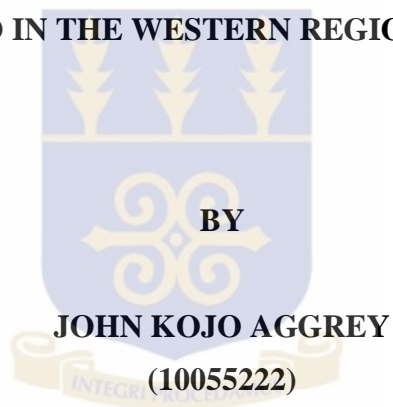


UNIVERSITY OF GHANA



**COMMERCIALISATION OF LAND AND THE PEASANT ECONOMY OF
EWUSIEJO IN THE WESTERN REGION OF GHANA**



**THIS THESIS IS SUBMITTED TO UNIVERSITY OF GHANA, LEGON IN
PARTIAL FULFILMENT OF THE REQUIREMENT FOR THE AWARD OF AN
MPhil SOCIOLOGY DEGREE.**

JULY, 2014

DECLARATION

I hereby declare that, except for references to other people's work, which have been acknowledged, this thesis is the result of my own research work carried out in the department of Sociology under the supervision of Dr. Akosua K. Darkwah and Dr. Dan-Bright Dzorgbo.

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ABSTRACT

Africa, in the last two decades, has witnessed a surge in foreign interests in land acquisitions. These acquisitions being mainly for agricultural purposes have largely been blamed on these foreign interests as being the sole perpetrators responsible for these acquisitions and its consequent effects. Land which was hitherto (and still is) a communal property from which the entire community derived benefits is now being commercialized and individualized thereby limiting the communal benefits derived from it. Since the announcement of the oil find in the Western Region of Ghana in 2007, interest in land in that region has soared. Though the oil find is important to Ghana's development, the consequent alterations to the economic and socio-cultural life of the surrounding communities cannot be ignored.

Using a total of 36 respondents from Ewusiejo, a community in the Western Region, the study explored the economic and socio-cultural changes occurring in the community. This was done by identifying what accounts for changes in land use and land acquisition in Ewusiejo as well as the role played by local actors in the acquisition of land for real estate purposes. It also examined the implications of such acquisitions for the peasant livelihood as well as the spatial and social relations that exist in the community. The study was carried out using the qualitative research design and employing semi-structured interview guides, in-depth interviews, and direct observation.

The findings indicate that as a result of the oil find, land is no longer acquired for agricultural purposes but for industrial use. The local actors, namely, the chiefs and the family heads play a very significant role in land acquisitions by virtue of the power they

wield in granting access, and determining the kind of rights to be derived from land. The acquisitions have a devastating effect on the livelihood of the peasant farmers in that most of them have lost their source of livelihood in the community. It has also disrupted the social and spatial relations in the community.



DEDICATION

To all peasant farmers who constantly have to search for a source of livelihood.



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LIST OF ABBREVIATIONS

| | |
|------|---|
| ADR | Alternative Dispute Resolution |
| ARPS | Aborigines Rights Protection Society |
| CLB | Crown Land Bill |
| Ha | Hectares |
| LC | Lands Commission |
| LSLA | Large-Scale Land Acquisition |
| OASL | Office of Administration of Stool Lands |
| SFO | Secondary Forest Owner |
| TCPU | Town and Country Planning Unit |

CHAPTER ONE

GENERAL INTRODUCTION

1.0 Introduction

Since the food crisis in 2006, coupled with the energy and financial crisis in 2008, there has been a surge in the demand for agricultural land leading to large-scale land acquisitions (LSLAs) in Africa, Latin America and parts of Asia (Daniel and Mittal, 2009; Zoomers, 2010). In the wake of these large-scale acquisitions, which has been dubbed ‘land grabbing’ in the print and electronic media, Africa has become the preferred destination since arable lands are in abundance and relatively cheap. Labour is also available and more importantly there are less stringent laws for investors who seek to invest in lands on the continent (German et al., 2011; Aabo and Kring, 2012). It is reported that since the surge in food prices, 56 million hectares (ha) of land has been acquired globally and 29 million of these took place in sub-Saharan Africa in 2010 (Deininger and Byerlee, 2011). But LSLAs are not solely driven by the food, energy and financial crises. There are other drivers of large-scale land acquisitions which include mining (Alden Wily, 2010) environmental conservation projects like Reduced Emissions from Deforestation and Degradation (REDD+) (FOFEI, 2012), tourism (Ravanera and Gorra, 2011) and timber cultivation (Anseeuw et al., 2012). These developments have been characterised by the media as the new scramble for Africa, and as a new form of colonization of Africa’s resources.

Ghana's oil find which was announced in 2007 has heightened interest in land in the Western Region of Ghana. This is seen in the numerous infrastructural developments taking place in the region as well as the numerous land acquisitions occurring there. Although the oil find is crucial to Ghana's development its consequent effects on the communities cannot be ignored. This study, therefore, explores the changes taking place in the economic and socio-cultural life of communities as a result of land acquisitions. It also examines the land question from the perspective of the role played by local actors in the commercialisation of land for real estate as a result of the oil find.

1.1 Statement of Problem

In the last decade, there has been a surge in foreign interest in large-scale land acquisitions in Africa, Latin America and parts of Asia. These acquisitions have generated much debate about Africa's sovereignty, individual rights, livelihoods, the environment and overall development (Cotula, 2012; Schoneveld and German, 2014; Tsikata, 2004). Traditionally, most lands in Africa are communally-owned. Land is held in trust by the community or village chief, traditional ruler or council of elders (Cotula et al., 2004). This ensures that every member of the community has access to land including the yet unborn. The concept of privatizing land does hardly exist, thus privatizing land is a new phenomenon to Africa. Hence, subjecting land to market forces has consequences which threaten the livelihood of people as well as the security they derive from land.

Several foreigners – investors, corporations and governments – have played a significant role in land acquisitions on the continent: Southern Africa (Hall, 2011); Mozambique (Nhantumbo and Salomão, 2010), Liberia, Sierra Leone and Ethiopia (Daniel and Mittal, 2010); Uganda (Graham et al., 2011). These large-scale land

acquisitions (LSLAs) have also been shown to have a devastating effect on peasant livelihood (Graham et al. 2011; FOEI, 2012) and Ghana is experiencing such adverse effects (Tsikata and Yaro, 2011; Schoneveld et al., 2011; Yaro and Tsikata, 2013). Since the announcement of the oil find in the Western Region of Ghana in 2007, there has been a heightened interest in land in that region. Much as the oil find is of enormous significance to Ghana's development, the consequent alterations to the economic and socio-cultural life of the surrounding communities cannot be ignored.

Much as multinational corporations, foreign governments, and private investors are the key actors in LSLAs, the local government, local authorities, and the local elites are also complicit in effectuating large-scale land acquisition (Rose, 2002; Schoneveld et al., 2011; German et al., 2011). Although available literature on LSLA is heavily concentrated on the large-scale land acquisitions for agricultural purposes (Tsikata and Yaro, 2011; German et al., 2011; Schoneveld et al., 2011; Yaro and Tsikata, 2013), there is emerging evidence that real estate is gradually becoming a major cause of LSLAs in Ghana (Ubink, 2008). Second, most studies on large-scale land acquisitions pay little attention to the role played by local actors in these acquisitions. Alden Wily (2011) points out that local actors have historically had the means to secure undue portions of land for their own personal interests. As lands in Africa are being acquired in recent years, it is pertinent to ask how these acquisitions are affecting the peasant farmers.

This study therefore examines the land question from the perspective of the role played by local actors in the commercialisation of land for real estate. It also examines the changing nature of the livelihood of the peasant farmers in the face of these acquisitions. Land is not simply a source of livelihood in the rural communities. The very

life of the people is woven around land in such a way that disposing of land may result in disrupting the socio-cultural life of the community. In this regard, the study further explores the effects of these acquisitions on the social and the spatial relations in the community.

1.2 Objectives of the Study

In view of the problem statement noted above, the study is guided by the following objectives:

1. Identifying what accounts for the changes in land use and land acquisition in Ewusiejo.
2. Ascertaining the means by which local actors contribute to the large-scale land acquisitions for real estate.
3. Examining the changing nature of the livelihood of the peasant farmer in the face of these acquisitions.
4. Exploring the effects of these acquisitions on the social relations and the spatial relations in the community.

1.3 Definition of Terms

For the purposes of the study the following concepts are defined as follows:

1.3.1 Land Acquisition

Land has always been acquired by different people for different purposes and in different sizes using different means. These characteristics of acquisition play a significant role in defining the nature of acquisition taking place. Thus large-scale land acquisitions (LSLAs), which is hinged on the size of land acquired and termed land

grabbing, have been defined by Daniel and Mittal (2009) as “the purchase or lease of vast tracts of land by wealthier food-insecure nations and private investors from mostly poor, developing countries in order to produce crops for export” (p.1). Cotula et al. (2009) include in their definition, the fact that large-scale land acquisition also “...include not only the purchase of ownership rights, but also the acquisition of use rights [for instance through leases or concessions] whether short or long-term” (p.17). They argue that what constitute large-scale acquisition varies from country to country depending on the local context which usually has to do with the average farm size. But for the purposes of their study, they considered land deals involving land areas above 1000 ha as large-scale acquisition. Following the same argument, Graham et al. (2011) emphasizes the fact that the size of the land that is acquired or leased is disproportionate to the average land size in the region/country.

According to Borras and Franco (2012), land acquisition has been defined by several scholars to include the following: the significant extent of large-scale land acquisitions, the involvement of foreign investors and governments, the adverse impact of such acquisitions on the food security of the recipient country, and the dispossession of communities in the wake of these acquisitions. Since the acquisitions being used for the study do not exhibit all the characteristics of large-scale land acquisitions enumerated above, land acquisition for the purposes of this study is defined as ‘...the *alienation* or *expropriation* of land ... from the people in [the] weaker socioeconomic classes.’ (ElHadary and Obeng-Odoom, 2012:68).

1.3.2 Real Estate

Real Estate is defined as land and all the things permanently attached to it (Floyd and Allen, 2002). These include buildings, trees and other fixtures attached to the land. Based on its use, real estate is grouped into three broad categories namely, residential, commercial and industrial use.¹ Embedded in the notion of real estate is real property which is the interests associated with the property. These interests may be expressed in terms of rights which include the right to future ownership, the right to occupy a property for a period of time, the right to repossess property if it is no longer used for its stated purpose². In view of the study, real estate will be defined to include the notion of real property. Thus real estate will mean land and all the things permanently attached to it as well as the rights associated with it.

1.3.3 Commercialisation

Commercialisation connotes the exchange of a commodity for some profit. Embedded in this transactional process is the transfer of rights where the one selling the commodity also parts away with the right to access and use the commodity. Thus, the one who purchases the commodity enjoys all the rights that come with it. But in the case of land acquisitions in Ghana, those who buy land do not enjoy a complete transfer of land rights. This is because the 1992 constitution forbids any one from having a freehold title (Ghana Const. art. 267, cl. 5). Non-Ghanaians can only lease land for a maximum of 50 years while Ghanaians can also lease land for a maximum of 99 years (Ghana Const. art. 266, cl. 5; LC Operation Manual, n.d). Thus what actually transpires is partial-

¹ <http://www.investopedia.com/terms/r/realestate.asp> Accessed July 5th, 2013

² <http://legal-dictionary.thefreedictionary.com/real%20property> Accessed July 5th, 2013

commercialisation. Therefore commercialization as used in this study refers to partial-commercialisation.

1.4 Methodology

The study is exploratory in nature due to the paucity of research which explores the dynamics that undergird land acquisition for real estate purposes in Ghana. The qualitative method of research was adopted as the methodology for the study because the study seeks to explore the lived experiences of the peasant farmers in the face of the changes occurring in the community as a result of land acquisitions. To this end, the study adopted the *verstehen* approach where it seeks to understand the impact of these acquisitions from the perspective of the peasant farmers as well as the meanings members of the community attach to the changes unfolding in their community.

1.4.1 Area of Study

Ewusiejo, a village in the Ahanta West District of the Western Region of Ghana is the study area for the project. This village was chosen primarily because it is the locality where two companies – a real estate company and an engineering firm – have acquired land and are in the process of building a real estate complex, and a warehouse and a workshop respectively. For the purposes of anonymity, a pseudonym is used in identifying these companies: Aleph for the Real Estate Company and Gimel for the engineering firm. Below is a profile of the community.

1.4.1.1 The community Ewusiejo

Ewusiejo is a farming community located in the Ahanta West District of the Western Region of Ghana. It has a population of about 4,000 inhabitants. Ewusiejo is

made up of three sub-communities: To the north of the community is Ewusiejo Nkwanta which is the part of the community that lies across the trans-West African highway which passes through the community³. To the south is Ewusiejokrom which is the main community. In the centre of Ewusiejokrom is Biakakrom, the last of the three sub-communities within Ewusiejo.



Source: Ahanta West District, 2014

Like most rural communities in Ghana, Ewusiejo has a chief who is the head of the community and together with his elders, he oversees the welfare of the entire

³ This is a section of Ghana's part of the road network being constructed by ECOWAS member nations to link member countries from Senegal to Nigeria. In Ghana, the road stretches from the Aflao border in the Volta Region to the Elubo border in the Western Region.

community. Traditionally, the chief of Ewusiejo is the custodian of the land in the community on which families have been given portions to farm and live. The various families in the communities have their family heads who also attend to the needs of their family members in addition to overseeing the use of the family land. Ewusiejo is a community in a greater geographical area called Ahantaman. In the hierarchical structure of the chieftaincy institution in Ahantaman, the Omanhene is the paramount chief and he doubles as the chief of Busua. He is the head of all the chiefs in Ahantaman and the custodian of all the lands in Ahantaman. Ahantaman is made up of six major divisional areas which are headed by divisional chiefs. These divisional chiefs are next in rank to the Omanhene and they are the chiefs of Apowa, Hotopo, Punpune, Aketenkyen, Butre and Agona. Within these major divisional areas are villages which constitute the Odekro and/or the Gyase of the divisional chiefs. The divisional chiefs share boundaries within which the Odekro and the Gyase are located making them the sub-chiefs of the divisional chiefs. The chief of Ewusiejo is an Odekro of the chief of Hotopo who is the divisional chief.

The economic life of the people revolves around agriculture, predominantly sustenance farming, with most farmers farming cassava, oil palm, sweet potatoes, pineapple, banana, cocoyam, pepper, tomatoes and coconut (until the coconut plantations were destroyed by the Cape St. Paul Wilt Disease in the 1980s). Some members of the community do farm in spite of the fact that they have a trade or skill such as carpentry, masonry, trading, auto-mechanic, etc. The only market in the community is located about five metres from the trans-West African highway to the south of the community at the point of entry into Ewusiejokrom from the highway. It is a small market which houses

little wooden stalls and tables on which traders display their wares, which includes farm produce, smoked fish, and toiletries, among others. Next to the market is a small taxi rank with a range of rickety cabs which serves as the means of transport to the surrounding villages. There are a few traders lined up along the only designated bus stop in the community along the trans-West African highway which is about five metres from the market. Selling items ranging from roasted and boiled corn, fried potatoes, fruits, some farm produce, sachet water, phone credits etc.; these traders bellow their wares to attract the attention of passengers and passers-by alike. The cacophonous sound of worn out engines coughing out smoke from decrepit mini buses (trotro) as they either make a stop for passengers to alight or speed up along the highway, together with the bellowing of the traders and the chuckles of school children crossing the highway to school welcomes one to Ewusiejo as one enters the community. There are a few mini shops hewed out of shipping containers which serve as grocery shops, salons and barbering shops in the community. These are lined up along the only tarred road which stretches southwards from the trans-West African highway right through the middle of Ewusiejokrom and Biakakrom but which tapers off and metamorphous into an arid dusty road as it enters the next village.

There are Orthodox, Pentecostal, Charismatic and Afro-spiritual churches (*Sumsum Sore/Awoyo*) dotted in the community. Some members of the community are adherents of traditional religion while others practise both Christianity and traditional religion. The traditional religion of the people forms an essential part of the life of the community. Prayers and sacrifices are offered to the gods of the land annually during the Kundum festival to seek blessings for the community as a whole; to thank and ask for, a

productive farming season as well as seek the protection of the gods in the coming year. These prayers and sacrifices are offered by the chief as well as the various family heads. The powers of the traditional gods are often invoked in settling conflicts and disputes, notably land disputes.

