter.

4.1.2 Power Relations between Chiefs and the Subjects of Chiefs (Citizens)

The research also examined the power relationship between the chiefs and the citizens. It was noted that the Paramount chief exercises his authority over the citizens directly and through the Divisional chiefs. Customarily, the citizens cannot have access to the Paramount chief directly except through the Divisional chiefs. This finding was also upheld by an elected unit committee member of the East Akim Municipal Assembly when he was responding to a question on how citizens acquire plots of land in Kyebi. He answered, “you will contact Okyenhene through his elders or Okyeame at the palace for assistance.” This points to the view that a citizen can only visit the Paramount chief through his elders and Divisional chiefs. This relationship does not permit citizens to directly and publicly hold their chiefs accountable for stool land transactions.

The Divisional chiefs who are the traditional heads at the various Divisions within the traditional area also possess authority over the citizens. The citizens in their quest to own parcels of land contact the various Divisional chiefs. This view was supported by one of the elected Unit Committee members of the East Akim Municipal Assembly who responded that, “aside Okyenhene, we contact the Divisional chiefs in our localities to acquire plots of land.” It can be concluded from the study that the citizens revere their chiefs so much that they obey whatever the chiefs say or do without questioning. The consequences of being tagged as disrespectful towards traditional authorities transcend from the individual to the entire family. The structure of power relations where the subjects of chiefs cannot directly and publicly demand accountability from their chiefs due to customary values undermine the tenets of public accountability (Schedler, *et al.*, 1999).

4.2 Ideas of Actors on Stool Land Ownership and Accountability

The ideas of the various actors about stool land was analyzed in this section to appreciate their understanding about stool lands. The opinion of the actors about stool land will affect their ability to ensure accountability in its administration. This research further examined the ideas of the various stakeholders about accountability of chiefs in stool land management. The idea of actors about accountability is very important in ensuring accountability. The understanding of the concept of accountability by each actor influences their commitment to ensuring accountability either by rendering an effective account or demanding for proper account.

The Akyem Abuakwa traditional state has no defined structure of reporting or accounting stool land funds. Lodhia & Burritt (2004), Ryan & Walsh (2004), Odugbemi & Lee (2011) are of the view that the absence of clearly defined reporting structure creates the grey area where many take undue advantage of to fiddle with public funds. Outcomes on the field indicate that the chiefs in the study area do not know they are supposed to render accounts on stool land transactions, neither do they know the forum to account to. They are unaware of the type of account to render to the forum and why they should render such accounts to them. It was found that opinion on accountability varies greatly among the Paramount chief and Divisional chiefs in Akyem Abuakwa.

4.2.1 Stool land Ownership and Accountability of Chiefs: The Ideas of Okyenhene

It was found out that the Paramount chief regards stool land as land that belongs to the people but under custody. The Paramount chief indicated, “Stool lands means lands

attached to the stool of Akyem Abuakwa which was acquired through conquest and/or settlement. The chiefs have the power to lease it out.” This implies that the Paramount chief acknowledges the communal nature of the land as well as the authority conferred on him customarily by the people as their leader to manage the land which includes leasing it out. Being the paramount chief of Akyem Abuakwa traditional state, the Paramount chief claim possession and authority over all the stool lands in Akyem Abuakwa and sees the Divisional chiefs as caretakers of such lands on his behalf. The Paramount chief added that he must consent to any land lease or concession before it becomes valid.

The Okyenhene views accountability as Divisional chiefs rendering accounts of one-third of every stool land transaction to him. He indicated when responding to the question on whether chiefs are supposed to be accountable to the people for the management of stool lands. He stated, “Yes, chiefs are supposed to account for stool land transactions since they are managing the land on behalf of their people. The custom is, one-third of the revenue of any stool land lease or concession comes to the Paramount stool, a resolution (refer to Appendix 1) which all the Divisional Chiefs have signed to. Again, half of the two-thirds that goes to the Divisional chiefs is supposed to be set aside for the development of the community.” Though Okyenhene indicated that part of the revenue from stool lands transactions are designated to the citizens through local community developmental projects, he was emphatic on the rendering of one-third to the paramount stool and the passing of the resolution by the Traditional Council to that effect.

The interest of the Paramount chief was shaped by the idea he possesses about accountability in stool lands. This finding is in line with Goldstein and Keohane (1993) who emphasized the determination of interests of actors in every institution and their 'ideas' on political outcomes treated as independent of material interests and incorporated into the analysis. Actors are rational and would never suppress their interests, therefore determining their interests from the initial stage would ensure their full commitment thereby successfully achieving the objectives for which the institution was established.

4.2.2 Stool land Ownership and Accountability of Chiefs: Ideas of Divisional Chiefs

The research findings reveal that some of the Divisional chiefs see stool lands as their personal property inherited from their ancestors. One of the Divisional chiefs sharing his opinion on stool lands said, “Let me give a historical perspective to stool lands. This land I rule over for instance was bought by my ancestors with gold for the people. The land thus becomes the personal property of the chiefs who are the custodians of the land. We even have the indenture to this purchase. Stool lands are therefore lands that belong to the chief or stool occupier of a particular place.” Though this Divisional chief admitted the stool land was purchased for the people, he largely views the land as a property for the maintenance of the royal house since he rules over the people.

The ideas held by the Divisional chiefs about stool lands influence greatly how they appreciate accountability within the sector. A chief who regards stool land as a personal property would only treat it as such without being accountable to the people he manages the land for. Rueschemeyer (2006) found out that ideas are very critical in advancing the

social change or maintaining the status-quo because knowledge, ignorance, and uncertainty often make the difference between success and failure of policies. Ideas are therefore blueprints that institutions follow to succeed and these ideas are greatly shaped by the perception and interpretation of the actor's environment, normative orientation and the development of taste and preferences.

The Divisional chiefs on the contrary maintained that they are not supposed to be directly accountable to the citizens. They added that the local government receives royalties from stool land transactions, hence the local government must channel the revenue towards the development of the communities. A Divisional chief stated "The land is my personal property bought by my ancestors. I decided to use part of that royalty to put up infrastructure for the people. There is no law that forces me to account to the people." Another also indicated, "We have to be accountable to some extent but not so open because chiefs depend on these sources of revenue for the up-keep of the palace and other customary expenses. The Assembly receives 55% of stool revenues on behalf of the people and must use it for infrastructure for the people." These views are indications that the Divisional chiefs do not see themselves accounting to the people they manage the stool lands for since they see the revenues accruing as their personal money with full discretion over what to use the money for without any questioning.

The findings have been corroborated by Bugri (2013) who found out that stool land administration in Ghana has throughout the years been depicted with absence of accountability and responsibility with tenure insecurity. Yang et al. (2015) also found out

that a chief may render an account on how his administration spend communal funds based on his discretion since there is no requirement for doing so. Similar view was shared by Mtengeti-Migiro (1991) who found out that chiefs are claiming the right to administer lands while neglecting the duty to use it in the best interest of the community as a result of high market value of land.

The findings clearly indicate that the ideas of chiefs who are the powerful actors in the stool land sector is contrary to the expected view that traditional authorities are supposed to utilize proceeds from stool lands transactions to the benefit of the entire community. As noted by Rueschemeyer (2006) ideas may matter in the reform or establishment of a strong institution when powerful supportive factors already emerged that strongly advance or guarantee their success because reforms are ways of conserving and protecting ideas.

4.2.3 Stool land Ownership and Accountability of Chiefs: Ideas of Subjects of Chiefs

The study finds that citizens view stool lands as lands that belong to the chiefs. One of the elected unit committee members of the East Akim Municipal Assembly stated, when responding to his view on stool lands, “stool lands are lands that belong to the chiefs.” The Kyebi Plot Allocation Committee also shares similar view when they stated, “All the lands in Kyebi are stool lands usually referred to as Okyenhene’s land. Anyone in search of a parcel of land for housing purpose or establishment of a factory contacts us for the transaction. We are in charge of demarcating and allocating plots of lands to clients.” Clearly, those who represent the people at the District assembly and local communities see stool land as properties of the chiefs. Citizens who do not see themselves partly owning the

stool land would not demand accountability from chiefs who hold the land in trust, hence the relevance of ideas in ensuring accountability.

Citizens being the actors that must demand accountability from the chiefs that manage the stool lands on their behalf play a vital role in the stool lands accountability process. Findings indicate that citizens see stool lands as lands that belong to the chiefs rather than the lands vested in the chiefs, and they are not able to question the chiefs about how such lands are managed. This viewpoint clearly disassociate the citizens from claiming ownership of stool lands as well as recognizing themselves as the proper actors to demand accountability from the chiefs who hold the land in trust.

Citizens however regard accountability as chiefs channeling stool land revenues to develop their communities. It was evident that citizens do not have the guts to demand from chiefs to use land revenue for community development. An elected unit committee member responded when asked about how accountability in stool land administration can be ensured. He replied, “They must develop our communities and also grant scholarship to brilliant but needy students.” These views have been substantiated by the findings of Brobbey (2008) who argue that Ghanaians have such great respect for chiefs that what the chief tells his people in many cases is almost instinctively obeyed.

In a quest to ensure that the interest of the Paramount chief was represented in stool land transactions by the Plot Allocation Committee, the Chairman for the committee stated in response to a question on the functions of the Plot Allocation Committee thus, “All the

lands in Kyebi are stool lands usually referred to as Okyenhene's land. Anyone in search of a parcel of land for housing purpose or establishment of a factory contacts us for the transaction. We are in charge of demarcating and allocating plots of lands to clients." Another member answering how he understands stool or stool lands, reechoed the same idea shared by the chairman. He indicated, "As explained by Chairman earlier, Stool lands in Kyebi are lands that belong to Okyenhene. Even if the government needs a parcel of land for a project, they must contact Okyenhene first." As indicated in their responses, they are of the view that all the lands belong to Okyenhene who is the Paramount chief. They do not understand the communal nature of such lands but only see themselves to be working for the Paramount chief. This finding is corroborated by Abdulai (2016) who stated that traditional authorities are able to point to custom to acquire and legitimate power over stool lands. Though it may be observed that the Paramount chief is using his authority to champion his interest, North and Weingast (1989) noted it is not always the ruler's wish to exert power arbitrarily or discriminately but do so to maximize their utility such as increasing wealth or revenue. This assessment emphasizes the view that the Paramount chief is also a rational actor who would only act to maximize utility.

4.3 The Establishment and Effectiveness of the CLS: Ideas, Interests and Power

How the CLS was established plays a significant role in its sustenance and effectiveness. The establishment of the CLS in Kyebi (capital of the traditional state) and how the project design affected the its functions and objectives is examined in this sub-section.

The research findings indicate that it appears the Land Administration Project bought into the general perception of stool lands belonging to the chiefs, in this case the Paramount chief, and did not involve the Divisional chiefs and the representatives of the citizens in the establishment of the Akyem Abuakwa (Kyebi) CLS. Officials of the LAP dealt largely with the Paramount chief (Okyenhene). The lack of stakeholder engagement has resulted in limited awareness of the existence and functioning of the CLS among the Divisional chiefs and citizens of Akyem Abuakwa. One of the Divisional chiefs stated, “I don’t know much about the CLS. When we go to State Council, we don’t talk much about the CLS. We only talk about how royalties are distributed.” This statement shows the low level of stakeholder engagement which had a direct effect on their patronage for the project aimed at benefitting all citizens, including the traditional rulers.

An interview with the elected unit committee members of the East Akim Municipal Assembly also confirms their ignorance about the existence of the CLS and its functions. Some of the unit committee members indicated they transact land businesses through the Kyebi Plot Allocation Committee, without recourse to the CSL. Interestingly, the Plot Allocation Committee also expressed their obliviousness of the presence of the CLS despite being housed in the same palace with the CLS.

The Regional Administrator of Stool Lands also observed the challenge with the supply-led approach towards the sustainability of the CLS. He stated, “Phase one of the project which saw the creation of 27 CLSs was not demanded but supplied where Stool Lands Administrators seated in Accra determined which Traditional Council should benefit from

the establishment of the CLS. The supply-led approach of the establishment of the CLSs did not get the embracement by the Traditional Authorities since they saw it as a project forced on them.” Supply-led approach can be regarded as an authoritative decision; as the name implies, where centrally located actors, who are the main decision makers are responsible for formulating statute which suit the kind of existing problem.