The community has a nursery, primary and a Junior High School block with a huge compound located in Ewusiejo Nkwanta. It also has three other private primary and Junior High Schools in Ewusiejokrom. The community has a health post which is a rented room manned by a nurse, located in Ewusiejokrom. The main source of water in the village is from boreholes, wells and the Butre River. The banks of the Butre River are used by the inhabitants for washing their clothes. Although there are makeshift bathrooms in some housing units, the Butre River comes in handy for inhabitants when they want to take a bath.

Ewusiejo has the trappings of a typical village which is responding to modernity. The community has a blend of both thatched/mud houses with cement/block houses. Apart from the school which is built of blocks, most of the houses in Ewusiejo Nkwanta are mud houses with a few block houses dotted in this sub-community. Ewusiejokrom, however, has more block houses compared to Ewusiejo Nkwanta. The chief's palace is a beautiful edifice, built of blocks on a hill top surrounded by mud houses and cement plastered mud houses. One can tell from the fresh paint, architectural design, the floor tiles, and doors and windows that it is a newly built palace. Some houses in Ewusiejokrom are built of blocks; others have cement plastering on the walls of the house but the cracks in these plastering and the rough finishing on the edges of the walls gives away the mud and bamboo which constitutes the core of the building. Houses in

Ewusiejokrom are scattered with no particular pattern although some sections of the community bear a semblance of an organised neighbourhood. Most houses have a separate unit built of mud and bamboo often detached from the main housing unit which serves as the kitchen to the household. Attached to some houses are small oil palm mills used for the production of palm oil. Ewusiejokrom is bedecked with newly constructed houses with glass sliding doors and windows as well as new buildings under construction. This is an indication of the presence of new found wealth as a result of land sales since most of these newly built houses are owned by those who have sold land. Ewusiejo is a bilingual community, in that all members of the community speak Ahanta and Fante. (See Appendix A for pictures of the community)

1.4.2 Target Population

The target population under study comprised peasant farmers from Ewusiejo whose lands have been acquired for real estate purposes and have been displaced from their farmland. It also included the chief, queenmother and elders of Ewusiejo; family heads who have sold farmlands for real estate purposes, and key officials of the Lands Commission (LC), the Office of Administration of Stool Lands (OASL), Town and Country Planning Unit (TCPU), Aleph, and Gimel. The middlemen who broker land deals in the Ahanta West District were also part of the target population.

1.4.3 Sampling Size

A total of 36 respondents participated in the entire study and this was made up of the following: 8 peasant farmers (4 males and 4 females each) from the Gimel site; 6 peasant farmers from the Aleph site (5 females and 1 male); 3 male youths and 3 female youths. The Aleph site had more female peasant farmers than male peasant farmers. This

is because there are more female members in that family than males. In addition, some of the few male peasant farmers declined to be interviewed. Hence two more male peasant farmers were recruited from a third site which had been acquired by another company and had displaced the peasant farmers from the site. The other sample units included a middleman – it was difficult finding middlemen and the few who identified themselves as such declined to participate in the study except one – the Omanhene of Ahantaman, the chief and queenmother of Ewusiejo; the family head of the royal family who is an elder in the community; the family heads of the two families who leased out their lands to Aleph and Gimel; 2 family elders from the families who leased lands; and a female “landowner”⁴. A key personnel each from Aleph, LC, OASL, and TCPU were part of the sample. There was a legal action against the key person in Gimel who negotiated the land sale hence he and the company declined to participate in the study. Owing to the exploratory nature of the study, the sample size was determined and guided by the principle of saturation. As per this principle, the researcher collects data from various and varied respondents till no new information is revealed (Hennink et al., 2011).

1.4.4 Sampling Method

In view of the fact that the study is a qualitative study, non-probabilistic sampling techniques were used in selecting the sample units. These are purposive sampling, snowballing, saturation principle, and theoretical sampling. Within the purview of the objectives of the study and the pilot study which was done before the commencement of the study, the researcher knew the kind of respondents needed for the study, and where to locate them. Thus purposive sampling, which is the intentional selection of units in

⁴ This woman should have been the family head of the family that leased out lands to Aleph but because of her gender, a man plays this role in consultation with her.

situations where the characteristics of the units are not randomly distributed in a population as noted by Kumekpor (2002) was used to identify and recruit respondents for the study. Applying this technique helped the researcher to pick the following because they were key informants: A key official each from the Lands Commission (LC), the Office of Administration of Stool Lands (OASL), Aleph, Gimel, a peasant farmer who has been displaced from his land and two family heads who have sold farmlands for real estate purposes. Having been recruited and participated in the study, these respondents, upon the request of the researcher, led the researcher to other respondents who fit the characteristics of the respondents needed for the study. These included a middleman, both male and female peasant farmers whose lands have been acquired for real estate purposes, male and female youth, the chief, queenmother and elders of Ewusiejo. Therefore through snowballing these other respondents were recruited.

Some respondents (an official of Town and Country Planning Unit (TCPU) and male and female youths) were however recruited based on the initial analysis of the data gathered. Upon seeking in-depth knowledge and understanding of the issues being explored and paying attention to the direction in which the initial analysis pointed the study within the overall objectives, some respondents (the Omanhene of Ahantaman, and an official of Norpalm Palm Plantation) were identified and recruited through theoretical sampling. Theoretical sampling as explained by Corbin and Strauss (2008) has to do with the collection of data based on themes/concepts emanating from the data collected. The purpose of this method is to collect data from varied and various people in order to fully explore the themes emanating from the data (Corbin and Strauss, 2008). This was done

by first, noting the themes emanating from the initial analysis of the data collected⁵ for which a preliminary findings report was prepared. The themes which required further clarifications and/or exploration led to the recruitment of respondents who had the requisite information in this regard. In this light, the Omanhene of Ahantaman was recruited to be part of the study; so were the officials of Norpalm Ghana Ltd., and the male and female youths of Ewusiejo.

Through this same method of theoretical sampling, the researcher was able to determine when saturation was reached. As Corbin and Strauss (2008) argue, the researcher is able to determine the saturation point of the study when the themes being explored offers enough depth and breadth in understanding the phenomenon under study as well as its clear connectedness to other themes in the study. To this end, saturation would have been achieved and then sufficient sampling would have occurred. In determining the saturation point for the study, for which the sample size was determined, the researcher explored further the themes which emerged from the initial analysis using theoretical sampling to recruit the appropriate respondents who provided the needed information. This was done till more depth and breadth was attained as the researcher delved into the themes which ultimately formed part of the objectives of the study. Once adequate information was gathered which satisfied the demands of the study within the purview of the objectives, saturation was achieved and theoretical sampling was brought to a stop. Thus sufficient sampling occurred for which the sample size was determined.

⁵ It must be noted that the initial analysis of the data occurred concurrently as the first round of data collection which was done half way through the data gathering process.

1.4.5 Data Collection Methods

Data were collected using in-depth interviews, direct observation and field notes. Scheduled in-depth interviews were conducted with some respondents (key officials of the Lands Commission (LC), the Office of Administration of Stool Lands (OASL), Town and Country Planning Unit (TCPUP), Aleph, Gimel, the Omanhene of Achantaman, and an official of Norpalm Palm Plantation) who were available at an agreed date, time and venue where semi-structured face-to-face interviews were carried out. Other respondents (peasant farmers whose lands have been acquired for real estate purposes and have been displaced from their farmland; the chief, queenmother and elders of Ewusiejo; and family heads who have sold farmlands for real estate purposes) availed themselves to be interviewed upon the first contact with the researcher after the purpose and the objectives of the study had been explained. This method enabled the researcher to explore deeply the objectives of the study. It also afforded the researcher the opportunity to probe deeply the responses of the interviewees and also seek further clarifications after the interview when the need arose. Again, this method allowed the researcher to pay close attention to pertinent issues (such as women and land; and the history of land acquisition for commercial purposes in Ewusiejo) which were originally not part of the study but emerged while listening intently to the respondents. In addition, since most of the peasant farmers are unlettered, the in-depth interviews were the most appropriate method to adopt for the study. The in-depth interviews were conducted in either Fante – the local language – or English depending on the respondent's preference. The researcher sought the voluntary participation and the informed consent of respondents (See Appendix C for a copy of the Informed Consent Form). Prior to each interview, the informed consent of the

respondents was sought orally and recorded on a digital audio recorder. The use of semi-structured interview guides during the in-depth interviews, aided the researcher in eliciting detailed and relevant information in line with the objectives of the study. The in-depth interviews were transcribed at the end of each day during the data collection period. The essence of this approach was to enable the researcher capture as accurately as possible all the information gathered during the interviews since they were still fresh in the mind. Being a Fante, the researcher transcribed directly the in-depth interviews which were done in Fante into English.

Direct observation was carried out by observing the activities of the members of the community as well as the physical environment. These observations were recorded in the field notes and photographs of some of the observations were taken. The researcher's daily observations and reflections of the events in the field were recorded in the field notes. These methods aided the researcher in capturing the activities of the members of the community, their behaviours, reactions, the physical setting of the community as well as the environment.

The major challenge faced during data collection was the unwillingness of the family heads to point out their kith and kin who were the peasant farmers farming on the land acquired by Aleph and Gimel. This challenge was surmounted when the researcher approached the chief of the village for help. He instructed an announcement to be made for all peasant farmers who used to farm on the Aleph and Gimel sites to meet the researcher on a scheduled day at the community centre. A day each was allocated for peasant farmers from each site. The peasant farmers trickled in to the designated venue on the scheduled day for the in-depth interviews upon hearing the announcement.

1.4.6 Data Collection Instruments

The principal data collection instrument used for the study was semi-structured interview guide which was woven around the objectives of the study. Separate semi-structured interview guides were developed for each category of respondents, namely, Land institutions (LC, OASL, and TCPU), investors (Aleph and Gimel), community leaders (Chief, Queenmother, and elders), middlemen, farmland owners (family heads), and the peasant farmers (peasant farmers whose lands have been acquired for real estate purposes). This was to aid the researcher in eliciting the appropriate response from each category. A digital audio recorder was used in recording all the in-depth interviews, and a digital camera was used in taking photographs of some sections of the research site.

1.4.7 Analysis of Data

The analysis of the data was first of all carried out by keenly reading the in-depth interview transcripts in order to have a sense of the information provided by the respondents. The transcribed data were then coded. Coding, as explained by Corbin and Strauss (2008) is the raising of raw data to the conceptual level. This involves more than just paraphrasing the data collected or noting concepts. Coding, as they argue, involves interacting with the data using techniques such as asking questions about the data, making comparisons between the data, etc. all in a bid to derive concepts/themes that represent the data. The concepts/themes derived from the data are then developed in terms of their properties and dimensions. Concepts as used here by Corbin and Strauss (2008) refer to the words that stand for the ideas contained in the data. Thus, Corbin and Strauss (2008:66) compare coding to mining the data, i.e., “...digging beneath the surface to discover the hidden treasures contained within the data.”

Having asked questions about the data, made comparison between the data, paid attention to what was being communicated by the respondents in the data, the researcher developed themes from the data. These themes were then compared to uncover their differences and similarities so as to group them under separate codes. Guided by the objectives of the study, the various codes were analysed thematically using the themes emanating from the codes. In the process, attention was also paid to emerging themes which further explained the phenomenon being explored. The subsequent analysis and discussion chapters were carved out of these major themes which included changes in land use and land acquisition; contestation of land and the role of local actors; and trajectories of livelihood, spatial and social relations. The sub-themes constituted the various sub-topics which were discussed under the major themes in the discussion chapters.

1.4.8 Significance of Study

The study is of enormous significance to research in that it brings a new dimension to the large-scale land acquisition debate which paves the way for other researchers to explore the land question from this perspective. It also sheds light, in a modest way on the socio-cultural and economic alterations unfolding in communities where land acquisitions have taken place. By way of contribution to knowledge, it challenges the established notion that commercial and industrial activities open up the country side to development for the improvement of people's livelihood. The study has policy implications as well because it informs policy makers to consider the land question from another perspective.

1.5 Thesis Outline

The study is presented in six chapters with the first chapter giving an overview and the basis for the study as well as the methodology employed. A review of literature on land acquisition is presented in chapter two; while chapters three, four and five cover the analysis and discussions of the themes emanating from the data. The summary and conclusions of the study, as well as the recommendations are presented in chapter six with themes for further research.

CHAPTER TWO

LITERATURE REVIEW

2.0 Introduction

This chapter presents a review of relevant literature in order to position the study in the broader literature on land acquisitions. Thus, findings of related studies are discussed as well as the concept of primitive accumulation which is being used as the framing for the study. The chapter also focuses on the definition of land acquisition, the process of land acquisition in Ghana, actors of land acquisition and the impact of land acquisition.

2.1 The concept of Primitive Accumulation

The concept of primitive accumulation originated with Adam Smith, although he never used the term. He was the first to refer to the notion that the whole process of accumulation in the capitalist system was preceded by some original accumulation when he asserted that the accumulation of stock must precede the division of labour in the nature of things (De Angelis, 1999; Perelman, 2000). Karl Marx disagreed with Smith in his assertion and reproached him for using a mythical past to explain the origin of the capitalist system (Perelman, 2000). In explaining primitive accumulation, Marx placed the origin of the capitalist system in history by referring to the land enclosures which took place in England in the 16th century. He described the forceful alienation of people from their means of production and their transformation into landless proletariats as the pre-history of capitalism as well as the transition from feudalism to the capitalist mode of

production. Marx accentuated the violent nature of this transition by noting that the period was marked by vicious appropriation of land and wealth from peasant farmers which ultimately led to the division of labour in the capitalist system. This was to demonstrate that the transition was less idyllic as Smith would have us believe (Martiniello, 2012). Thus Marx describes the expropriation which took place as being ‘...written in the annals of mankind in letters of blood and fire’ (Marx, 1890/2002:875).

Marx distanced himself from Smith’s notion of primitive accumulation by prefixing his use of the term with the pejorative ‘so-called’. Thus Marx used the term ‘so-called primitive accumulation’ to designate his notion of primitive accumulation (Perelman, 2000). For Marx, the so-called primitive accumulation is nothing but the separation of the producer from the means of production which leaves him/her with nothing but his/her labour to be sold for a wage. This is the precondition stage of capitalism; hence it is called ‘primitive’ to emphasize the fact that it comes before the creation of the capital-relation between capital and labour (Kenney-Lazar, 2011). Unlike Smith who thought of capital as stock, Marx’s notion of primitive accumulation is based on the notion of capital as class relation (De Angelis, 1999).

From Marx’s description of primitive accumulation, it can be deduced that there are three distinct yet interrelated processes embedded in the act of primitive accumulation. These processes are first, separation, which is the alienation of the producer from the means of production and/or subsistence; second, proletarianization, i.e., the turning of the producer into a wage-labourer where s/he has no means of production but offers her/his labour for a wage; and third, the act of accumulation – the producer’s previous means of production (land and resources) are turned into capital, i.e.,

upon alienating the producer, it frees up the previous means of production to be acquired by anyone to accumulate capital from its commodification (Kenny-Lazar, 2011:6).

Deducing from Marx's explanation, it can be concluded that the 'so-called' primitive accumulation is a precursor to the development of capitalism (DeAngelis, 1999). This has generated two perspectives on Marx's interpretation of primitive accumulation. De Angelis (1999) reveals that these perspectives were largely driven by Lenin (1899) and Luxemburg (1913). Lenin, according to De Angelis (1999), believed that primitive accumulation was a historical premise to the capitalist system. As such, primitive accumulation was a one-time historical period which paved the way for development of the capitalist mode of production which focused on the alienation of people from their means of production. This period which was characterised by the disappearance of the peasants and the expropriation of the communities set the conditions for the development of the capitalist market in Russia.

Luxemburg (1913), on the other hand, argues that primitive accumulation has a dual character. First of all, it is a historical premise, a purely economic process where the prime locus of this activity is the transaction which takes place between the capitalist and the wage labourer. The commodity exchange which takes place in this transaction turns into exploitation and appropriation of property (Harvey, 2003). Second, primitive accumulation is an inherent and a continuous component of the capitalist system and this is evidenced in the relations between capitalism and the non-capitalist modes of production. According to Luxemburg, capitalism needs the non-capitalist means of production in order to develop the safety-valve needed to survive the process of overaccumulation and thus continue to recreate itself (De Angelis, 1999). De Angelis

(1999) cites Amin (1974) as sharing, to a greater extent, the notion of primitive accumulation as being inherent and continuous in the capitalist system but at the same time laying emphasis on the transfer of value within the world economy.