As indicated by Anderson (2011), Lester & Sterwarts Jr. (2000), Dunn (2012) and Matlands (1995) the top-down (supply-led) approach to policy-making fades out the discussion process which has taken place before agreement on the solution is reached. This leads to resentment among implementing actors. The supply-led approach to the creation of the CLS did not take into consideration the socio-cultural, environmental and political structures of each respective beneficiary community, resulting in resistance from the Chiefs and local people in the Akyem Abuakwa traditional area. Abdulai (2016) also found out that the intervention of state alone in the creation of the CLS without consultation with the indigenous people have failed to solve problems in stool land administration.

4.3.1 Improving Horizontal Accountability between Chiefs

A horizontal accountability relationship is supposed to exist between the Paramount chief and the Divisional chiefs where they act as checks and balances on how each other account for stool land transactions. It was found out that the horizontal accountability relationship does not exist among the Paramount chief and the Divisional chiefs. The interest of the Paramount chief which is focused mainly on ensuring one-third of stool land transactions by the Divisional chiefs is accounted to him. The CLS has not even created a mechanism

to ensure an improvement with horizontal accountability. The CLS officer emphasized that the CLS was dead before he took over. He indicated that the CLS never received any patronage as he took over as the officer.

The Divisional chiefs are also constrained by customs and the power relations that exist between them and the Paramount chief to ensure he accounts for stool land transactions he receives as it was revealed that none of the Divisional chiefs has ever demanded accountability from the paramount chief. The inability of the Divisional chiefs to demand accountability from the Paramount chief could also be attributed to their failure to deliver their side of the bargain by withholding one-third of the drink money that is supposed to be paid to the Paramount chief (Okyenhene).

i. Resolution on Payment of One-third of Stool land Transactions

The Paramount chief was poised at ensuring all the Divisional chiefs account for one-third of stool lands transactions to him. The Paramount chief was able to exert his authority on the Divisional chiefs to guarantee that his interest was sustained. The Paramount chief was able to champion the enactment of a resolution with regards to stool land transactions signed by all the Divisional chiefs which has the binding effect on them. It was resolved (refer to Appendix 1) by the Traditional Council that “No concession over stool land situated in the state can be granted without the knowledge and consent of the Paramount stool which is entitled to one-third of all monies paid in connection with such concession.” The resolution states that “No concession is valid unless granted with consent and

concurrence of the Paramount Stool.” The resolution thus forbids the Divisional chiefs from transaction stool lands without the consent of the Paramount chief.

The emphasis of the resolution is the payment of the one-third of stool land transactions which suggests the preference and interest of the Paramount chief as indicated in another clause of the resolution. It states, “The Okyenhene or in his absence, the Okyenhene-In-Council representing the Ofori Panin Stool shall at all material times be entitled to one-third of all monies paid in connection with such plots or concession of Stool Lands.” From all indications, the interest of the Paramount chief is to ensure the payment of the one-third of stool land transactions to him, which affirms his stance as a rational actor who would act to maximize his interest. This finding is in line with Shepsle (1989) who noted that man is an economic being (*homo economicus*), which makes him purposive, proactive and a maximizer of privately held values.

The Paramount chief had to use a statutory means through a Traditional Council meeting that got the Divisional chiefs to sign the resolution, knowing the difficulty he may face imposing his interest on them customarily due to varying interests among themselves. The view of Weingast (2007) that preferences are shaped by historical antecedents was established when the Paramount chief had to rely on a historical antecedent of a resolution signed on 7th January 1932 to get his divisional chiefs to sign the current resolution with similar declarations. As indicated by Weingast (2007) a particular pattern of interaction within an institution informs the choice of an actor or determines his preferences.

ii. Establishment of the Plot Allocation Committee by Okyenhene

The Paramount chief further used his powers to establish a parallel land management committee referred to as Plot Allocation Committee to streamline plots allocation and to ensure the one-third is strictly adhered to. This was also captured by a clause in the resolution as stated, “And whereas the need has also arisen for the streamlining, codification and centralization of Plot Allocation Records at the secretariat of the Akyem Abuakwa Traditional Council for the safe custody and easy reference among others.” The resolution therefore gives power to the Plot Allocation Committee established by the Paramount chief as the official body to transact stool land businesses with. The Plot Allocation Committee however performs similar roles for which the CLS was established, thus making the CLS unpopular and not receiving any patronage from the people.

iii. Apathy on the part of Divisional Chiefs

The ideas of the Divisional chiefs about stool land ownership and accountability led to a high level of apathy for the patronage of the CLS as the Divisional Chiefs refused to embrace the CLS. The Eastern Regional Administrator of Stool Lands stated unequivocally the lack of cooperation from the Divisional Chiefs as one of the major challenge of the Akyem Abuakwa CLS. This view was supported by the CLS officer when he was asked whether the Traditional Council and Divisional Chiefs embraced the management of stool lands by the CLS. He answered, “No, they have refused to embrace the CLS because of the one-third obligation. They do not bring their indenture here because they want to avoid payment of the one-third which is due Okyenhene.” He attributed their lack of support to the avoidance of the payment of the one-third fee due the Okyenhene.

The lack of support for the CLS by the Divisional Chiefs was also noted by Okyenhene when he said, “The Divisional chiefs did embrace the CLS initially. All the Divisional Chiefs were at the inauguration but practically, they do not do what is expected of them. Most of them feel reluctant in forwarding their transactions.” Though the Paramount chief observed their initial support, he noted their lack of commitment to the CLS subsequently. Okyenhene’s statement confirms the inability of the project to involve the Divisional chiefs since the only role they played was their presence at the inauguration.

One of the Divisional Chiefs ascribed their lack of support for the CLS to the lack of sensitization of the Divisional Chiefs on the functions of the CLS. He stated, “The CLS was just in the enclave of Kyebi and the other Divisional Chiefs did not feel involved.” Akyem Abuakwa is a vast area covering 508.3 square kilometers with six Divisional Areas with five hundred and eighty towns and villages. Therefore situating a project for the entire Traditional Area in only Kyebi without the proper sensitization of all the actors involved would not get their full support.

Clearly, the CLS lacks the needed support and interest due to the ideas the chiefs have about it. The Divisional chiefs perceive the establishment of the CLS is not in their interest. As identified by Rueschemeyer (2006) ideas of dominant groups on economic, social and political conditions and their anticipation about future development have a decisive effect on constitutional change and policies because policies would be sustained only if the dominant group sees their ideas and interests protected in the future as well as the present.

People are what they think they are and would act in ways to reaffirm their self-conception regardless (Scott, 2008; Blyth, 2008).

iv. Divisional Chiefs Circumvent the Customary Resolutions

Though the Divisional chiefs signed the resolution, they later revolted against it. This suggests that the Divisional chiefs haven't identified the preference of the Paramount chief to be contrary to their preferences. The Divisional chiefs could not display their opposition openly due to the supremacy of the Paramount chief over them. The disregard for the resolution was acknowledged by Okyenhene when he said, "Most of the Divisional chiefs feel reluctant in forwarding their transactions. They have connived with Lands Commissions officers to sign leases as lessors against the resolution on grant of concessions and stool lands." This assertion was re-emphasized by the Officer at the CLS when he said, "The Divisional chiefs have refused to embrace the CLS because of the one-third obligation. They do not bring their indenture here because they want to avoid payment of the one-third which is due Okyenhene. They have connived with Lands Commission to sign their indenture as Lessors against the law. We wrote to Lands Commission about it but to no avail." This indicates how committed the Divisional chiefs are to ensuring their interests are also protected.

The revolt of the Divisional Chiefs was confirmed by one of the Divisional chiefs when he stated, "There were few agitations by some Divisional chiefs when we were made to sign a resolution with regards to signing of indenture and land leases. Some of the Divisional chiefs wanted to sign their own documents." This has brought about the Divisional chiefs

circumventing the resolution their signed with their Paramount Chief specifying the procedure of getting land documents. The Divisional chiefs sign their own documents and have ignored the need to seek the concurrence of the Paramount chief. The Divisional chiefs do not use the CLS office as intended by the project.

This revelation was substantiated by the Eastern Regional Administrator of the Office of Administrator of Stool Lands when he indicated, “The success of the CLS is measured by the volume of data that is churned out. I think the chiefs in Akyem Abuakwa have not embraced the CLS because data always emanate from Lands Commission indicating land transactions within the Akyem Abuakwa Traditional Area but there is no report from the Akyem Abuakwa CLS confirming same transactions. This implies that transactions at the Divisional level do not pass through the CLS. Data from the Lands Commission from 2013 to 2017 indicates 213 land transactions within the Akyem Abuakwa Traditional area while the CLS has not recorded a single transaction. This is a total mismatch and indicates the non-functioning of the CLS.” Data from the OASL in Table 2 shows the annual breakdown of land transactions from the Akyem Abuakwa Traditional Area.

Table 2: Stool land Transactions in Akyem Abuakwa from 2013-2017.

Year	Land Transactions Recorded at the Kyebi CLS	Land Transactions Recorded At the Lands Commission
2013	0	31
2014	0	40
2015	0	58
2016	0	38
2017	0	46
TOTAL	0	213

Source: OASL, 2018

The findings about the revolt of the Divisional chiefs and their exercise of power to circumvent the authority of the Paramount chiefs to get land documents over land ownership affirm the earlier findings of Firmin-Sellers (1995) about conflicts between Paramount chief and Divisional chiefs in the Akyem Abuakwa State.

Firmin-Sellers (1995) found out that in the Akyem Abuakwa area in an instance, the Asamankesehene challenged his allegiance to the Okyenhene to avert payments to the paramount stool following discovery of mineral deposits in Asamankese. Though the insurgency by the Divisional chiefs may be seen as disrespect to the Paramount chief, it only suggests that both factions have conflicting ideas and interests and are only working to maximize their interests. This is in line with de Figueiredo et al. (2006) who posited that all actors believe they are acting reasonably while the other is not acting reasonably due to the incorrect conjecture they have about each other. Therefore, to have confidence in an institution for uttermost support, functions and benefits must be clearly defined with full understanding and consensus from all actors.

4.3.2 Improving Vertical Accountability between Chiefs and their Subjects

A vertical relationship is expected to exist between the chiefs and the citizens whose lands are being managed, where the citizens hold the chiefs accountable for every transaction. Findings reveal that citizens are not aware of the role of the CLS in helping to improve accountability. Citizens, thus, have never demanded for accountability from their chiefs through the CLS. Irrespective of the unawareness of this right by citizens, the power relationship that exists between the chiefs and the citizens, as well as the reverence for

traditional authority deter citizens from having the courage to demand for accountability. One of the elected unit committee members openly puts it, “I am not aware of any customs that prevents one from demanding accountability from chiefs but it will be difficult to demand for accounts from chiefs. We all accord them a lot of respect in the Traditional Area.” This implies that though there is no restriction from holding chiefs accountable, the cultural values prevents citizens from doing so.

The only forum through which chiefs could avail themselves to justify their actions to the people is the palace. The location of the CLS in the palace however does not create the needed atmosphere for citizens to demand accountability on stool land transactions from their chiefs. The custom where one does not visit the chief empty handed as well as not able to speak directly to the chief, except through a linguist, prohibits the people from demanding accountability from the chiefs.

Citizens’ regard of stool lands as properties of the chiefs has led to the neglect of the CLS. Citizens are more comfortable dealing with the chiefs and the Plot Allocation Committee rather than the CLS. When the elected unit committee members were asked how they acquire stool lands, they unanimously responded that they visit the Palace and deal with Plot Allocation Committee. Despite the presence of the CLS in the same Palace where the Plot Allocation Committee is located, citizens are more comfortable transacting business with the Plot Allocation Committee. It was found out that since 2013, no citizen had any stool lands transactions with the CLS.