Taking a cue from Luxemburg, De Angelis (2001) also argues that much as primitive accumulation, as a historical premise occurred in advance for the development of capitalism, it is very much inherent in capitalism. She opines that

... if primitive accumulation is defined in terms of the preconditions it satisfies for the accumulation of capital, its temporal dimension includes in principle both the period of the establishment of a capitalist mode of production *and* the preservation and expansion of the capitalist mode of production *any time the producers set themselves as an obstacle to the reproduction of their separation to the means of production* (De Angelis, 2001: 13).

From the above, De Angelis clearly distinguishes between two separate but interlinked principles in the capitalist mode of production, namely, preservation and expansion of capitalism. Capitalism ought to preserve its source of capital accumulation hence it needs to reproduce constantly the capital relations that should exist between capital and labour. This forms the first principle, which is preservation. The second principle is the expansion of capitalism. Capitalism thrives on the accumulation of capital, thus capitalism ought to expand its mode of production. In the process of doing this, capital will necessarily encounter non-capitalist mode of production which it will inevitably have to subdue (Kenny-Lazar, 2011).

A divergent view presented by David Harvey (2003) indicates that Marx did not believe primitive accumulation to be a continuous process as it has been argued by

others. He argues that capitalism moves into non-capitalist areas through primitive accumulation because of the overaccumulation of capital in one place which requires the opening of new areas of investment in order to reduce cost, using cheap labour and providing cheaper goods to the market. Thus for Harvey, in increasing demand

... non-capitalist territories should be forced open not only to trade (which could be helpful) but also to permit capital to invest in profitable ventures using cheaper labour power, raw materials, low-cost land, and the like. The general thrust of any capitalistic logic of power is not that territories should be held back from capitalist development, but that they should be continuously opened up (Harvey, 2003:139).

Harvey calls this process of capital meeting non-capitalist production ‘accumulation by dispossession’ and explains that this accumulation by dispossession ‘... release[s] a set of assets (including labour power) at very low (and in some instance zero) costs’ (Harvey, 2003:149). The overaccumulated capital, which hitherto was locked up in one location, will be used to buy these assets turning them into profitable ventures. Recounting Marx’s position on this, Harvey argues that it was the same process that occurred in the case of primitive accumulation. Land was enclosed, expelling in the process the occupiers to create a landless proletariat and then the land was released to private entities to accumulate capital. He observes that in recent times, privatization is at the forefront of seeking avenues for overaccumulated capital to invest (Harvey, 2003).

From the above exposé on the concept of primitive accumulation and its varying perspectives over the years, it can be argued that indeed primitive accumulation has a historical premise as advocated by Marx and Lenin. Yet it is an inherent component of capitalism (as argued by Luxemburg (1913)) which serves to preserve and perpetuate the

capitalist system (De Angelis, 2001). It is as a result of perpetuating this system that capital comes to be overaccumulated at a place needing an opportunity to invest elsewhere. Although the historical phase of primitive accumulation is over, the three embedded processes of separation, proletarianization and accumulation are always at play in different forms anytime the capitalist system preserves and perpetuates itself, seeking new opportunities to invest its overaccumulated capital.

For the purposes of the study, the three processes embedded in the concept of primitive accumulation relate quite well to the objectives of the study. Separation relates to how peasant farmers are alienated from their land through the role played by the local actors; Proletarianisation delves into the changing livelihood of the peasant farmer as they lose their source of production, and Accumulation exposes the changing spatial and social relations between the peasant farmer, the land and the community as a result of the investors acquiring the means of production and accumulating capital from it.

2.2 Land Acquisition: Towards a Definition

In this section, the term land grabbing instead of the operational term land acquisition is being used in order to maintain the notion of the concept as has been defined and used by the various scholars (Borras and Franco, 2012; Borras et al., 2012a; Borras et al., 2012b; Cotula et al., 2009; Daniel and Mittal, 2009; Zoomers, 2010) involved in the land grab debate. Land grabbing has been defined in several ways by numerous scholars highlighting in the process certain aspects of the phenomenon. Cotula et al. (2009) define land grabbing “to include not only the purchase of ownership rights, but also the acquisition of use rights [for instance through leases or concessions] whether short or long-term” (p.17). Daniel and Mittal (2009) also define land grabbing as “the

purchase or lease of vast tracts of land by wealthier food-insecure nations and private investors from mostly poor, developing countries in order to produce crops for export” (p.1).

Zoomers (2010) on the other hand defines land grab as the “large-scale, cross boarder land deals or transactions that are carried out by transnational corporations or initiated by foreign governments” (p.349). Citing GRAIN (2008), Zoomers (2010) adds that land grabs also include lease which is usually between 30-99 years, concessions or outright purchases of vast areas of land for various purposes in other countries. Borras and Franco (2010:1) describe land grabbing as “the explosion of (trans)national commercial land transactions (and land speculation)” that has been occurring in recent years around the large-scale production, sale, and export of food and biofuels”. They underscore both the transnational and domestic nature of the land deals as well as the commercial nature of the transactions irrespective of the scale and markets output.

In view of recent developments in the acquisition of land for various purposes, the definition of land grabbing has been proven to be inadequate in capturing the various facets and the contemporary nature of the phenomenon (Borras and Franco, 2012; Borras et al., 2012a; Borras et al., 2012b). Up until now, the definition of land grabbing has been limited to the significant extent of large-scale land acquisitions, the involvement of foreign investors and governments, the adverse impact of such acquisitions on the food security of the recipient country, and the dispossession of communities in the wake of these acquisitions (Borras and Franco, 2012; Borras et al., 2012a). But these elements which constitute land grabbing are too narrow to capture the contemporary nature of land grabbing and thus limit its application in the study of the phenomenon in other parts of

the world where land grabbing occurs within various and varied dynamics (Borras et al., 2012a; Borras et al., 2012b).

Borras et al. (2012a) argue that the phenomenon of land grabbing should not be limited to include only the elements mentioned above. It must take cognizance of the fact that contemporary land grabbing contains three key interlinked features. Firstly, control which is termed control grabbing. This principally refers to the grabbing of power to control land and all other resources associated with it in order to derive benefits from the control of such resources. It inherently involves political power relations which manifests itself in the acquisition of swathes of lands (land grabbing), water resources (water grabbing), and grabbing of resources in the name of the environment (green grabbing). This feature of land grabbing shifts the focus on a land-centered perspective to a current perspective where land grabbing does not necessarily entail the expulsion of peasant farmers from their lands; nor does it necessarily result in dispossession (Borras et al., 2012a).

Second, the scale of land acquisition is the yardstick for determining land grabbing but Borras et al. (2012a) argue that this alone should not be the determining factor. Rather land grabbing should be seen as large-scale transactions in the scale of land acquisitions and/or the scale of capital involved. This framework allows all forms of acquiring control (purchase, lease, contract farming, forest conservation etc.) to be captured in the land grabs analysis. The use of capital as the unit of analysis paves the way for land to be included as central in the operation of capital. It also captures the diverse “biophysical requirements in capital accumulation dynamics” (p.850) in that a 300 ha land of high-value vineyards is comparable in terms of capital to a 500, 000 ha of

grazing land. Whereas limiting the yardstick to the scale of land acquisition alone, the acquisition of 300 ha land will not be considered as land grabbing. In addition, reliance on the scale of land acquisition alone also means dependence on official records which are notoriously fraught with inaccuracies which do not reflect the actual realities in land control (Borras et al., 2012b:404).

Third, contemporary land grabbing occurs because of, and within the dynamics of capital accumulation strategies in response to the concurrent multiple crises (food, energy/fuel, climate change, and financial crisis) and the emerging resource needs of the “newer hubs of global capital” – BRICS (Brazil, Russia, India, China and South Africa) and some powerful middle income countries (MICs) (Borras et al., 2012a: 851). These developments have led to the emergence of “flex crops” which are crops with multiple uses such as food, feed, fuel and industrial raw material. For instance, oil palm has food, biodiesel, and commercial/industrial uses; soya – food, feed and biodiesel uses; sugarcane – food and ethanol; and corn – food, feed and ethanol. These uses can be easily and flexibly interchanged as per the demands of the relevant markets which have emerged. Thus in a single crop sector there are multiple contexts for land grabbing.

It is these broad interlinked features of contemporary land grabbing which makes the earlier definition of land grabbing redundant. And thus lack the analytical lens to aptly capture the contemporary nature of land grabbing. As a solution to this morass, Borras et al. (2012a) provide a “work-in-progress definition” (p.851) of land grabbing which sees contemporary land grabbing as

...the capturing of control of relatively vast tracts of land and other natural resources through a variety of mechanisms and forms that involve large-scale capital that

often shifts resource use orientation into extractive character, whether for international or domestic purposes, as capital's response to the convergence of food, energy and financial crises, climate change mitigation imperatives, and demands for resources from newer hubs of global capital (p.851).

This definition de-focuses land as the sole unit of analysis. It deemphasizes the much weighted involvement of foreign actors and shifts the focus away from a food-centered/food crises narrative. It provides the needed analytical lens in knowing and understanding land grabbing as it occurs in other parts of the world (Borras et al., 2012a).

2.3 The process of land acquisition in Ghana

Ghana's land tenure system is one of a complex mix in which customary land tenure co-exists with statutory land tenure. This complex mix is described by Lavigne Deville (2010 as cited by Djokoto and Opoku, 2010) as a pluralistic legal system where the customary and statutory laws exist side-by-side alongside a range of institutions and regulations which have authority over land rights. Both systems evolved continuously as a result of cultural interactions and diffusion, socio-economic change and political processes (Djokoto and Opoku, 2010). The process of land acquisition in Ghana is shaped by these tenure systems and they determine how one is granted access and rights to land. To fully comprehend the complex interplay between these land tenure systems in Ghana in terms of land acquisition, it is expedient to delve into the nature of Ghana's customary and statutory land tenure paying attention to the gaps in the tenure systems which makes large-scale land acquisitions (LSLAs) possible.

2.3.1 Customary Land Tenure in Ghana

Ghana's customary land tenure is largely marked by "...its unwritten nature, based on the local practices and norms which are flexible, negotiable and location-specific" (Agbosu et al., 2007:30). It is usually managed by the traditional ruler, the earth priest, the council of elders, family or lineage heads. The principles of the customary land tenure system emanates from '...established rights through the first clearance of the land, conquest or settlement' (Agbosu et al., 2007:30). Under the customary land tenure, traditional authorities represented by the chiefs (stool and skin), family heads and the earth priests are vested with allodial⁶ title rights to land and not individual rights (Djokoto and Opoku, 2010). Though the traditional authorities have control over land their position as allodial title holders of the land means they hold the land in trust for the community (Kasanga and Kotey 2001). Lands that are held in trust by the chief (stool-land) are found in the Ashanti, Brong Ahafo, Eastern, Central and Western Regions.

Although this seems to be the general notion concerning land title ownership in these regions, there are slight differences. Among the Fantes for instance, the chief does not own all the community lands. There are three landholding rights that the chief is entitled to by virtue of being the chief. First, with the approval of the members of his family, the chief can dispose of all ancestral lands which are the property of the chief. Second, with the consent of his councillors, the chief can deal with the lands attached to the stool he is occupying. And third, the chief has oversight responsibility over lands in his chiefdom yet he does not exercise any right of ownership (Casely Hayford, 1903 cited

⁶ Allodial title means ownership of real property – land, buildings and fixture – which is independent of any superior landlord. In the context of land, allodial lands are the absolute property of the owner and not subject to any rent, service or acknowledgement to a superior (Cf. http://en.wikipedia.org/wiki/Allodial_title Accessed 6th April, 2013)

by Djokoto and Opoku, 2010). A section of Akim Abuakwa also holds the view that not all the lands in the community are stool lands (Djokoto and Opoku, 2010).

Lands which are held in trust by the family heads are found in Accra and Volta Regions (Djokoto and Opoku, 2010; Tsikata and Yaro, 2011). In northern Ghana, land is held in trust either by the chief (skin-land) or the earth priest. In communities such as the Gonja, Dagbon, Mamprugu and Nanum where there is a centralised political system, land is held in trust by the skin (chief). In communities which were traditionally acephalous such as Tallensi, Buisla, Frafra, Kusasi and Sisala, land is held in trust by the earth priest – *tindana* – who gives out lands to the group leaders who then control access to lands (Kotey, 1995; Agbosu et al., 2007).

In Ghana, access to land is by virtue of one's membership to a landowning family and by virtue of this one gets to enjoy all the rights to the land (Bentsi-Enchil, 1975 cited by Alhassan and Manuh, 2005). The oldest form of land acquisition has been occupation where the first person to clear part of a virgin forest establishes his/her right over that portion of land and thus can pass it on to other members of his/her family including non-indigenes (Alhassan and Manuh, 2005). As a member of the landowning family, an individual gets to reserve his/her right to use land as long as it was kept under cultivation. This included active croplands and lands left to fallow. Even though land can be given away as a gift, it remained a communal propriety which cannot be perpetually alienated without the consent of the family head (Alhassan and Manuh, 2005). Non-members of the community were granted use rights in the land and were not allowed to acquire land. They cannot pass on the usufructuary rights accorded them to the next generation, in addition it was subject to renewal (Kimble, 1963). But as Alhassan and Manuh (2005)

argue these norms which guide land acquisition is gradually changing due to increasing demographic pressures and the commercialization of land.

Ghana, as noted above, has two land tenure systems which control land ownership. The state does not engage in the sale of lands. It can only expropriate land from the customary land holdings in the interest of the nation (Ghana Const. art. 20, cl. 1, § a, b). It is only the traditional council (which comprises the Paramount Chief and his elders) acting as custodians of the land vested in the various communities who oversee the implementation of the customary tenure system. For areas where land is not vested in the stool or the skin, it is the family head or the clan head and the elders who carry out such responsibility. As per the 1992 constitution, customary lands cannot be sold, i.e., no individual or group of persons can be granted a freehold title (Ghana Const. art. 267, cl. 5). Individuals or group of persons can only be granted leasehold title to lands or usufruct rights (German et al. 2011). Since the state is not mandated by the constitution to engage in land sale and the traditional council oversees the implementation of the customary land tenure, they have the sole right to negotiate the terms of leasehold rights with investors or anyone who wants to carry out a project and needs land.

In negotiating leasehold contracts, the traditional council goes into negotiations with little or no knowledge of the land market and are thus left at the mercy of investors who take advantage of the situation. In a deal involving Biofuel Ltd. and the Kpachaa area of the Northern Region, for instance, the Tijo-Naa who is the major divisional chief of the area, leased for 50 years 10,600 ha of land for Gh¢2 per hectare (Tsikata and Yaro, 2011). In addition, some of the traditional councils enter into verbal agreement with prospective land buyers. For instance, the traditional council of the Pru district made a

verbal revenue-sharing agreement with investors who had bought parcels of land for jatropha plantation. The verbal revenue-sharing agreement stipulates that the traditional council was entitled to 25% of the profits that will be generated from the jatropha plantation (Schoneveld et al., 2011). There are also instances where the chiefs had no idea of the nature of the contract they consented to; simply because they are not lettered. Hence the entire process of formulating and determining the nature of the contract is left to the lawyers of the traditional council who it is assumed have and will represent the interest of the community and the chief (Tsikata and Yaro 2011:19 & 21). Although the traditional councils operate within the ambit of customary law and the constitution, they are not well poised to carry out the role of sole negotiators in the leasing of lands. Their actions clearly show the low level of legal literacy they possess as well as their knowledge of the land market.

By law the traditional council is to inform the occupiers of lands before the interests or rights over such lands are declared. If the lands are acquired, then the occupiers are to be compensated for their loss. They are also to ensure that the interests of the people are protected and that the allocation of land will be to the benefit of the people (Ghana Const. art. 36, cl. 8; NLP, 1999: Section 4.3c). But this rarely occurs as was confirmed by the study conducted in the Pru District of the Brong-Ahafo Region by Schoneveld et al. (2011). According to Schoneveld et al. (2011), 69 households whose landholdings were leased to investors never participated in the negotiations which led to the acquiescing of their holding rights neither were they informed of the deal in the first place. The first time ever they were informed of the acquisition was when the chief informed them not to return to their lands after the yam harvest. In spite of all this, they

were never compensated for their loss. This presents a situation which the 2007 UN Declaration on the Rights of Indigenous Peoples frowns upon. According to this declaration, indigenous people have the right to approve or veto proposed developments on their lands through free, prior, and informed consent (Colchester and Ferrari, 2007 cited by Vermeulen and Cotula, 2010:3), i.e., the occupiers of the land are to be informed about any impending development on the land for them to give their consent before it takes place.