This view was upheld by the Chairman for the Plot Allocation Committee when he was responding to how citizens in Akyem Abuakwa acquire stool lands. He indicated, “Anyone in search of a parcel of land for housing purpose or establishment of a factory contacts the Plot Allocation Committee for the transaction. We are in charge of demarcating and allocating plots of lands to clients.” This practice can be attributed to the non-involvement of citizens and their lack of idea about stool lands. Citizens who have knowledge about the establishment and functions of the CLS would not transact business with the Plot Allocation Committee. The CLS officer responding whether citizens patronize the CLS stated, “Citizens don’t patronize the CLS. They are familiar with the Plot Allocation Committee and transact business with them since they demarcate and sell lands.” It can therefore be concluded that citizens of Akyem Abuakwa do not patronize the CLS.

The chiefs have ignored their customary obligation to account to the people on stool land transactions; they try to render account on their volition. One of the chiefs noted “There is no customary rule that obliges a chief to render account to the people.” The chiefs of Akyem Abuakwa traditional area are however of the common view that the District assemblies must rather account for the 55% stool land royalty they receive for community development since the 20% due the stool is meant for their personal upkeep to maintain the stool. One of the chief stated, “We are not supposed to be directly accountable to the people. The 55% that goes to the Assembly must be used to develop the community and accounted for. The 20% that comes to the chief is used to cater for expenses that may occur in performance of his customary roles.” Another chief in affirming this view also said, “Chiefs have to be accountable to some extent but not so open because chiefs depend on

these sources of revenue for the up-keep of the palace and other expense. The Assembly receives 55% of stool revenues on behalf of the people and must use it for infrastructure for the people.” Notwithstanding the fact that some chiefs recognise their obligation to be accountable to their subjects, they have failed to be publicly accountable.

This section has analyzed whether the CLS in Akyem Abuakwa has been able to ensure accountability in stool land administration since its establishment. It is clear that the Akyem Abuakwa CLS has failed to ensure accountability between the chiefs and citizens in stool land transaction. This view was also expressed by the Officer of the Akyem Abuakwa CLS who stated, “I came to meet a dead CLS; it is ineffective for now. The people are familiar with the Plot Allocation Committee and transact with them directly but do not come to the CLS.” This suggests that the CLS in Akyem Abuakwa has failed to perform its core mandate for which it was established. Meeting a dead CLS indicates that it would take the full commitment of all stakeholders to revamp it to perform its functions of ensuring transparency and accountability in stool land administration.

4.3.3 Stool Land Ownership and Accountability of Chiefs: Ideas, interests and power of the external actors implementing the LAP

The external actors is used here to refer to the actors outside the Akyem Abuakwa state who designed and implemented the overall LAP project. This group of external actors included the World Bank, Department of International Development (DFID-UK), the Ministry of Lands and Forestry, and the LAP officials (particularly the National Facilitators of the CLS project within the LAP). The ideas and interests of these external actors

financing and implementing the LAP is important for understanding, first, the reform strategies they adopted in the creation of CLS, and second, the outcomes of the CLS.

The view of the 1992 Constitution (Article 267) that stool land is communally owned was adopted by the Ministry of Lands and Forestry in the design of the overall LAP (World Bank, 2003; LAP Report, 2007; Kumbun-Naa, 2006). Among the donors financing the project, their consensus view was that stool land is communally owned by the people and held in trust by the Chiefs. However, the donors choose to finance different components of the LAP in pursuit of their different ideas and interests. The World Bank financed the land title registration component of the LAP. The land title registration component of the LAP appeared to attack the traditional view of Stool lands as lands that cannot be sold by chiefs as freehold. The land title registration component of LAP promoted the idea that the communally owned stool lands should evolve into individualized property rights referred to as ‘customary freeholds’ (Toulmin, Brown, & Crook, 2004; Amanor, 2010).

The land title registration component of the LAP sought to register the so-called ‘customary freeholds’. World Bank officials mounted pressure on the office of the Attorney General to give legal legitimacy to the idea of ‘customary freehold’ (LAP Report, 2007). In the LAP Report (2007:14) the Mission recommended that “Ministry of Lands, Forestry and Mines (MLFM) should ensure that the Lands Commission publicises the Attorney General’s statement confirming the validity of customary freeholds as a form of tenure in time for consideration by regional consultations. MLFM should also prepare a conveyance appropriate for registration of customary freehold.”

The National House of Chiefs (NHC) rejected the idea of ‘customary freehold’, and some chiefs described the idea of ‘customary freehold’ as obnoxious. The NHC argued that the land right held by the indigenous members of the land owning community is only use right (usufruct) which does not extinguish the community’s allodial title but only continues to persist on the authority of the land owning community (NHC, 2010). The propagation of the idea of ‘customary freehold’ by the World Bank financed land title registration component created some mistrust between chiefs and CLS project officials. Chiefs also developed some mistrust towards the CLS component of the LAP.

The CLS component of the LAP was financed by the UK-DFID. The design of the CLS component of LAP was based on the idea that stool land is communally owned by the people and held in trust by chiefs who must be accountable for their stewardship (Toulmin, et al., 2004). One of the CLS project National Facilitators realized that not all chiefs accepted the view that stool lands is communally owned as he indicated “It is simplistic, even naïve, to believe that these chiefs will readily cede these authorities together with its associated benefits, arbitrage opportunities and rents including land revenue that they have enjoyed over such a considerable length of time” (Antwi, 2008:13). The CLS National Facilitator appear to have supported the World Bank’s advocacy for the legitimacy of the “customary freehold” as he stated unequivocally that “the contrivance of chieftaincy institutions in many indigenous areas coupled with the elevation of chiefs to the status of landowners at the deprivation of the true usufructuary owners (customary freeholders) since the colonial era constitutes a fundamental and likely irreversible change that needs to be kept in sight. If the goal is to legitimize indigenous tenure forms then the focus must be

on legitimizing the rights of customary freeholders and their assignees while confining the Chiefs to their administrative functions under applicable customary law” Antwi (2008:12). In the Akyem Abuakwa state, between 2004 and 2007, the National Facilitator of the CLS project therefore found himself on an ideological collision path with chiefs on two fronts: first, with chiefs who were opposed to the idea of customary freehold, and second, with chiefs who held the view that their stool lands belonged to only the royal family and not owned by the entire community (Kakraba-Ampeh, 2010).