There are several instruments (Ghana Const. art. 36, cl. 8; NLP, 1999: Section 4.3c) that detail the duties and responsibilities of the Traditional councils in disposing of lands. But there is none which specifies in depth the processes and the terms permissible by which land can be disposed off. There is no legislative provision that guarantees “the right to compensation for loss of livelihood, specify resettlement and rehabilitation (R and R) procedures, or assign responsibilities to this effect” (German et al., 2011:13). The only exception is the compulsory land acquisition by the state (Ghana Const. art. 20, cl. 2, §a; art. 3) where the constitution mandates the state to compensate the occupiers of the land. Ubink (2008) has also argued that the regulatory framework within the traditional setup which is to forestall any abuse of power by the chiefs in the exercise of the customary tenure is ineffective. These lapses in the various regulations governing the customary administration of land make it possible if not convenient for the traditional council and the investors to dispose of land at the expense of the community.

2.3.2 Statutory Land Tenure in Ghana

The statutory land tenure system is marked by a set of codified, written statutes and regulations. It delineates that which is acceptable and provides the consequences for

non-compliance (Agbosu et al., 2007:30). The management of statutory land tenure lies with government administrators and bodies with delegated authority. For instance, the Lands Commission, which according to the Administration of Lands Act of 1962, is the state agency responsible for all public lands. The principles of the statutory land tenure system stem from citizenship, nation building, and constitutional rights (Agbosu et al., 2007:30).

The focus of the statutory land tenure has been to ensure easy access to land, secure rights in land, and the productive use of land. In addition, the various reforms which have taken place within the statutory land tenure have always sought to address land security and productivity issues as well as creating an enabling environment for socio-economic development (Alhassan and Manuh, 2005). From the colonial era to date, several attempts have been made ‘...to initiate, encourage, and improve the registration of interest in land in Ghana’ (Alhassan and Manuh, 2005:7). In 1843, the colonial government introduced the Deed Registration which required the registration of all lands and other properties (Alhassan and Manuh, 2005). But this was repealed by the Land Registry Ordinance of 1895 which was also repealed in 1962 and re-enacted by the Land Registry Act of 1962 (ACT 122) after independence. The Land Registry Act of 1962 made provision for all instruments affecting land to be registered and its main purpose was to ensure the recording of all documents used in the registration of land. The deed registration was to ensure that conflict over priority of instruments was resolved by the provision of evidence based on which instrument was registered first (Alhassan and Manuh, 2005).

In 1986, the government of Ghana introduced the Land Title Registration Law which was to rectify the shortcomings of the deeds registration system. The Land Title Registration Law of 1986 introduced the compulsory title registration which ensured that both the allodial and usufructuary interests in land were registered. The purpose of the land title registration as Alhassan and Manuh (2005:8) have argued is ‘...to give certainty and facilitate the proof of title and ...to render dealings in land safe, simple, and cheap.’ In 1999, the government of Ghana introduced the first National Land Policy (NLP) which was aimed at ensuring, among other things, the judicious use of land and all its natural resources (NLP, 1999). The NLP was necessitated by the various deficiencies in the land sector agencies which include lack of transparency in work processes; delays and cumbersome manual procedures; lack of effective collaboration and cooperation between agencies; perceived corruption and mistrust on the part of customary land owners in land administration (Karikari, 2006:2-3).

To address the issues which necessitated NLP, the government instituted the Land Administration Project (LAP) in 2003. LAP is set to resolve the weak land administration system which is characterised by fragmented institutions; issues of indeterminate boundaries in customary owned lands; general indiscipline in the land market which is characterised by land encroachments, multiple sales of residential parcels of land, unapproved schemes and haphazard development; issues of compulsory acquisition of large tracts of land; lack of consultation with landowners; and lack of consultation, coordination and cooperation among public sector land agencies (Land Administration Project, n.d). Ultimately, LAP is aimed at providing a secure land tenure which is deemed

vital to economic development, poverty reduction and growth (Kundom-Agyemang, 2009).

In spite of these numerous legislative instruments which were enacted to improve the acquisition and registration of land, there are still lapses. As per the 1992 constitution and the Lands Commission Act 2008, the Lands Commission is to approve and issue the formal leasehold title to investors but the laws fail to mention the specific criteria for approval. The Lands Commission Act 2008 simply states that the commission is to ‘...ensure that the development of individual pieces of land is coordinated with the relevant development plan for the area concerned’ (Ghana Const. art. 258, cl.1, § b; Lands Commission Act 2008, section 5, subsection b). Worse still, with the exception of land which has an official protected status, there is no regulation on which land can be used for agricultural plantation. Permits are required from the local government before any physical development can take place. But for farming and other activities in areas which have a population of less than 5000, permits are not required (Local Government Act 462, section 51, subsection 3, a, b, c.). The above, clearly shows the gaps or the inadequacy of Ghana’s legislation concerning the ownership, regulatory approval and guidelines for land use. These lacunae make it easy for both investors and the traditional authorities to exploit the system.

2.4 Actors of Land Acquisition

Land acquisitions are spear headed by some principal actors and this section discusses such actors which includes national governments (both local and foreign), private investors which includes Multinational companies, and the local elites.

2.4.1 Governments

As observed by Spieldoch (2009) and Prášková (2012) governments are involved in land acquisitions mainly for food and energy security purposes. They also engage in land acquisition as a means of securing investment opportunities. Cotula et al. (2009) mention China, South Korea, Saudi Arabia, Qatar and United Arab Emirates as countries whose government are heavily involved in the acquisition of land for food security purposes. GRAIN (2008) cites Japan, Saudi Arabia, China, India, Korea, Libya and Egypt as countries that are outsourcing their domestic food production to other countries by gaining control of farmlands in those countries. And there is a move to hunt and acquire fertile lands in countries like Uganda, Brazil, Cambodia, Pakistan and Sudan. These governments engage in negotiations directly or through state-owned entities or public-private partnerships for land deals on arable land leases, concessions or outright purchases. Though the size and terms of these contracts vary widely, not all the land agreements involve direct land acquisition. Some involves contract farming which aims at securing food supplies (von Braun and Meinzen-Dick, 2009).

Host governments usually from developing countries acquiesce to land deals with the aim of securing investments in infrastructure and acquiring more technology. Many developing countries are lagging behind in the productive capacity to feed their populations as a result of disinvestment in agriculture which was a stringent requirement of the structural adjustment programmes in the 1980s. Starved of investments and with very little to offer the global market, land deals become a deceptively attractive offer for these governments (Spieldoch, 2009). In addition, land deals are perceived by these governments as a lucrative opportunity to attract foreign investors, boost foreign

exchange and increase economic growth. For them, these land deals present the occasion to increase tax revenues through investments in agriculture and also create farm and off-farm jobs for the rural poor. It contributes to the development of infrastructure in the rural areas and the transfer of agricultural technologies (Prášková, 2012). Through a compilation of several studies, Cotula (2011) lists Sudan, Ethiopia, Madagascar, Mozambique and Tanzania among host countries in Africa who are key recipients of land-based investments. The list includes Cambodia, Laos, Philippines and Indonesia for Southeast Asia; Ukraine for part of Eastern Europe; and Argentina and Brazil for Latin America. Although he notes that in Brazil and Argentina, acquisitions may involve buying shares in companies that own land rather than the purchase of land directly.

2.4.2 Private Investors

Private investors which include multinational corporations are also involved in land acquisitions for profit making purposes in view of the high food and energy prices. In addition, land has become a safe haven for these private investors who are changing their corporate strategy to invest in lands (Smaller and Mann, 2009; Da Vià, 2011). These investors perceive investment in agriculture as a commodity which ‘provides a hedge against inflation and contributes to portfolio diversification’ (Blumenthal, 2009:57). As a result there has been a colossal inflow of funds into farmland and agribusiness from multilateral development organisations and development financial institutions such as the European Investment Bank (EIB), the African Development Bank (AfDB), International Finance Corporation (IFC) as well as the development agencies of individual nations (Da Vià, 2011). Apart from this, private companies have acquired huge tracts of land for agrofuel development on the continent. This includes the UK company Sun Biofuel

which has acquired 80,000 ha of land in Ethiopia; 8,000 ha in Tanzania; and 5,000 ha in Mozambique to grow jatropha. CAMS Group, a UK-based firm have also acquired 45,000 ha of land in Tanzania to produce ethanol from sweet sorghum. Using contract farming, Flora Eco Power, a German firm, spent \$77 million in acquiring land in Ethiopia for biofuel production (Da Vià, 2011).

According to Cotula (2011) privately owned investments accounts for 90% of the land deals in Ghana, Ethiopia, Madagascar and Mali. The remaining 10% is accounted for by government-owned investments. He goes on to argue that most of these private owned investments receive some form of support in terms of diplomatic and financial aid in addition to other kinds of support from their home governments. Some governments, he shows, have set up investment funds which support private firms engaged in land-based investments abroad with subsidies, soft loans, guarantees and insurance. For instance, the Abu Dhabi Fund for Development or the King Abdullah Initiative for Saudi Agricultural Investment Abroad.

2.4.3 Local Elite

Local elite in Africa constitute those who have achieved their status through education, wealth, political office or occupy hereditary positions of authority. The control of resources and land is an essential component of their political power and economic status (Rose, 2002). The local elites acquire land through various means which include the following: repurchase programmes and/or land tenure conversions, for instance reverting land acquired by the colonizers or other parties to customary tenure; land exchanges associated with development programmes, e.g. government forcefully taking land and compensating for it with replacement land (Rose, 2002: 191-192). Within the

customary land tenure system, land distribution is not egalitarian. The local elite within this context expropriate the best part of the land for themselves and they engage in unfair distribution of land rights (Rose, 2002).

In several African countries, the local elite comprise the national elites and the urban middle classes who engage in several land deals. In Sudan, the US investment company Jarch Capital acquired a lease of 400,000 ha of land by taking a 70% stake in the south Sudanese company LEAC for Agriculture and Investment Co. Ltd.; a company controlled by the son of a high official, in the Sudan People's Liberation Army (Cotula et al., 2009). In Ghana, investors receive support from local intermediaries or partners who usually constitute the local elites in their first ever encounter with the traditional authority responsible for the land to be acquired (German et al. 2011). The local elite have knowledge of the availability of land; access to these lands and how to circumvent the system to their advantage (Alden Wily, 2011). In communities whose interests do not coincide with theirs, these local elites lead investors into these communities, negotiate cheap land deals, extort rents and favours and deceive the poor members of the communities (Amanor, 2005).

2.5 Impact of Land Acquisition

Land acquisitions of various types have had different impacts on entire communities, peasant livelihood, and women. In experiencing the adverse impact of land acquisitions, peasant farmers have had to resist in subtle and aggressive ways to the numerous acquisitions that rob them of their source of livelihood. This section therefore discusses the impact of land acquisition on communities, peasant livelihood, women and the level of resistance that peasant farmers put up in the face of these acquisitions. The

discussion traces the impact of land acquisition from the historical context of the origin of the phenomenon and points out how land acquisition has re-configured communities and thus shaped the dynamics of the socio-economic contexts of these communities. The discussion is done focusing on the three hotspots of land acquisitions – Latin America, parts of Asia and Africa.

2.5.1 Latin America

The whole phenomenon of land acquisition dates back to second century Rome where the phenomenon was associated with the term *latifundia* (Carlsen, 1997). In Latin America, the history of land acquisition can arguably be traced to the 16th century with the arrival of Europeans (Petrusewicz, 2008). Petrusewicz (2008:3) argues that ‘the profit-oriented *latifundia* system’ in Latin America came with the colonialists. Prior to the arrival of the Europeans, the weakest form of land aristocracy could be traced to the Aztec and the Inca empires where no money economies or commercial estates existed (Carlsen, 1997; Petrusewicz, 2008). According to Petrusewicz (2008), the various viceroys of the European monarchs divided the land and the Indians among the conquistadors. The Indians became the *peons* or *campesinos* (wage labourer/unskilled farmer or peasants respectively) who tilled the land and the *hacendados* (the owner of *hacienda*) reaped off their labour. The Catholic Church and its religious orders, notably the Jesuits were great landholders during the colonial period (Mörner, 1973).

These acquisitions altered the traditionally accepted norms governing land access and land acquisitions in Latin America. The swathes of land owned by the colonizers were passed on to wealthy aristocrats who maintained the status quo. As a result, Latin America’s agrarian structure is still modelled on a pattern of agricultural dualism called

latifundio-minifundio (Todaro and Smith, 2009). *Latifundios* refers to large landholdings which are farmed and usually provide employment to 12 or more people. *Minifundios* on the other hand refers to small farms which are too small to provide employment for an entire family; at best it can employ two people (Todaro and Smith, 2009:441). According to Todaro and Smith (2009), a greater portion of the land in Latin America is owned and controlled by those who own the *latifundios*. Thus 1.3% of landowners in Latin America own 71.6% of land under cultivation. Again, though the *latifundios* own less than 7% of all farms in Latin America, they occupy 82% of the agricultural land (Todaro and Smith, 2009).

This re-configuration of the Latin American agrarian structure has led to peasant farmers who historically had land to always go in search of land to cultivate. Other landless peasants also go in search of jobs as hired labour and this has deepened their level of poverty. Some peasant farmers may own *minifundios*, yet it is inadequate to cater for the needs of their families. Those who offer their labour for a wage on the *latifundios* are paid a pittance. The owners of the *latifundios* are not able to farm the entire stretch of land they own and they cannot employ a lot of labourers due to the high cost of supervising hired labour. Thus they only farm a portion of the land they own and employ few people. For the owners of the *latifundios*, land is valued in terms of the power and prestige it brings and not as a means of production by which they will contribute to the agricultural development of the nation (Todaro and Smith, 2009).

Todaro and Smith (2009) also argue that the situation described above does not hold true for the entire continent of Latin America. In some countries like Mexico, Bolivia and Cuba, there have been drastic land reforms which have sought to reduce this

level of inequality. In addition, the agricultural dualism of *latifundio-minifundio* does not represent the entire Latin America. According to them, in countries like Venezuela, Brazil and Uruguay, there are farms which are family farms and medium-size farms also known as multifamily farms. The family size farms can employ between 2 – 4 people while the multifamily farms can employ 4 – 12 people. These farms accounts for about 50% of the total agricultural output while providing about 50% of the agricultural labour in these countries (Todaro and Smith, 2009).

2.5.2 Parts of Asia

The impact of land acquisition in Asia can be traced from its colonial past. Citing Myrdal (1968), Todaro and Smith (2009) argue that the re-configuration of the traditional pattern of land ownership in Asia stems from a combination of factors which includes colonization. This is evident in the introduction of the European concept of private ownership as opposed to communal ownership. Second, the gradual introduction of monetized transactions and thirdly, the rapid growth in Asia's population also accounts for the pattern of land acquisition in recent times.

Though not all of Asia was colonised by the West, some parts of Asia, namely the Philippines and Vietnam did experience land acquisition through colonization. The Philippines had an indigenous land tenure system before the arrival of the Spanish colonizers. In this indigenous system, land was communally owned by the village community (*barangay*) and individual families enjoyed usufruct rights to the land (McLennan, 1969). The Spaniards took advantage of the existing tenure system; created a class out of the heads (chieftains) of the *barangay* and introduced the notion of private ownership of land. This elitist class, known as the *casique*, had the responsibility of

collecting taxes, organizing conscript labour gangs and administering justice at the lower level. The Spanish colonizers also shared land among the missionary friars who owned large estates and introduced the notion of legal land title and landlordism (McLennan1969:655).

Vietnam has a similar experience as the Philippines. The phenomenon of land acquisition was introduced by the French colonizers. Having waded their way through trade and supporting feuding factions in the Indochina⁷ conflicts, the French took control of Indochina. They introduced taxes and the Vietnamese who defaulted in tax payments had their lands and houses confiscated. Those whose lands were expropriated became day labourers who either tilled the rice and rubber plantations or worked the coal mines established by the French in order to eke out a living (Meretter, 2013).

Due to the changes which have occurred in the acquisition of land over the years in Asia, private investors and individuals are able to acquire land as private property and develop it as such. In Indonesia, for instance, private investors have been able to acquire huge tracks of land for palm plantation and have had to expand these plantation in response to the dynamics of the oil palm market. The continuous expansion of oil palm plantations in Indonesia have turned peasant farmers into smallholders and labourers who work under poor conditions. They are alienated from their land through a scheme which makes them not only landless but also indebted to the oil palm companies. As Marti (2008) explains, in Borneo, for instance, the land acquisitions are structured in such a way that without legal titles, peasant farmers are given 2-3 hectares of land for oil palm

⁷ Indochina refers to the French protectorate which existed between India and China from 1884 to 1954. It comprised Cochinchina, Annam, Tokin (making up modern day Vietnam), Laos and Cambodia (Khoi, 1955 as cited by Meretter, 2013).

cultivation and a loan of US\$3,000-6,000 with an interest rate of 30% per annum to purchase seedlings and farm inputs. Now it takes about 3-4 years for these palm trees to bear fruit for the farmers to make any income and when they do, it is just about US\$ 500 per annum. Comparing the expenses incurred over the 3-4 year period and the income generated, the scheme simply seeks to exploit these farmers. They are burdened with huge debts they cannot pay and they are forced to offer their labour for an undefined period in exchange for the debt.

The Indonesian case of land acquisition with respect to the expansion of oil palm plantation is not all grim and gloomy. The oil palm industry is estimated to provide jobs for 1.7 – 2 million people (Wakker, 2006; Zen et al., 2006). From a broader perspective, the oil palm sector is said to have been of benefit to some 6 million Indonesians, most of whom have been rescued from poverty (Goenadi, 2008). The positive impact of the industry can also be seen at the national level where export revenues generated from the industry in 2007 amounted to US\$ 12 billion (Goenadi, 2008).

2.5.3 Africa

Africa's colonial history unearths the impact and the dynamics of land acquisitions on the continent. It unveils the nature of land acquisitions which took place at the time and how it has affected the continent in defining its tenure system. Alden Wily (2012) observes that the first land rush on the continent occurred between 1885 and 1915. This period falls within the era dubbed the 'Scramble for Africa' (1876-1912) where European colonizers invaded, occupied, colonized and annexed Africa to their respective countries (Pakenham, 1992). The quest to seek new territories in response to the failing economic conditions in Europe at the time led the colonizers to seek new markets for

their products as well as raw materials to fuel their industries. But upon realizing that a political conquest is needed to aid the economic scramble for Africa, these European colonizers set out to demarcate and protect territories within which they could exploit the wealth of Africa's natural resources and the cheap labour found in these territories (Alden Wily, 2012). Occupying these territories came with the aim of acquiring land rights. Using the 'right of discovery' rule as it had done in the Americas, Asia and Oceania, the Europeans assumed ownership of the lands they had 'discovered'. This was further made possible by the claims of Africans that only God owned land and that the right to land ownership was vested in the community (Alden Wily, 2007 as cited by Alden Wily, 2012). The colonizers also claimed ownership of the commons which they deemed as 'unowned and vacant lands' (Alden Wily, 2012:757). These acquisitions did not occur without resistance from the indigenes. Africans across the continent carried out protests and rebellions against these acquisitions and the British and the French colonizers were forced by the indigenes to compromise at a point (Alden Wily, 2012).

There was a second wave of land acquisition on the continent after the First World War (1914 – 1918). These were not state-led (colonial governments) but investor driven: Mercantile companies in Francophone Africa, Corporations and individual investors in Anglophone Africa and American companies in Liberia (Alden Wily, 2012: 760). These companies were able to clinch a deal with the indigenes who gave them access to portions of their lands in order for them to build their industries. Some of these developments led to the establishment of huge plantations across the continent such as the tea plantations in Kenya and Tanzania. Some countries like Ghana is also grappling with the issue of private and communal ownership in its land tenure system. Others like

Zambia have had to undertake legislative and institutional reforms in a bid to make the country attractive to investors. But as the Oakland Institute (2011) notes in a study, these reforms are gradually leading to the erosion of traditional land rights to private investors. Due to several legislative and institutional reforms in Zambia, land which are acquired by private investors from traditional rulers no longer fall under the jurisdiction of the traditional ruler but that of the government. This threatens the land tenure security of the indigenous people and grants them little protection from expropriation. Increased investments in agrofuels endanger Zambia's food security. Besides, these large-scale agricultural investments have numerous environmental impacts which include increased deforestation, loss of biodiversity, damage to wildlife, increased pollution of water bodies which affects both aqua and human life. Most of the agricultural plantations that are developed out of these acquisitions employ farm labourers who are paid a pittance for their labour (Oakland Institute, 2011).

2.5.3.1 Ghana

The effect of land acquisition in Ghana, like the rest of the continent, can be seen, among other things, in the introduction of the notion of private ownership by the British colonizers. Land in Ghana was not sold in the westernised sense of acquiring property. Rather, land was (and still is) considered as a communal property for which the chief acts as the custodian pursuing the interest of the community (Kimble, 1963). The whole notion of selling lands in the Gold Coast heightened with the huge interest in gold by the Europeans. This interest and the luring interest in profits that will accrue to the chief and by extension the village made some chiefs give up their lands for sale. The Ashanti

Goldfields Corporation was one of the first corporations to secure a land deal to mine gold in Ghana (Kimble, 1963).

In a bid to annex the lands in the Gold Coast as a result of the abolition of slavery, and the industrial revolution which required the search for raw materials and new markets, the colonial government advocated for the passing of two laws: the Crown Lands Bill (CLB) of 1894 and the Land Bill of 1897. The CLB of 1894 sought to appropriate all 'idle' lands, i.e., lands that are not owned by any individual – be it the chief, family or a person. It sought to annex all the commons or uncultivated land including the minerals in the protectorate to the British Empire with the Queen as the sovereign over the land. The Land Bill of 1897 on the other hand sought to transform property rights in land and thus declared all unoccupied land as public lands whose administration would have fallen into the jurisdiction of the colonial state (Aryeetey et al., 2007). These bills ignited a series of agitations from both the chiefs and the educated few. Their agitations led to the formation of the Aborigines Rights Protection Society (ARPS) which challenged and prevented the colonial government's attempts to pass CLB of 1894 and the Land Bill of 1897 into law. Though these bills could not be passed into law in the southern territories of the Gold Coast, it was enacted in the northern territories where it was operational till the 1979 constitution abolished it (Agbosu et al., 2007). The colonial government set in place some regulations such as the Registration Ordinance of 1883 and the Registration Ordinance of 1885 to guide the acquisition of land and the granting of title deeds to those who acquired land.

During the colonial period, the educated indigenes also took part in the land acquisitions that were taking place at the time. These educated elites, some of whom were

lawyers trained in the English law, acted as intermediaries between European businesses and the chiefs. At a point they became land speculators and could convince the unlettered chiefs to part away with large tracts of land which they sold to the investors. Some of them also formed companies and got involved in concession acquisition, speculation and gold mining but were hindered by the lack of technical expertise and the needed capital (Agbosu et al., 2007).

From the colonial era to date, land ownership and land acquisition in Ghana has always been entangled in the muddled notions of private ownership viz-a-viz communal ownership. This has led to the adoption of a plurality of land tenure in Ghana which Kassanga and Kotey (2001) have argued has caused lots of contradictions and conflicts because the plurality of land tenure in Ghana has been poorly articulated. Numerous governments over the years have enacted several laws and legislations on land in a bid to help navigate the competing and contrasting notions of land ownership and acquisitions (Aryeetey et al., 2007).

Recent studies (Schoneveld et al., 2011; Tsikata and Yaro, 2011) done in Ghana show that land acquisitions has impacted negatively on the economy of the communities in which it occurs. The local economy and the livelihood of people in the communities are distorted and destroyed by these acquisitions. People are displaced of their farmlands and the commons⁸ (especially in the Brong Ahafo, Volta and the Northern Regions) which the entire community depends on. The community members are promised jobs yet only a handful are employed and paid meagre wages. Those who are not employed are

⁸ The commons are parcels of land which belong to the community with no one person claiming ownership. The community, especially the women depend on it during the dry season because it contains shea nut, dawadawa, mangoes etc. which can be sold, grass for livestock grazing and trees for charcoal.

compelled to migrate to other towns in search of non-existing jobs. The woes of the employed in some cases are further compounded with the failure of the farm projects initiated by investors because they have no lands to farm and no jobs to go to (Schoneveld et al., 2011). A typical case in point is the acquisition of 10,600 ha of land for jatropha plantation in Kapachaa in the Northern Region. Not only were peasant farmers disposed of their lands but the commons on which they depended was also acquired in the process leaving the peasant farmers no option but to migrate to other communities in search of either lands to till or jobs to do. Those who were employed soon lost their jobs because the project failed (Tsikata and Yaro, 2011).

Capturing the extent of marginalisation as a result of land acquisitions on a cost benefit analysis, Schoneveld et al. (2011) compares the net value of employment to the net value of displaced economic activities. Their analysis indicates that a hectare of the plantation provides 0.15 jobs which generate 90USD per annum whereas per the same hectare of plantation, yam cultivation generates approximately 99USD per annum which is 110% more than the per-hectare value of employment.

Another significant impact of land acquisition which cuts across the three continents is the disruption of the moral economy of the peasant community. As explained by Thompson (1963), the essential idea of the moral economy hinges on the fact that peasant communities share a set of normative attitudes concerning social relations and social behaviours that surround the local economy. Little (2008:1) argues that this is sometimes referred to as “subsistence ethic”, i.e., the notion that the local social arrangements are structured in a way that the subsistence needs of the rural poor are respected and taken care of. In describing bread riots which took place in 18th century

Britain, Thompson (1963) observed that the peasant community exhibits ‘...an extraordinary deep-rooted pattern of behaviour and belief ...’ (p.66) which is built around a common consensus that stems from a sense of acting right. As he explains this common consensus which seeks to protect the interests of the community for which members of the community are drawn to protest and rebel in response to those who breach the subsistence ethic of the community. The introduction of capital coupled with the introduction of the concept of private property which was expressed in the various land acquisitions described above disrupted the subsistence ethic of the rural community for which the subsistence needs of the community was taken care of. These disruptions have led to either open or subtle rebellion by peasant farmers as have been discussed below under section 2.5.5.

The introduction of capital into peasant communities does not only disrupt the moral economy of such communities but also the peasant economy of the community. A. V. Chayanov, in discussing the labour-consumer balance in the peasant economy notes that the peasant family farm, in the first place, hired no wage labour. Family farms depended solely on the labour of their own family members. Second, the extent to which family members labour on the farm is dependent on the expected output of the family as per the needs of the family. Thus he argues that peasants will only put in greater effort in their work only if they believe it will yield an increased output which will be devoted to the greater family consumption (Thorner et al., 1966). Chayanov further explains that ‘Each family strikes a balance or equilibrium between the degree of satisfaction of family needs and the degree of drudgery of labour’ (Thorner et al., 1966: xvi). Hence family members’ work output matches the needs that ought to be met by the family. Family

members are not exploited in the labour they offer on the family farms. This labour-consumer balance in the peasant economy is what A. V. Chayanov terms as ‘...the degree of self-exploitation of family labour’ (Thorner et al., 1966: xvi). In view of the various acquisitions that take place in the peasant communities when capital is introduced, most peasant farmers lose their farmlands and are forced to offer their labour for a wage. In this regard, the peasant farmers are forced to work beyond their limits and for longer hours. Capital destroys the labour-consumption balance that exists in the peasant economy and thus replaces the self-exploitation of family labour with capitalist exploitation of labour for more profits. These dynamics as espoused by Chayanov reflects Marx’s concept of alienation of labour, where labour is external to the labourer, in that it does not form part of his/her essential being; it constrains him/her; denies him/her happiness and leads to the labourer mortifying his body and mind rather than freely developing his/her physical and mental energy. The labourer’s labour is thus forced labour; it becomes a means to satisfy an external need and not the labourer’s need (Marx, 1844/2000). The peasant farmer prior to the introduction of capital derived security from the land and s/he is not alienated from the land and the products of his/her labour. But once capital is introduced which results in the expropriation of the peasant farmer from the land, s/he becomes alienated, first, from the means of production thereby destroying the security s/he derive from the land. Second, the peasant farmer is alienated from the products of his/her labour. Thus s/he is forced to work to meet an external need and not his/her own needs.

2.5.4 Women

Women are greatly affected by land acquisitions because apart from being dispossessed of the land on which they farm, they also lose out on the commons which they depend on. In most communities on the continent, peasant farmers depend on the commons in the dry season for wild fruits, firewood, and fodder for their livestock. In northern Ghana, women peasant farmers derive economic benefits from the commons through the gathering and processing of shea nuts and “dawadawa”; and the gathering of fast growing shrubs for charcoal. But these are lost when the commons are acquired as part of the lands that is sold out to investors (Tsikata and Yaro, 2011).

Women are also marginalized in the sharing of compensations that accrue from land acquisition. A case in point is acquisition of land by the government of Ghana at Mafi Dove in the Volta Region. When compensation was paid to the chief, it was shared among the five clans who then distributed it among the male members of the clan ignoring the women (Tsikata and Yaro, 2011). The discrimination against women in relation to land has its roots in the customary laws and practices concerning the right of use, access to and the succession of land (Kotey, 1995). Apusigah (2009) clearly illustrates this when she argues that in northern Ghana, it is the men who hold land titles while the women have use rights by gathering and using the natural resource on the land. She also reveals that in the Upper East and West Regions of Ghana, women’s labour in relation to land is culturally appropriated in two ways, i.e., they are either considered as ‘farm hands’ or ‘non-farm hands’ (p.56). In areas where women are considered as ‘farm hands’ they work along with the men in preparing the land, sowing, weeding and harvesting. This is done alongside their household responsibilities of washing, cooking

and cleaning. Where women are considered 'non-farm hands' they are not obliged to carry out on-farm cultivation responsibilities. But they are required to cook for farm hands, which include both the male members of the household and the hired labour; though not obliged women may assist in sowing and harvesting.

2.5.5 Peasants' responses to land acquisitions

In the wake of the numerous land acquisitions that take place all over the world and its subsequent effects on the peasant economy, peasant farmers have resisted these acquisitions in their own unique way. As Scott (1985) argues peasant farmers employ what he terms 'weapons of the weak' (p.29) in resisting land acquisitions. These 'weapons of the weak' as he explains are subtle forms of resistance which are shown by the peasant farmers to those who acquire the land. These weapons used by the peasant farmers include slowdowns and informal labour boycotts, pilfering of rice and animals, careless threshing and maligning the reputation of stingy and callous landlords through gossips (Scott, 1985). Scott further argues that these are carried out in a polite and differential manner which leads to the erroneous thinking that peasant farmers have a false consciousness. According to him, the peasant farmers are perfectly aware of what happens around them and they are also aware of the fact that any open confrontation will jeopardize their already precarious source of livelihood thus in their own unique way they rebel against these acquisition. Scott (1985) does acknowledge the fact that there are instances where peasants' resistance has led to violent confrontations and all the repercussions that come with it.

Borras and Franco (2013) basically agree to the fact that peasant farmers do resist land acquisitions. They point out that usually it is the gravity of the situation, i.e., per the

nature of the acquisition that determines the level of resistance put up by peasant farmers. They also note that in cases where land acquisition has led to or threaten to lead to subsistence crisis, peasant farmers who have been expelled from their land do react. Citing Scott (1976), they point out that ‘...often it is not about how much was taken but how much was left...’ that triggers the reaction of the peasant farmers (Borras and Franco, 2013:1733). They also indicate that the resistance that is put up by peasant farmers do not necessarily stem from economic subsistence alone. But that land acquisitions which threaten their identity or tradition as well as water sources, landscape and community forest also trigger peasant resistance. Mamonova (2012) on the contrary challenges the position that peasant farmers are always against land acquisitions and thus resist it. She argues that land acquisitions affect different rural people in different ways and therefore generates different kinds of reactions. Analysing the Ukrainian context of land acquisitions with its ‘unique’ characteristics, she argues that the politics of resistance by the dispossessed peasants depends on their level of inclusion in the land deals. Thus in the Ukrainian case, there were more adaptive strategies than resistance and the peasant farmers were more concerned about their personal gains than that of the entire community (Mamonova, 2012). With these different and contentious reactions that peasants have, what kinds of reactions are peasants farmers in Ewusiejo putting up in the light of the recent land acquisitions?

CHAPTER THREE

CHANGES IN LAND USE AND LAND ACQUISITION

3.0 Introduction

Land is a priced asset in all communities. In farming communities especially, it is the rallying point around which the life of the entire community is woven. As such, these communities have developed norms that guide the distribution, access and the acquisition of land. These laid down patterns of organising the community around land is being threatened by the exposure of land to market forces. In line with the objectives of the study, this chapter presents an analysis and a discussion of the data gathered. The chapter particularly delves into the changing nature of land distribution, acquisition and uses in Ewusiejo in order to comprehend the distortions taking place in the community.