Differences in ideas of the CLS project designers and the project implementers appears to have undermined the implementation of the CLS project at Kyebi. Interestingly, one CLS National Facilitator questioned the basis for directly demanding accountability of chiefs in stool land administration. One CLS National Facilitator stated, “We got the accountability issue wrong to some extent, because in the forest areas a significant proportion of farm land transactions are organized without reference to the Stool” (Appiah, 2012:265). Perhaps, the CLS National Facilitator was more interested in promoting the idea of customary freehold which could end the communal ownership than promoting the accountability of chiefs. Another CLS National Facilitator was of the view that “You don’t need to demand accountability. The system must lend itself to accountability. You don’t need to prescribe the form that it should take. The system must itself make it possible. Throw more light on the local level. Let people see what is happening. That would be 90% accountability” (Appiah, 2012:266). When actors have conflicting ideas about the nature and direction of reforms it affect the success of institutional reform projects. This view finds support from Rueschemeyer (2006) who noted that actors holding contradictory ideas

will suppress the progress of an institution because they perceive the institution was not designed to benefit them. Institutional reforms are therefore regarded as ways of conserving and protecting ideas. Rodrik (2014) also advanced that if rational actors are driven by interests, they only have one limited and preconceived idea of where their interest lies.

Differences in ideas among institutional reform project implementers affects the attainment of the set objectives of the project because ideas shape actions (Rueschemeyer, 2006). Projects tend to suffer great resistance from the intended beneficiaries who do not own the projects to ensure their sustainability when the ideas of the projects implementers differs from their ideas. Policies would be sustained only if the dominant group or beneficiaries see their ideas and interests protected (Rueschemeyer, 2006).

4.4 Making the CLS an Agent of Accountability: The Way Forward

The research has collated many recommendations from the various actors that would ensure the CLS as an agent of accountability. The Eastern Regional Officer of OASL recommended education of the Divisional chiefs and the citizens when he stated, “The Divisional chiefs must be aware that the data collected by the CLS is used by the OASL to collect ground rent which benefits the entire Traditional Council. The Traditional Councils must also educate their Divisional and the general public about the importance of the CLS.” The officer also acknowledged the role of the Paramount chiefs when he proposed by stating, “Paramount Chiefs must be committed to the sustainability of the CLS.” These recommendations will ensure the embracement of the project by the traditional authorities.

The Okyenhene and his Divisional Chiefs also appear to point to the path followed by the Botswana Land Boards as the best approach to ensure transparency and accountability in stool land administration in Ghana. The Okyenhene recognized the role of a neutral body handling stool lands in ensuring accountability by stating that “A body must be put in place to manage stool lands. I for instance established the Okyeman Lands Commission. The CLS will then be the Secretariat for the Land Management Committee.” This he did by establishing the Okyeman Lands Commission and the Kyebi Plot Allocation Committee to manage stool lands within the traditional area. Some of the Divisional chiefs acknowledged the problems associated with the direct involvement of chiefs in stool land transactions as they made the following recommendations. One of the Divisional chiefs stated, “No chief should be directly involved in land sales. A committee should be set-up to transact on behalf of the chiefs and report to them.” Another Divisional chief added, “We opened accounts, formed committees to manage stool land transactions and these committees render quarterly accounts.” The involvement of citizens and opinion leaders in stool land transactions ensure openness and proper accountability where chiefs are not accused of squandering revenues accruing from stool lands. This study has shown that the ideas and power of the indigenous chiefs and their subjects should be taken seriously by reformers to ensure transparency and accountability in stool land administration.

CHAPTER FIVE

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.0 Introduction

This chapter summarizes key findings, draws conclusion on the study and proposes some recommendations as well as lessons for policy implementation and further research.

5.1 Summary of key findings

The study sought to evaluate the extent to which the Land Administration Project (LAP) through the creation of the Customary Land Secretariats (CLS) has improved accountability in stool land administration in the Akyem Abuakwa State in Ghana, with a focus on the nature of power relations between the chiefs, subjects of chiefs, and external reform actors in stool land administration and the ideas of the stakeholders in the land administration reform about the accountability of chiefs in stool land administration. The study further examined how the ideas and power relations of the reform stakeholders have shaped the effectiveness of the CLS in improving the accountability of chiefs in stool land administration and the extent to which the CLS has improved accountability in stool lands administration in the Akyem Abuakwa State. Land Administration Project (LAP) was a package of donor-supported reforms initiated in Ghana in 2001 to ensure accountability of chiefs in land administration through the creation of a new organization called Customary Land Secretariat (CLS). The findings of the research are summarized below.

5.1.1. Power relations in stool land administration matter for reform success

The study found that the Paramount chief possesses some degree of power over the Divisional chiefs and the citizens in the administration of stool lands. As the Omanhene and President of the Traditional Council, the Paramount chief exercises this authority conferred on him customarily and statutorily over the divisional chiefs and citizens within the traditional state. The Divisional chiefs, though under the authority of the Paramount chief, also possess similar customary authority and power over the citizens. Though the Paramount chief and Divisional chiefs admit communal ownership of lands in their jurisdiction, the Paramount chief is of the view that such lands are under custody, there is also the view that such lands are a form of inheritance and thus personal property of the chiefs; the allocation and the use of proceeds from these transactions are thus at the discretion of the chief in question.

It was further observed that the chiefs exercised their authority to protect their interest. The Paramount chief was able to champion the enactment of a resolution with regards to stool land transactions which enjoins all Divisional chiefs to account for one-third of stool land transactions to the paramount chief and his consent sought before such transactions are entered into. Aside the resolution, the Paramount chief was able to institute a parallel committee known as Plot Allocation Committee which performs similar functions of the CLS. Though the Divisional chiefs signed the resolution to give one-third of land revenue to the Paramount chief, they later revolted against the decision as they circumvented the signature of the Paramount chief required to get plots of lands registered at the Lands Commission without the notice of the Paramount chief.

The study also found that the power of the Paramount chief require the support of divisional chiefs for effective administration of the stool lands within the traditional area. Chieftaincy system is an informal institution with social norms, practices, and political processes that play crucial role in defining societal rules (Tyler, 2006). There is an emerging consensus that formal institutions require informal institutions to be effective and sustainable. Chiefs within the CLS establishment who are rational actors exerted their power to maximize their utility such as increasing their wealth or revenue as posited by North and Weingast (1989).