3.1 Socio-demographic characteristics of respondents

All the respondents who took part in the study are indigenes and residents of Ewusiejo, with the exception of the key informants from Aleph, LC, OASL, TCPU, and the Omanhene of Ahantaman. The key informants also include the chief and queenmother of Ewusiejo; 3 family heads, 2 family elders and a female landowner. The middleman who took part in the study is also not a resident and an indigene of Ewusiejo although he has been involved in land deals in the community in the past. The youth who took part in the study were made up of 3 males and 3 females. They were between the ages of 25 and 30 years. Most of the respondents are farmers with a few who had an

additional skill as carpenters, traders, masons etc. Below are the socio-demographic characteristics of the peasant farmers who took part in the study.

Table 1 Socio-demographic characteristics of Peasant Farmers

| | | | | | | | | |
|-----------------------|----------|----------|----------|----------|----------|----------|----------|-------|
| | Male | Female | Total | | | | | |
| Sex | 7 | 9 | 16 | | | | | |
| Marital Status | Married | Divorced | Widow | Single | Total | | | |
| | 10 | 3 | 2 | 1 | 16 | | | |
| Age | 30-35yrs | 36-40yrs | 41-45yrs | 46-50yrs | 51-55yrs | 56-60yrs | 61-65yrs | Total |
| | 1 | 5 | 2 | 1 | 1 | 3 | 3 | 16 |

Source: Field Data, January 2014

3.2 Land Distribution and Access to Land

Land in Ewusiejo, as in most places in Ghana, is held in trust for the community by the chief; thus the chief is the custodian of the land in the village. According to the history of the village as narrated by the chief and the family head of the royal household, land belonged to the chief, in that, the early ancestor(s) gave families who came to settle in the village lands to farm. They were given the freedom to choose any part of the forest to farm. These portions of land they farmed with time became family lands which were used in serving the chief, that is, at the end of every year royalties were paid to the chief. These families are known as *nfonfon*⁹ and as the chief of Ewusiejo pointed out they are also known as *secondary forest owners* (SFO). So in essence land was distributed among families who came to settle in the village. By this distribution, which meant granting them access to farm on the land, they were given usufruct rights to the land for which

⁹ *Nfonfon* as used by the family head of the royal household and one other family head also means the land which was given to the family to farm so then there is *ebusua nfonfon* that is family land; *nfonfon ne wura* – the landowner which in the context of the family becomes the *ebusua payin*, i.e., the family head. The term *nfonfon* with the meaning families who first came to settle in the Ewusiejo and were given portions of land to farm will be used interchangeably with the term secondary forest owners (SFO); a term also bearing the same meaning.

they had to pay royalties to the chief on an annual basis. The Omanhene of Ahantaman corroborated this account and confirmed that the families indeed paid royalties.

In those days, land was not sold and the population was so small that our forebears needed more people around them. So then when someone shows up looking for land to farm, they point to the forest and ask the person to clear as much as s/he can and then farm on it. In the course of farming the land and the person expresses the desire to settle, s/he is asked to clear a portion of the land and build a house. (...)every year during the Kundum festival, the person [family] is supposed to bring drinks and some farm produce to the elders [chiefs] to offer prayers to ask for strength and long life for him/her [the family]. The practice still continues.

(Omanhene, Ahantaman)

The size of the land that was given to the *nfonfon* depended on the ability of the family to farm large sections of the forest. One of the family heads mentioned that the family was able to own so much land because his forebears practiced shifting cultivation, in that every land they farmed and left to fallow became family land and they duly demarcated it as such.

3.2.1 Access to Land

Land access in Ewusiejo stems from family ties which are rooted in the *nfonfon*. Having been granted land by the ancestors, families farmed and bequeathed such lands to one generation after the other in the families and all those connected to the family are granted access to the land. The family heads of the families who own the Aleph and the Gimel sites mentioned that the land has been in their families for about 400 and 300 years respectively. Their forebears farmed on the land as a result of which they also had access to the land to farm and they will pass it on to their children by granting them access to the

land. Some peasant farmers indicated that they had access to the land they farmed because the land belongs to their families and they took over from their parents or grandparents with whom they farmed the land.

(...)I used to follow my grandparents to the farm and gradually I took over the land and continued farming till it was sold.

(43 year old, male peasant farmer)

I have been farming there [on the land] since I was young with my mother and since it is a family land; I took over from her when she passed on.

(62 year old, female peasant farmer)

These family ties stretched beyond the lineage connections to include the clan. The Omanhene of Ahantaman argues that in the days of the ancestors, access to land was also granted by the *nfonfon* to those who were from the same clan as the *nfonfon* who came to settle in the village. So for instance, if someone showed up in the village and identifies himself/herself as a member of the Anona clan needing help to settle, his fellow Anona clan member from the village will readily offer him/her any help including giving him/her a piece of land to farm.

Access to land is also granted by virtue of marriage. Some peasant farmers had access to the land they farmed because their spouses came from families that owned land and they were given portions of the land to farm by the family.

That land belongs to my husband. His father gave us a portion to build a house but he [my husband] died. When he was alive I used to plant cassava and plantain. I still farmed cassava and plantain even after he died. And it was proceeds from the farm that I used in catering for my children.

(36 year old, female peasant farmer)

(...) the land belongs to my wife and it is her family's land that I was farming on (...).

(40 year old, male peasant farmer)

Land access is not only limited to family ties and marriage. There are peasant farmers in the community who had access to land not because their families had land or because they were married to those whose families had land, but because they had a lease holding agreement with family heads who owned lands. Some had leased lands from families for 45 years; others had leased it for 40 years for which they paid annual royalties to the family heads.

Currently chiefs can grant access to land in two ways: Though not the case in Ewusiejo, chiefs can grant access to land in cases where the chief doubles as the *ebusuapayin* of the royal family where the land in question is a royal family land and not the stool land. Where the lands are stool lands, it is the chiefs who grant access to such lands as in the case of Ewusiejo.

From the above it can be deduced that land in Ewusiejo is distributed among the families who came to settle in the village and access to land is determined by one's family ties, i.e., either through the lineage or the clan, marriage, and through lease agreement with the family heads. In these cases, it is the family head who grants access to the land either directly or through one's parents. Chiefs also grants access to lands in cases where they double as the *ebusuapayin* of the royal household and in respect of the stool lands.

3.3 Changes in Land Use

Land in Ewusiejo and the entire Ahanta West District has predominantly been used for agricultural purposes. The inhabitants of Ewusiejo are mainly farmers who grow oil palm, cassava, pineapples etc. According to an official of the District Town and Country Planning Unit (TCPUC), the Ahanta West District is currently experiencing changes in terms of land use. He pointed out that the massive sale of the land in the district is due to speculative buying. Some investors and local people who front for these investors are involved in this speculative buying. He attributed the interest in land mainly to the oil find and noted that the district population has not increased in any significant proportions to account for the demand in land. Urban sprawl does contribute to the interest in land but that would not be a significant cause. According to him it is principally the oil find which has brought companies and real estate developers into the district.

He further explained that the district is a peri-urban district, which is approximately 25km from Takoradi, and as a result of Takoradi being choked with a lot of industrial activities the district is experiencing the spill over from these activities. Lands which were farmlands in the district are being put to residential and largely industrial uses. Secondly, the proximity of the district to Takoradi makes it an ideal location for the numerous companies especially the logistics companies who have moved into the region because of the oil find. Unable to acquire land in Takoradi, the district becomes an ideal location for these companies in terms of its proximity, and the good access road which connects it to Takoradi where the services which are vital to their operations are located. Takoradi also has good schools, good accommodation and better

living conditions for the officials of such companies who can live in Takoradi and commute to work in the district. These developments, he argues, have led to large tracts of farmland being converted to industrial and residential use.

According to the chief of Ewusiejo, people used to acquire land mainly for farming and some families still do grant access to family members and non-family members to farm. He recounts that at a point in time when the population in the village was increasing there was the demand for land to build. People who have been living in rented apartments for a while wanted a place of their own. He noted, however, that in recent years the demand for land in Ewusiejo is neither for farming purposes nor for housing by the indigenes but for real estate purposes and industrial use by corporate entities. This means more non-indigenes are acquiring lands in Ewusiejo for reasons other than agriculture.

This change in land use which is evidently manifested in the building of residential apartments and industries is undoubtedly an indication of the preservation and expansion of the capitalist mode of production. These two are separate but interlinked principles in the capitalist mode of production as explained by De Angelis (2001). She argues that capitalism preserves itself by preserving the source of capital accumulation. This requires a constant reproduction of the capital relations that exist between capital and labour. Second, capitalism ought to expand its mode of production since it thrives on the accumulation of capital. This inevitably requires the encounter between capital and non-capitalist modes of production which it will subdue (Kenny-Lazar, 2011).

In keeping to the ethos of capitalism, these companies must preserve and expand their mode of production and are thus obliged by these principles to seek out new

territories. This quest to seek out new territories to invest in order to reduce cost, use cheap labour and provide cheaper goods and services to the market also stems from an overaccumulation of capital in one place (Harvey, 2003). Having had an overaccumulation of capital in one place, there is the need for these companies to seek new areas, new opportunities for investments and expansion thus the oil find in the Western Region becomes the lure for capital to seek non-capitalist territories. Gimel for instance will seek to expand its operations beyond the Sekondi- Takoradi Metropolis where its offices in the region are located and build workshops and warehouses in Ewusiejo which is at a strategic location considering the locus of the oil find. Aleph will also move into Ewusiejo in response to the same dynamics and seek to derive utmost benefits from such an encounter.

3.4 Land Acquisition

Acquiring land in Ewusiejo in the days of the ancestors was a rather easy process. As already indicated by the Omanhene, it only required the expression of interest to the chief and then the granting of access to the forest to either farm or settle. In Ewusiejo, the chief points out that in the past when an individual approaches the chief for land, s/he is directed to a secondary forest owner (SFO) who will then demarcate a portion of the land for the person, and then they come to discuss the terms with the chief after which the person begins to pay royalties on an annual basis. The chief makes it clear that apart from him who can sell portions of the stool land, the only ones in the village who can sell land are the SFOs who ought to sell lands under the patronage of the chief. The SFO sell land through the designated person in the family who is usually the family head (*ebusuapayin*).

It can be deduced from this account that with time, the *nfonfon* have become the ones to determine which section of the land is allotted to the person seeking land as opposed to the person selecting portions of the forest as his/her own. The SFOs have in effect become the ones who give out lands under the patronage of the chief. This is very much the practice in Ewusiejo today but the chief laments that the SFOs no longer confer with him when an interested party shows interest in land and then proceeds to buy it. Embedded in this tradition of the SFO informing the chief of an impending land sale is the fact that one-third of the total amount paid for the land acquired ought to be given to the chief as a form of royalty. Thus by not informing the chief, this payment is not made to the chief and thus he loses out on the income generated from the land. The chief of Ewusiejo laments that the SFOs ‘have taken charge of the lands so I have no control over what they do.’ The SFOs do as they please with no regard for the chief and he adds that ‘(...) out of greed the secondary forest owners secure the land deals without the knowledge of the chief.’

With this change in land acquisition in Ewusiejo, all prospective buyers negotiate and transact the land deal with the family heads of the SFOs. During the process the chief would have to be informed of the prospective land deal. Once the deal goes through and payment is made, the chief is to be given one-third of the total amount paid for the land. With the introduction of the documentation of the sale, transfer and ownership of landed properties, chiefs now sign a portion of the documents covering the sale of the land either as the grantor, i.e. the one transferring ownership of the land to the buyer (grantee); or the lessor, i.e. the one who rents out land to the buyer (lessee); or signs the documents giving concurrence, i.e., confirming that the SFO is indeed the landowner. Currently not all

prospective buyers seek the approval of the chief as required by custom because some family heads do not inform them of this custom. The family heads simply approve the land deal and seek the signature of neighbouring chiefs as witnesses to confirm the deal. They avoid the chief of Ewusiejo who, according to him, is to sign and approve the transaction. The Omanhene, however, states that all sub-chiefs under the divisional chief including the Odekro cannot approve a land sale. It is the divisional chief and the Omanhene who can approve the land sale by appending their signatures to the documents. One-third of the total amount paid for the land, is given to the Odekro from whose jurisdiction the land is being sold, he takes his share and passes it on to the divisional chief for him to take a portion and pass on the rest to the Omanhene.

What transpires in Ewusiejo is a departure from what the land tenure system in Ghana stipulates. Ghana has a pluralistic legal system where customary land tenure co-exists with statutory land tenure (Lavigne Deville, 2010 as cited by Djokoto and Opoku, 2010). Under the customary land tenure, traditional authorities represented by the chiefs (stool and skin), family heads and the earth priests are vested with allodial title rights to land and not individual rights (Djokoto and Opoku, 2010; Tsikata and Yaro, 2011). Though the traditional authorities have control over land, their position as allodial title holders of the land mean they hold the land in trust for the community (Kasanga and Kotey 2001). The statutory land tenure, on the other hand, consists of written codified laws and statues which govern land tenure practices. These include Land Title Act Registration 1986; 1983 Land Registration Law etc.

In Ghana, the state does not engage in the sale of lands. It can only expropriate land from the customary land holdings in the interest of the nation (Ghana Const. art. 20,

cl. 1, § a, b). It is only the chief and his elders acting as custodians of the land vested in the various communities who oversee the implementation of the customary tenure system. For areas where land is not vested in the stool or the skin, it is the family head or the clan head and the elders who carry out such responsibility. As per the 1992 constitution and the Office of Administrator of Stool Lands (OASL) Act 1994 (Act 481), customary lands cannot be sold, i.e., no individual or group of persons can be granted a freehold title (Ghana Const. art. 267, cl. 5; OASL Act 1994 (Act 481), section 7). Thus individuals or group of persons can only be granted leasehold title to lands or usufruct rights. The chief and his elders having the right as allodial title holders ‘...allocate and retract user rights and [to] reallocate and alienate land’ (German et al., 2011:7). This means that it is the chief who has the sole right to negotiate the terms of leasehold rights with investors or anyone who wants to carry out a project on the land.

From the changes in land acquisition in Ewusiejo, it is the SFOs and not the chief and his elders who negotiate and sell land. This is remarkably different for a community whose chief is the custodian of the lands and the one with allodial title rights. The practice of land acquisition in Ewusiejo rather bears semblance to the exception in the tenure system among the Fantes and some sections of the Akim Abuakwa, where the chief exercises only political jurisdiction and not proprietary rights over some lands (Casley Hayford, 1903 cited by Dzokoto and Opoku, 2010) and thus, does not engage in the sale of those lands. In the disputes that ensued between the chief of Ewusiejo and the families that leased land to Aleph and Gimel, the chief was not claiming ownership of the land and thus the right to sell it. Rather the dispute concerned the right to receive royalties from the leasing of the land in which case the chief was claiming that the land

was part of his political jurisdiction; a claim being contested by the other neighbouring chiefs.

In acquiring land in Ewusiejo for the Aleph project, the company followed the due process in acquiring the site. Led by a middleman who linked them to the landowners, the company negotiated the price and the lease agreement including the compensation to be paid to the peasant farmers with the family head and his elders. Payment was duly made as per the leaseholding agreement; the right signatories as stipulated by law and custom signed the documents covering the leasing of the land. In the Gimel case, according to the family head who leased the land to them, the company followed due process in leasing the land. These two companies, according to the family heads, did not use any guileful or unethical means to acquire land from the families. They did follow what was required by law and custom in leasing the land.

Though Karl Marx (1890/2002) had described the process of dispossessing producers from the means of production in the primitive accumulation process as a violent process; what occurred in Ewusiejo by way of land acquisition is completely different. Due regard for the tradition of the people was observed, the land owners, (according to them), were not swindled out of the land deal and the land was not acquired through some dubious means. But this does not necessarily mean that the process of primitive accumulation did not take place in Ewusiejo nor the process of separation which lies in the acquisition process did not occur. As argued by Harvey (2003), primitive accumulation does not always occur through confrontation and suppression. It can also occur through the ‘...appropriation and co-optation of pre-existing cultural and social achievements...’ (p.146). Thus capital subsumes the cultural practices, beliefs,

social relations, kinship structures, familial and household arrangements, including gender and authority relations in the separation and proletarianization process (p.146). Those pre-existing structures which are inimical to the proletarianization process of primitive accumulation are suppressed or as is becoming the trend, they are co-opted to create a conducive rather than a hostile working basis for the labour created. It can therefore be argued that in a subtle way, through these acquisitions, these investors have ended up separating the peasant farmers from their means of production.

3.4.1 Reasons for selling land

The changes in land use clearly points to the introduction of huge capital in the village which has reoriented the mindset of the indigenes concerning the use and profitability of land. The reasons adduced by the families for the sale of land do not amount to exploitation. They do not feel exploited in anyway because the land was leased at a fair price. According to the key family ‘negotiator’¹⁰ they leased the land at 15,000ghc per acre which contains 4 plots of land and this amounts to 3,750ghc per plot. He noted that this amount included fees for the middleman who handled the transaction for the company. The actual amount that came to the family was 10,000ghc per acre, i.e., 2,500ghc per plot and the family leased a total of 26 acres of land to Gimel for 50 years¹¹. This means the family made a total of 260,000ghc for leasing out 26 acres while the middleman made a total of 130,000ghc. The key family ‘negotiator’ opines that until recently, land was not that expensive. It is the discovery of oil that has made them realise the high value of land.

¹⁰ He is an elder in the family; together with the *ebusuapayin* they handle land negotiations and land sales in the family.

¹¹ As per the constitution (Ghana Const. art. 266, cl. 5) and the Lands Commission’s Operations Manual, foreigners can lease land for a maximum of 50years and indigenes can lease land for 99 years.

You see, it is just recently that land became expensive in the light of the oil discovery. Because one plot used to sell for 20ghc. Even the ones that the Ewusiejo chief sold went for 15ghc. It was not expensive. It was until recently that the price shot up. It was these same agents [middlemen] who made us realise how valuable land has become. If it was just meant for those who wanted to build houses, it would have gone for 500ghc. The highest cost would have been 1,000ghc per plot and this time 4 plots will amount to 4,000ghc per acre. It is the oil discovery that has made us realise the high value of land.

(49 year old, Family elder and 'negotiator')

Surprisingly, the other family leased out 92 acres of land to Aleph for 120ghc per acre for 99 years. For this family even with the part payment paid by the company to the family, they have been able to build a 10 bedroom family house with a huge hall/living room, and a toilet and a bath. According to the family head, for the past 100 years, they have been without a family house but with the leasing of the land, they have been able to build one. None of the SFO who had sold land to investors mentioned that they were coerced or deceived into selling their lands. Neither do they have any regrets for selling the lands. They still have more lands to sell so selling a part of it means nothing to them. According to the family heads of the SFOs, they sold the family land to fulfil certain family needs. For instance, the family that leased land to Aleph said, they leased the land in order to build a family house for their family deliberations and also provide accommodation for any member of the family who came home either for a funeral, festival or some family gathering. He also mentioned that there is competition among the *nfonfon* for their lands to be sold. If an investor initiates negotiations with a family and they are reluctant to give the investor a good deal, the investor may move to another *nfonfon* who is offering land

for a lower price. The type of dispute surrounding the lands being sold by the *nfonfon* determines the competitiveness of the land.

Second, some family heads deemed farming no longer lucrative as it used to be. A family head argued that in recent times farmers produce palm oil and people do not buy as they used to; even if they buy, it is at a reduced price and they end up losing capital. He also pointed that speculators buy the oil from the farmers at lower prices and hoard it to sell at a later time when oil is scarce. So for him there is no point in keeping the land when very little income can be made from it. Thus it is better to sell it.

It is better to sell the land and enjoy life a bit before you die. Rather than keep the land and starve to death. Just look at this land we sold, it has been there since 1816 and we had one old family house. If you look at the 'ebusuapayin' [family head] at the time, he used to live in one old dilapidated mud house. But now go see the kind of house he lives in. So we are left with no option but to sell the land. If you won't sell it, your friend will come sell it.

(66 years old, Family Head)

Apart from the above reasons, the family heads also pointed out they sold the family lands because of the numerous disputes surrounding the land. According to them, it is beneficial to sell the land rather than spend money litigating the ownership of the land. In addition, it is better to sell the land and improve one's life condition than to lose it to someone else who will benefit from it. An elder of one of the families mentioned that in addition to this, the land was sold because of the benefits that would accrue to the entire community. He argued that the investors were going to set up a company that would provide employment to the community so then, instead of keeping the land from

which only members of the family will benefit by way of farming it is better to sell it so that the entire community will benefit from it.

These reasons given by the family heads for selling their lands contrasts the trend in literature on the commercialisation of land where more often than not the landowners are deceived into selling their lands or offered empty promises which are not fulfilled after the land has been sold (Schoneveld et al. 2011; Tsikata and Yaro, 2011). It also presents a counter thesis to the concept of Primitive Accumulation, where it has been argued by Marx, that people are forcefully alienated from their means of production. In the Ewusiejo case, the landowners or the *nfonfon* willingly leased their lands in order to meet family needs, or to avoid the possibility of losing the land to others in the face of numerous disputes over land ownership. These disputes are largely due to the huge profit to be made from land sales for which families and chiefs battle each other for a piece of the cake. This practice of willingly giving up land for sale is vividly captured in the numerous signboards advertising land for sale or rent that adorn the trans-West Africa highway (see images below) which passes through the district from Apowa to Agona.



Fig. 2 – A signboard along the road indicating land for rent or lease



Fig. 3 - A signboard along the road indicating land for rent



Fig. 4 - A signboard along the road indicating land for rent and spelling out the details of the land.

CHAPTER FOUR

CONTESTATION OF LAND AND THE ROLE OF LOCAL ACTORS

4.0 Introduction

Land is a vital component of the political institution in most communities. It is connected to the power and the authority of the chief; it determines the power family heads (*ebusuapayin*) wield by virtue of the access they have and grant to those who seek land. The exercise of this power and authority by the chiefs and the family heads is being influenced by the intrusion of capital into the communities by way of land commercialisation. The role of local actors notably, the chiefs, family heads, middlemen, and the land institutions in land acquisition is explored in this chapter. This is done within the context of land disputes in order to unearth the means by which these local actors make land available for commercialisation.

4.1 Land disputes and the role of the chiefs and family heads in land acquisitions

The contestation over land is manifested in the numerous land disputes that plague Ewusiejo and the surrounding communities. Some of these disputes, though latent and have existed in the community for long; have become heightened by the intrusion of capital into the community. Thus, chiefs and family heads outfox each other in their bid to derive maximum benefit from land. Using the power they have by way of ownership and the power to determine who is granted or denied access to land, the chiefs and the family heads contest each other's right to landownership, royalties, and boundaries to territories or land.

According to one of the family heads, disputes arising from boundaries did occur in the community in times past but they were not as often as it is today.

Well for the boundary disagreements, it did not happen often in the past. [This is] Because our ancestors planted *εbrεm*, (a type of tree) along the various boundaries and these trees served as the demarcations for the various boundaries. It is these same boundaries which are in use today.

(Family Head, Aleph Site)

On the contrary, the family head of the royal family mentioned that in the past such disputes did not exist. This is because all those who owned lands always marked the boundaries in the presence of those with whom they shared boundaries. So then, there was always a mutual agreement as to where the boundaries are. This is further confirmed by the chief of Ewusiejo who notes that presently, people who share boundaries do not mark the boundaries together as was done in the past. Rather the various SFOs mark out boundaries while selling lands without consulting the families they share boundaries with and more often than not they end up selling portions of land that do not belong to them. The Omanhene also points out that disputes are largely caused by disagreements over boundaries for which some are resolved amicably. Some parties involved in these disputes refuse to accept the boundaries which were used by the ancestors and thus have aggravated the dispute for which it eventually ends in court.

There are disputes which emanates from the payment of royalties. These are disputes over who has the right to claim royalties from the sale of land. It is usually connected to territorial boundaries in that if the land sold falls within the boundaries of a particular chief's territory, he gets to claim the royalty for the land sale, which is one-

third of the total payment made for the land. He takes a portion and then passes on the rest to the chief next in rank till a portion gets to the Omanhene. But some chiefs sabotage the entire process by laying claim to land in areas which do not fall within their jurisdiction. Others too do not pass on the royalties to other chiefs as custom demands. According to the family head who leased land to Gimel, immediately the land was leased the chief of Freiti confronted the family claiming that the land which has been leased falls within his jurisdiction and that he is entitled to the one-third payment. But the irony of the situation, according to the family head, is this: In the 300 year history of the land being in the family, no family head has ever paid royalties (i.e., what the *nfonfon* pay annually during the Kundum festival to the chief) to the chief of Freiti and he has never sanctioned the family. So then how does he lay claim to this land which he claims forms part of his territory. A similar situation also occurred on the Aleph site. Immediately the family closed the land deal, the chiefs of Hotopo, Freiti and Ewusiejo confronted the family, each claiming he has the right to claim the one-third payment because the land falls within his jurisdiction. According to the family head this became such a huge dispute that they had to resort to the courts but the chiefs of Ewusiejo and Hotopo failed to show up so then the one-third payment was paid to the chief of Freiti. But the chiefs of Hotopo and Ewusiejo have rekindled the disputes again and all three chiefs have written to the company claiming that the land falls within their jurisdiction. The official of Aleph noted that, as a result of this dispute they have only paid 75% of the total amount for the land and have directed the family to settle the dispute with the chiefs after which the remaining 25% will be paid. He mentioned that this strategy is not peculiar to the Aleph

site but with any land they acquire. For the company, it is a way to ensure that all issues of disputes are resolved before full payment for the land is made.

In the case of some chiefs holding on to the one-third payment they receive, the family elder/‘negotiator’ indicated that the chief who received the one-third payment for the lease of the land to Gimel, failed to pass on the royalties to the Omanhene. He said,

The first royalty we paid was paid to the chief of Hotopo. But it so happened that, that of the Omanhene did not get to him on time so[when] I had that information I took it upon myself to ensure that he receives his share of the royalty. Later the Omanhene invited me over and explained that usually when any of his chiefs sell lands they are to pay him some royalties. But more often than not they don’t even give him any money. So he prefers the families selling lands to pay him because they pay him well more [much better] than the chiefs. He told me that anytime we sell land we should bring his share of the royalty to him directly and not go through Hotopo because he does not receive the money. And that is the problem we are facing here.

(49 year old, Family elder/‘negotiator’)

This incident is just one of several disputes that emerge from the payment of royalties. Having realized the huge benefits to be made from land sales, some sub-chiefs condone with the *nfonfon* to sell lands and process the documents without the Omanhene’s approval and thus keep the royalties. According to the Omanhene

What is prevalent here in Ahanta among my chiefs is that after selling the lands they refuse to bring the documents to me to sign and thus do not pay me the royalties derived from the various land sales they have executed. It is not all the chiefs that don’t bring documents for me to sign even though they know. They use dubious means to process the documents at the lands office.

(Omanhene, Ahantaman)

When the sub-chiefs circumvent the Omanhene in the processing of the documents covering the land and thus do not pay him his share of the sale of the land, the Omanhene places an injunction on the development of the land till he is given his share of the money and the documents are duly signed by him. The reason he gave for such an action is that he oversees the land so the investor should have dealt with him at some point. The move by the Omanhene to place an injunction on the company building on the land can be seen as a ploy to get the sub-chiefs to comply with the payment due him by tradition. According to the Omanhene, the process of securing documentation for land requires him to be a signatory to the transaction in that he has to grant concurrence to the sale or lease of the land so there is no way the sub-chiefs can sideline him from the transaction unless they connive with the land officials and the prospective buyer.

(...) when you secretly sell lands, you would go to lands for documentation. Even before the lands' surveyor goes to demarcate the land, he will ask where the land can be located and if the Omanhene and the divisional chiefs are aware of the impending land sale. When the surveyor demarcates the land and prepares the documents, the surveyor's department will sign it, lands [Lands Commission] will sign it then it will be left with the portion for the Omanhene to sign. If it is not brought to me and the person manages to arrange with the lands officials to process the document and the work commences on the site, I've every right to sue the company and place an injunction on the work being done.

(Omanhene, Ahantaman)

There are other instances where there have been disputes over the ownership of land between families and chiefs. The family head of the Aleph site mentions that some of the chiefs are not following the laid down tradition of allowing the families to sell lands and then pay them royalties. Rather they are selling the lands directly and keeping

the money to themselves. According to the family head, since the families do not have money to pursue the matter in court they end up opting for an out of court settlement; where the chief simply pays them a token to settle the matter and gets to keep the rest of the money. One of the middlemen who operates in the Ahanta West District corroborates this account of chiefs now selling land by recounting his personal experience:

I had 20 plots of land which was sold to me by a family in 2007. I started the documentation of the land and the Lands Commission informed me that they cannot proceed to process the land because the chief had sold the land. Since he is a chief, I cannot contest the ownership of the land with him. This is because he is the one who has to sign the documents for the sale of the land to be validated and for Lands commission to prepare any necessary document. If I should contest the ownership of the land with him and I acquire a new plot of land who will sign the documents validating the sale and also paving the way for the Lands Commission to proceed with the necessary documentation. Even if the family offers me a replacement, it is still the chief who has to sign. So if you go contest the landownership with the chief, who will sign the documents to cover the new land that you'll acquire in the future?

(43 year old, Middleman)

Some family heads also engage in the multiple sale of land. With the increasing value of land, some chiefs and family heads resell lands they have already sold to others thereby generating disputes. In the reselling of these lands, the chiefs and the family heads derive maximum benefit from land because they sell the land at a higher price than what it was sold for initially. The middleman recounted that

Because the landowner(s) have realized the increasing value of land, they sell lands that have already been sold to others in order to make more money. To the previous buyer, they pay back the initial price at which they bought the land.

(43 year old, Middleman)

He notes how this practice can be enticing sometimes. Sharing his own experience, he said,

I've a piece of land I sold for 200ghc at the time. The person I sold it to has not developed the place yet but I don't go near that property at all lest I'm tempted to sell it at a higher price to someone.

(43 year old, Middleman)

Deducing from the disputes that ensue between the chiefs and the families, it can be argued that the chiefs and the family heads use the power they exercise over the community in terms of land administration to make land available to investors. This power is derived from their status as custodians (chiefs) and landowners (family heads). In exercising this power, they determine who is granted or denied access to land; they determine the size and the location of the land which ought to be made available and ultimately they determine the kind of rights to be transferred to the one who will possess the land. Exercising the power to determine the size and the location of land to be made available to investors, coupled with the motivation of huge profits, family heads and chiefs breach the boundaries demarcating and distinguishing one family land from the other; and one chieftaincy territory from the other. Some even go to the extent of denying and/or disregarding the boundaries set by the ancestors which have been in use since the days of old.

Using the power of granting and denying access to land coupled with the local knowledge of the customs and practices associated with land acquisition and still tinged with the hanker for profits, some chiefs and family heads condone and connive to make lands available to investors. They even go to the extent of teaming up with some land

officials who aid them in circumventing the laid down procedures of land acquisition in order to achieve their selfish goals. Finally, some chiefs abuse the power they wield in ruthlessly expropriating land from their subjects and selling it to investors. These chiefs act with impunity, knowing that their subjects cannot question their authority and thus breach the practise of allowing the *nfonfon* to sell land. As argued by Ubink (2008), the changing dynamics of the behaviour of the chiefs in the peri-urban areas underscore the ineffectiveness of the regulatory framework (the council of elders and destoolment) within the traditional setup to forestall the abuse of power by the chief. Firstly, the selection of the council of elders is coloured by the fact that most of them are from the royal family and even in cases where there is some variety in the composition of the council of elders, the chiefs co-opt the council members by sharing the proceeds of the land acquisitions with them. This robs the council members of the power to call the chief to order and stand up to him when he acts contrary to the interests of the community. Second, destooling the chief comes with some hurdles which make it difficult if not impossible. Commoners, in the first place, cannot prefer the charge of maladministration against the chief to the Traditional Council. It is the kingmakers consisting of the sub-chiefs and the members of the royal family who can prefer such a charge against the chief. Moreover the ‘chief-on-trial’ (Ubink, 2008:162) will be brought before the paramount chief who is interested in safeguarding his share of the land revenue from the chief-on-trial’s village rather than the allegations levelled against the chief. In addition, the case will be heard by the chief-on-trial’s colleague chiefs who may be facing the same issues in their villages for which they may not be objective in giving judgment.

These hurdles embolden the chiefs to further act with impunity in appropriating land from their subjects.

The appropriation of land by the chiefs is done within the ambit of their allodial rights which is usually associated with customary land rights (Amanor, 2008). According to Amanor (2008), the concept of the customary land rights within which lies the allodial rights of the chiefs have been used (by policymakers) to empower the chiefs in creating the needed reforms in order to sell lands to investors. He further argues that ‘the customary has [thus] from the early colonial period come to define the privilege of chiefs and their rights to alienate land to external investors as part of a process of commodification’ (p.77). Ergo the notion of the customary begins with the right of the chief to alienate land and not where the user rights of the peasant farmer prevails (Amanor, 2008). Ubink (2008) further explains that acting on this notion of having the right to alienate land from the peasant farmers, some chiefs in the peri-urban areas have transformed the usufructuary rights of the peasant farmers to mean ‘permissive rights of tenant-like character, based on the leniency of the chief instead of on the communal ownership of the land’(p.157).¹² Therefore the peasant farmers are not considered to share in the communal ownership of land but were permitted by the chiefs to farm on the land.