5.1.2. The Role of Ideas and Power of Chiefs in Stool Lands Administration Reform

The ideas held by the chiefs about stool lands has largely influenced their ability to account for stool land transactions. The Paramount chief (Okyenhere) views accountability as the rendering accounts of one-third of every stool land transaction within the traditional area by the Divisional chiefs to him. A view which has been opposed by the Divisional chiefs as they also regard the lands as their personal property and do not understand why one-third should be accounted to the Paramount chief. To the citizens, there is less to demand in order to preserve the sanctity that clouds the chieftaincy institution. They are however satisfied if part of the proceeds received by the chiefs are used to develop their communities. Policies such as the CLS would be sustained only if the dominant group sees their ideas and interests protected by the policies. Rodrik (2014) argues that reforms do not happen when vested interests are defeated but reforms happen when acceptable ideas and strategies are used to pursue interests.

The implementers of the LAP held a similar view shared by the chiefs regarding the ownership of stool lands. The Divisional chiefs and the citizens were not involved during

the establishment of the CLS in Akyem Abuakwa as the Paramount Chief was regarded as the rightful owner of the stool lands. The supply-led approach adopted by the LAP did not sufficiently take into account the views and interests of the Divisional chiefs and citizens thus resulting in high levels of unawareness and the consequent failure of the CLS in achieving its objectives as evident in lack of support by the chiefs and subjects.

5.1.3. Effectiveness of the CLS in Improving the Accountability of Chiefs

The study shows that the CLS has failed in improving the accountability of chiefs in stool land administration which is the core mandates for which it was established. There is lack of common understanding of what accountability of chiefs in stool lands should entail. The perspective of the Paramount chief continues to differ from those of Divisional chiefs while the citizens have no clear idea of what they have to expect from their chiefs let alone the means to demand same. Coupled with the absence of a congenial accountability forum to encourage citizens to hold their chiefs to account for stool land transactions. The Paramount chief and Divisional chiefs could not ensure the horizontal accountability relationship by acting as checks and balances on each other due to their divergent interest. The absence of checks and balances among the Paramount chief and the Divisional chiefs creates the avenue for both actors to pursue their interest outside the CLS. The study shows that while the CLS at Kyebi had not recorded a single land transaction, the Regional Lands Commission had recorded 213 land title registrations as emanating from the Akyem Abuakwa Traditional Area. Clearly, the CLS had not been embraced by the chiefs.

5.2 Conclusion of Study

With reference to the findings from the study, it can be concluded that the establishment of the CLS has not improved accountability of chiefs in stool land administration due to the divergent ideas and interests held by the key actors therein, as they view stool land ownership and accountability of chiefs differently. The lack of ideological and political supports from the chiefs and their subjects has made the CLS in Akyem Abuakwa a “dead CLS” that has failed to record a single land transaction after more than ten years of donor-funded reforms. The chiefs do not see the CLS as an avenue to promote their interests. The study affirms the findings of Firmin-Sellers (1995) who found out how chiefs used their ideas and power relations in the colonial to obstruct land administration reforms. Similar ideas and power relations were demonstrated by the chiefs of Akyem Abuakwa who obstructed the smooth implementation of the objectives for which the CLS was established. The ideas and power of chiefs should be taken seriously to ensure reform success.

5.3 Recommendations

From the findings of the research, it is the view of the researcher that the CLS achieves its main objective as an organization for improving accountability in stool land administration.

5.3.1 Creating Ideas and Interests of Accountability through Education

Stakeholder engagements is needed to ensure adequate education of all the actors involved in the stool land administration process with focus on their interests and an understanding of their view points. The process must include a study of existing stool land administration processes in the various traditional areas for the purposes of incorporating useful aspects

in the redesign of the CLS. This education will ensure all actors have positive ideas of ensuring accountability in stool land administration and the benefits that come with it. Further, negotiation among rational actors within the CLS is needed to create the atmosphere that will ensure accountability of chiefs in stool land administration.

5.3.2 Creating Institutions of Accountability outside the Power of Chiefs

To ensure accountability in stool lands administration, chiefs should not be directly involved in land transaction. A committee must be formed to handle stool land transactions on behalf of the chiefs and a bank account opened for all stool land transactions with documents and receipts submitted to the CLS for reconciliation purposes. The committee then accounts to the chiefs and people periodically. There should be demand from the subjects of chiefs for accountability of their chiefs. This will ensure total transparency in stool land administration and full embracement by all actors involved. The establishment of the independent committee to manage stool lands instead of the chiefs creates the vertical accountability relationship where the committee is rather obliged to justify their actions before the chiefs and subjects who become the forum for demanding accountability (Lindberg, 2009; Bovens, 2005; O'Donnell, 1999).

5.3.3 Taking Ideas of Indigenous Actors Seriously in Institutional Reforms

The ideas of indigenous actors must be taken seriously in institutional reforms since the ideas influence their interests and the power they exercise to preserve their interest. There are always powerful actors in every reform process who shape regulations in their favour and set rules they have at their disposal to further their interests. Strategies must be adopted

to manage or redefine the ideas of these actors to achieve the objectives of the reform. This is in line with the postulations of North & Weingast (1989) and Rodrik (2014), highlighting the importance of ideas and power relations in institutional reforms. This runs contrary to the assertion of Shepsle (1989) who focuses on the economic interests of rational actors as the key determinant of institutional reform success. The CLS can only be sustained if it is designed to increase the ideas, interests and power of the traditional authorities.

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APPENDICES

APPENDIX 1: Resolution on Grant of Concessions and Plot (Land) Allocation of Akyem Abuakwa Stool Lands

RESOLUTION ON GRANT OF CONCESSIONS AND PLOT(LAND) ALLOCATION OF AKYEM ABUAKWA STOOL LANDS PASSED BY THE AKYEM ABUAKWA STOOL AND TRADITIONAL COUNCIL SITTING SESSION AT OFORI PANIN FIE, KYEBI ON FRIDAY 13TH FEBRUARY 2004

In this Declaration/Resolution, unless the context otherwise require:

The Okyenhene: means the Omanhene of Akyem Abuakwa Traditional Area and occupant of the Ofori Panin Stool.

Paramount Stool: means the Principal Stool of the State of Akyem Abuakwa (hereinafter called the STATE) whether occupied or vacant.

Stool land: means lands attached to or subject to the Stool of Akyem Abuakwa which was acquired through conquest and/or settlement.

Paramount Chief-in-Council: means the Occupant of the Stool or on the vacancy of the paramount stool, the most Senior Chief (in order of hierarchy of authority) acting with the consent and concurrence of the State Council at a State Council meeting

Chief: means a Divisional Chief or Chief occupying a subordinate stool as defined in the Native Administration Ordinance but does not include a paramount chief.

Farmland: means a piece of land under actual cultivation.

Tribal Member: means any person who by birth or adoption becomes a member of one of the known Abusua (maternal clan organization) or family groups which together constitute the State of Akyem Abuakwa.

WHEREAS By Akyem Abuakwa State customs and traditions all lands within the Akyem Abuakwa geographical area were acquired by OCCUPATION, SETTLEMENT AND CONQUEST

AND WHEREAS by paragraph 1 of the Akyem Abuakwa State Council Sessions held on 6 July 1931 and 7th January 1932, it was resolved by 'Nananom' that the ownership of all lands in Akyem Abuakwa should still be vested in the Omanhene (Okyenhene) and subordinate stools

AND WHEREAS By paragraph 28 of the State Council Session above-cited, it was again resolved by the Traditional Council that "No concession over stool land situate in the state can be granted without the knowledge and consent of the Paramount stool which is entitled to one-third of all moneys paid in connection with such concession" with the further caveat that "No concession is valid unless granted with consent and concurrence" of the Paramount Stool;

AND WHEREAS By paragraph 29 of the "AKYEM ABUAKWA STOOL LANDS DECLARATION" of the State Council session of 12th May 1939, It was again declared that "No concession over stool land can be granted without the knowledge and consent of the paramount stool which is entitled to one-third of all moneys paid in connection with such concession" and additionally that "No concession is valid unless granted with such consent and concurrence.

AND WHEREAS at the meeting of the Akyem Abuakwa (Okyeman) State Council Session at Ofori Panin Fie, Kyebi on 13th February 2004, duly constituted by the Okyenhene, Divisional Chiefs, Osamarima, Chiefs, Linguists, Adikrofo, Elders, Councillors and Headmen, the session also accepted, affirmed and adopted the earlier Resolutions and Declarations of 1931, 1932 and 1939 respectively;

AND WHEREAS the need has also arisen for the streamlining, codification and centralization of Plot Allocation Records at the secretariat of the Akyem Abuakwa Traditional Council for safe custody and easy reference among others.

NOW THEREFORE BE IT RESOLVED AND IT IS HEREBY RESOLVED AGAIN; "That No Concession over Lands in Akyem Abuakwa shall be granted without the knowledge and consent of the Okyenhene or in his absence, the Okyenhene-In-Council".

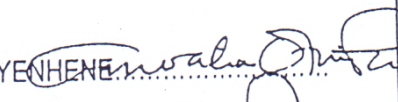



AND THAT additionally, the OKYENHENE or in his absence, the Okyenhene-In-Council" representing the Ofori Panin Stool shall at all material times be entitled to one-third of all moneys paid in connection with any such plots or concession of Stool Lands.

"AND THAT, No Concession shall be valid unless it is granted with such consent and concurrence specifically Endorsed on the face of all Indentures relating to Stool Land plots or Concessions which for purposes of uniformity and authenticity must be procured and prepared respectively, from the secretariat of the Akyem Abuakwa (Okyeman) Traditional Council."

AND THAT FINALLY, while one-third payment shall be made to the Okyenhene or the Okyenhene-In-Council as is applicable in the case of concessions, all Plot Allocations be it Farmlands or otherwise for a tribal member or a stranger shall, for purposes of codification and uniformity among others, be covered by standard Indenture Forms and Indentures or Documents which shall be procured and/or prepared from the secretariat of the Akyem Abuakwa Traditional Council, for a fee; and Be Endorsed by the immediate or affected Sub-Stool Holder or Chief and majority of his elders without whose endorsement "No Plot Allocation" shall be valid and without option, deposit a copy at the secretariat of the Akyem Abuakwa (Okyeman) Traditional Council.

PASSED, MADE AND ESTABLISHED HERE AT OFORI PANIN FIE, KYEBI, BY THE AKYEM ABUAKWA STOOL AND TRADITIONAL COUNCIL SITTING IN SESSION ON FRIDAY 13TH FEBRUARY 2004 AND DULY CONSTITUTED BY OKYENHENE, DIVISIONAL CHIEFS (OSAMARIMA,) CHIEFS, ADIKROFO, ELDERS, COUNSELLORS AND HEADMEN.

SIGNED

1. OSAGYEFUO AMOATIA OFORI PANIN-OKYENHENE 
2. OSABARIMA KENA AMPAW-ADONTENHENE
(KUKURANTUMI) 
3. OSABARIMA AGYEMAN III-NIFAHENE
(ASIYANA) 
4. OSABARIMA AWUAH KOTOKO II -BENKUMHENE
(BEGORO) 

APPENDIX 2: Kyebi Plot Allocation Committee Certificate



OKYEMAN LANDS COMMISSION

KYEBI PLOT ALLOCATION COMMITTEE

Certificate

This is to certify that

Plot.....
Lying at.....
and measuring.....
has/have been allocated to Mr./Mrs./Ms./Mad./Business/Company
..... of FOR

RESIDENTIAL/COMMERCIAL PURPOSE

The committee therefore recommend that his/her/their plot(s) be approved. This certificate is valid two years from the date of issue. If on the expiration of the period the plot(s) has/have not been developed for the purpose for which this certificate is obtained, the certificate would be annulled. It will however be subjected to renewal on payment of appropriate fees for further two years period, if development though incomplete, is progressing. No further extension will be allowed after that.

No plot owner shall sell, transfer or sublet his/her plot.

Dated at Kyebi this day.....20.....
Certificate No.....

.....
Chairman