¹² It must be noted that some peasant farmers come to have rights in land by virtue of being granted such rights by the chief since they are strangers in the community thus they are given ‘permissive rights of tenant-like character’. However, there are peasant farmers who have usufructuary rights by virtue of being members of a land owning family or may have married into a land owning family for which they are granted access. It is these later group whose rights are treated by the chiefs as ‘permissive rights of tenant-like character’

The actions of the chiefs and the family heads resonate with Alden Wily's (2011) argument of local actors always having had access and the means to secure swathes of land for their own selfish ends. As Amanor (2005:111) explains, stool lands originally were farmed by '... retainers of the chiefs'. This, however, changed during the colonial era where unfarmed lands became stool lands and the chiefs leased or sold portions of this to migrant farmers. He argues that in recent times, chiefs are redefining customary rights to land and are thus appropriating farmed lands from members of the community. The actions of some of the chiefs clearly depicts their bid to redefine customary land rights in response to the boom in real estate in the district which is itself a peri-urban district (Ubink, 2008). The chiefs and by extension the family heads therefore operate as a conduit for the expropriation of land from the peasant farmers to the capitalist sector (Amanor 2005:111).

4.1.1 The role of the middlemen in land acquisition

The middlemen, who are essentially land brokers, play a vital role in the land acquisition process. They serve as the link between the prospective buyers and the landowners as such they are considered by all parties, i.e., the prospective buyers and the landowners as an essential part of the land transaction process. For the prospective buyer, it is the middlemen who have knowledge of the availability of land. Second, they know the right landowners and thus can lead the prospective buyers to the right person with whom to transact business. Although there have been instances where some middlemen have lead prospective buyers to the wrong landowners, the Aleph official said, much as they used a middleman while acquiring the land, they also did their background checks to forestall such a situation.

Yes...You always need somebody from the town. You always need somebody who knows the families because you could be lead to a person who really does not even own the land. So you need to do your due diligence and you need somebody from the town, you need the middleman.

(An Official of Aleph)

Another role the middlemen play is that they handle the land documentation process in some instances and they do all the follow ups with the offices of the Lands Commission (LC), and the Town and Country Planning Unit (TCPU). Middlemen make their income from the fees they charge per land sale. Some middlemen either negotiate with the landowners or the prospective buyers in order to charge a commission on the land that is sold or leased. Others too, in addition to the commission, charge additional fees for processing and following up on the documentation to be prepared. There are still others who do not involve themselves in the charging of commission for the sake of disputes. Thus they allow the prospective buyer to deal with the landowner directly negotiating the price of the land while they only handle the documentation bit of the process.

I don't deal with commission. I deal with documents because when I take you to see the owner and you purchase the land, I'm the same person who will do the documentation for you and it is there that I'll also make some income. (...) because of the numerous problems associated with land, what I do is this: I take you to the family and you deal directly with the family.

(43 year old, Middleman)

This middleman noted that with all the numerous disputes and conflicts associated with land, it has become very dangerous to take commission because some of the disputing parties do vent their anger on the middlemen. He also mentioned that being a middleman is a very lucrative business and he has been doing this for the past 14 years. He does no

other job apart from brokering land, carrying out land documentation and then surveying. According to him, he does not go in search of prospective buyers in order to link them up to an available land. Rather it is his clients who recommend him to other prospective buyers because of the sterling services he offers them. On finding available lands, he said he goes in search of families with lands to sell. According to him,

There are families who have land but they need ‘acquirement’, i.e., they need to protect the land. Usually, they don’t have an idea about the need to do this. So I go and educate them and when they understand, I bring my instruments, go to the site and work on the land. When I finish that, then I start the demarcation. When that happens and someone goes to buy land from the family, the family head calls me to do the documentation.

(43 year old, Middleman)

He also noted that there are families with lands who also solicit his services.

In negotiating land deals, some middlemen also negotiate the terms of compensation with the occupants of the land, who are mostly peasant farmers. This middleman noted that

When you buy land from the family you ought to have a discussion with the occupants or those who were farming on the land before you bought it. You are to have a discussion with those who farmed the land because you are to pay them. There are different prices for the various crops – cassava, palm trees, coconut – that have been planted on the land. Payment must also be made for crops like palm trees which were not planted but grew by themselves. This is because someone is farming on that land where these ‘wild’ palm trees are and you would have to negotiate with the person on the price for the palm trees.

(43 year old, Middleman)

He recounts a recent transaction where he had to negotiate with a peasant farmer over the amount of money to be paid as compensation for an acre of land. According to him, he

had to pay the peasant farmer 1,000ghc as compensation for the palm trees the peasant farmer had on the land. He also mentioned that there are instances where the peasant farmers have charged him 20ghc for every palm tree they had on the land. In cases where the farmer has cassava on the farm, the amount of money paid depends on whether the cassava is a young plant or one that is due to be harvested. He mentioned that he has had to pay between 150ghc and 200ghc for an acre of cassava. This amount is subject to the negotiation that takes place between him and the peasant farmer.

All the three land institutions, namely, Lands Commission (LC), Office of Administration of Stool Lands (OASL) and Town and Country Planning Unit (TCPU) do acknowledge that they deal with the middlemen in their line of work. The LC and the OASL, however, prefer to call them agents since agency services are allowed in the land transaction process. Officials from these institutions who were interviewed confirmed that the middlemen have a lot of information on the availability of land for sale, which transaction is taking place, and who is buying the land.

The LC said they have no problem with middlemen following up on the documentation process for their clients who are unable to do so. They only take exception to them when they try to sign a document on behalf of a client without the power of attorney. This, according to the LC, is not permitted under the law. In the light of middlemen being knowledgeable about the availability of land and thus engaging in racketeering of land, the LC official emphasised the point that the LC has policies to guide the re-sale of lands. According to this policy, an individual is to develop a piece of land s/he has acquired before it is transferred to another person. Thus the LC inspects the land to be sure it has been developed to an extent before it grants consent to the sale or

transfer. The essence of developing the land is to show some form of commitment, although the LC official points out that the land does not have to be fully developed. The LC argues that this prevents people from buying hundreds of acres of land only to sell when prices go up. But the case is different for real estate companies in that they declare their intention of buying huge tracts of land, service them and then either sell or lease it out.

To curb speculative buying of lands as well, the LC made it known that there are regulations which help restrain such activities but then it lies with the landowners to enforce such regulations. This is because there are self-regulating activities within the lease agreements which should be enforced by the chiefs and the family heads. When one acquires a piece of land and fails to develop it within 5 years of purchase, the landowners have the right to repossess that land thereby acquiring ownership of it. Therefore if speculative buying is taking place in the Ahanta West District then it is the chiefs and families who are not enforcing the regulations in the lease agreements they signed.

For the TCPU, the only problem they have with the middlemen is that they do not pass on the right information given them by the Unit to their clients and this creates problems. As a result they now insist on seeing the persons acquiring the land for which they need permission to use the land. The official of OASL bemoaned the fact that the middlemen contribute a lot to land disputes. Unlike land officers who will conduct a background search before a land sale, these land agents in their haste to make a quick buck, will simply lead a prospective buyer to someone who may not be the rightful owner of the land and then initiate a land deal. This will later degenerate into a land dispute.

The middlemen play a salient role in making land available for investments. Not only do they have knowledge of the availability lands; they serve as a bridge between the landowners, in this case the chiefs and the family heads, and the prospective buyers. Some of them forge alliances with the chiefs and family heads by helping them demarcate their lands as well as seek out prospective buyers for the land. Their network of operations does not only lie with knowing where to find land and who the owners and prospective buyers are but also extends to the land institutions as well. They have cronies in these institutions who aid them in their line of work although the middleman complained that the officials of the LC extort money from them.

I've been working with them [Lands Commission] for years so we are all one. But most of them don't do the work as promised after taking money from you. They will delay your documents. (...) With the deeds, I need to get a TCC, which is Tax Clearance Certificate. If not I need to pay 500ghc in place of the TCC before I can work on the deeds. This is what is being done at the lands commission. We used to pay 20ghc to the lawyer there but now the new lawyer there takes 500ghc if you do not have a tax clearance certificate. He will tell you straight in the face that he will take 500ghc for the TCC, if not he will not work on the deeds.

(43 year old, Middleman)

The African or local elites who are known to serve as a conduit for making land available to investors in seeking their own gains are usually deemed to have achieved their status through education, wealth, political office or occupying a hereditary position of authority and thus have access and control over land (Rose, 2002). The chiefs and the family heads aptly fit his description of the African elite by virtue of their ascribed positions of authority, and the access and control they have over land. But not this middleman! He has

a Middle School Leaving Certificate; he was a farmer till he decided to sell lands and be a middleman and a 'surveyor'. He owns a few parcels of land which he sells to prospective buyers. He does not readily fit the notion of the African elite but his actions are tantamount to that of the African elite. Although he does not have the power to deny and grant access to land, he has access to the chiefs and the family heads. He has knowledge of the available lands; has a network of prospective buyers through his clients; and can manoeuvre his way through the LC; thus achieving the purpose of freeing up land for capitalist accumulation. These features of this middleman may be unique to him yet there may be other middlemen who fit this portrait of a middleman who equally form part of the complex web of local actors who are complicit in the process of facilitating the commercialisation of land.

4.2 The role of land institutions in land acquisition

Still within the purview of exploring the ways by which local actors make lands available to investors especially real estate companies, the role of the lands institutions were examined to establish lapses in their operations and/or their constitutional mandate which makes it easier if not possible for these local actors to make land available for commercialisation.

4.2.1 Lands Commission (LC)

In land acquisition, the LC grants consent to the land sale or lease and also do the registration of the land. They are mandated by the constitution (Ghana Const. art. 258, cl.1, § b; Lands Commission Act 2008, section 5, subsection b) to ensure that the land conforms to the approved scheme which is in line with the development plan of the area as mapped out by TCPU. Once the land is confirmed by TCPU to be in the approved

development scheme and the use plan of the area, LC grants consent and then registers the land. Although the LC carries out field inspections as part of the registration process, they do not go to the extent of challenging the legitimacy of the one who is selling the land. They just check to ensure that the land is indeed where it is supposed to be. They only challenge the legitimacy of the person selling the land when there is a judgement by the court to that effect and it is in their record. If not, they cannot challenge the legitimacy of the chief to grant or not to grant land.

The LC acknowledges that there are lapses in their constitutional mandate; moreover they do not have direct supervisory role over the chiefs. Their role is simply advisory and thus they are constitutionally mandated to make policy decision recommendations for government to implement (Ghana Const. art. 258, cl.1, § c). This mandate does not empower them to stop some of the ‘illegal’ land sales going on. The LC argued that the constitution does not even empower government to intervene and take charge of lands in areas where there is indisciplined land acquisition. Till the chiefs manage lands appropriately, the LC explains, the government can do very little about it and the LC can only come up with policy recommendations with regards to what is going on. This confirms what Ubink (2008:164) dubs as ‘government’s ‘policy of non-interference’’ which is the government’s unwillingness to interfere in land administration. She argues that this stems from political expediency on the part of government because chiefs are still deemed powerful and considered ‘voter-brokers’ (p.164) in the rural areas. Secondly, with highly educated professionals ascending to the stool(s), this policy of non-interference makes it convenient for the creation of alliances between the chiefs and the state elite. This non-interference policy of the government

gives legitimacy to the chiefs' role in land administration and thus the definition of customary rights/law.

The LC official admitted that it has a very poor record section in that most of their records are not digitized; they are based on old topographical drawings which are on old worn out sheets. This creates a huge problem for them because a 5,000 acre land appears as a little smudge on the old topographical map; a 10 acres plot of land appears like a dot; a 1 acre plot can only be left to one's imagination. In view of this, it is impossible to locate the 10 acre plot which is part of a 5,000 acre plot which has been sold. In the light of this when chiefs and family heads come to conduct a search on a parcel of land they intend to sell, it becomes difficult to locate that parcel of land on the old topographical map and then plot it out. Most of the chiefs and family heads rely on the LC for their plans and even for those who have their own plan, it is based on the old topographical map. Thus when a parcel of land cannot be traced on the old topographical map and there is no drawing either to indicate that that land has been plotted, it is often declared undeveloped for which the chiefs and the family heads can sell the land which ends up in multiple sale of lands for which the LC is complicit. The LC has a stockpile of copies of registration documents which is also used to conduct a search on the parcel of land to be sold. But it is the property number on the plotted sheet from the topographical map which is used to locate the relevant document in the stockpile which indicates if the land has been sold or not. As the LC official explains, the LC relies on the records sheet which contains a list of the property numbers and a few other details so if the records officer makes an error in entering the property number and the details then it becomes impossible to locate copies of the transaction document and in the absence of such

documents it is assumed the land has not been granted so then there is no transaction. Meanwhile it could be that the LC has completed the process of registration but because there is no trace of it on the records sheets it will not reflect as being worked on. These lapses and the poor system of tracking land transactions make it convenient for some chiefs and family heads to pursue their personal interests. For some other chiefs and family heads, it only brews more disputes.

A move is being made by the Regional Lands Commission to digitize its records section. As at now it is in the process of scanning all the documents (including the old topographical maps and drawings) and converting them into digitized versions for safekeeping. Ultimately the aim is to convert the old topographical maps and drawings into cadastre maps. These cadastre maps give comprehensive details about the precise location and dimensions of the land; details about the ownership, value and the tenure of the land among others. The official argues that once this is done 80% of the LC's problems in the record section will be solved. The complete digitization (including the conversion to cadastre maps) of the records section has been recommended several times in the LC's annual report but the hope is that the Land Administration Project (LAP) will take care of this.

In the wake of the several instances of abuse of power by the chiefs and the family heads through which land is made available for investors and foments disputes, the LC encourages the family heads and the chiefs to do a Declaration of Boundary. This entails the chiefs and family heads making known publicly the boundaries of their territories. In itself, the declaration of boundary does not confer the title of ownership on the chief or the family head, rather it makes known publicly the boundaries of the land

for which the person claims ownership. Thus it is the facts of the declaration that is tested in court when there is a dispute and not the declaration itself. As the LC explains

(...) if you allege in your declaration that you are the chief of this area, your great grandfather came to settle here 200 years ago and all those things. That declaration does not confer the title. The court will now test it to see whether in their opinion, really, your grandparents came to settle here 200years ago. Who and who succeeded them; how did you become the owner of the land. If they test the facts against your opponents and they think yours is ok then they can give judgment and that is where the title will be properly conferred on you. So, the declaration is just a mechanism that we use to protect ourselves.

(Land Official, Regional Lands Commission)

The declaration of boundary helps prevent people from selling lands that do not belong to them as well as prevents landowners from bullying others. By the declaration, one declares the boundaries to his /her land so then one cannot lay claim to another land which does not fall within the declared boundaries. Also it shows how one became the landowner. If the declaration is not done then people can make spurious claims about owning lands which are not theirs. In cases where families contests the chief's ownership of a parcel of land using an oral historical account that their forebears came to settle on the land before the chief, the official argued that

...out of nothing we depend on something. If the two of you are contesting in a vacuum then we will look at it with the eyes of the vacuum and start dealing with it from that angle. If the two of you are dealing and you all have substance then we'll deal with it according to the substance, however, strong or weak it is, we will proceed from that angle.

(Land Official, Regional Lands Commission)

Although the situation presented is as if the one with the strongest case wins, the LC official pointed out that as per their moral obligation, the LC consults the chief of an area where huge tracts of lands are being sold or where lots of families are coming up to sell lands. They consult the chief to find out if indeed he is the one granting the sale of lands. In addition, the LC asks the selling parties to get a confirmation from the paramount chief confirming that indeed they are the actual owners of the land being sold. In this respect, the document is signed by different people, i.e., the first part signed by the family who is selling the land; the second part is signed by the chief as the confirming party; and the third part is signed by the party buying the land. This he said helps prevent some of the disputes surrounding land.

Though the declaration of boundary is supposed to help the LC and the OASL to resolve the problems of land acquisition, it is fraught with controversy in its meaning and application. According to an official of the OASL, most of the land disputes are rooted in the unclear definition of what constitutes family land and stool land in the Western Region. Unlike the Volta and Ashanti Regions where family and stool lands are clearly defined by tradition and the law; a chief in the Volta Region is a chief over the people and not the land; a chief in the Ashanti Region is a chief over the people and the land – the chief exercises his allodial rights over the land (Djokoto and Opoku, 2010). In the Western Region, there are families who own land and not the chief.

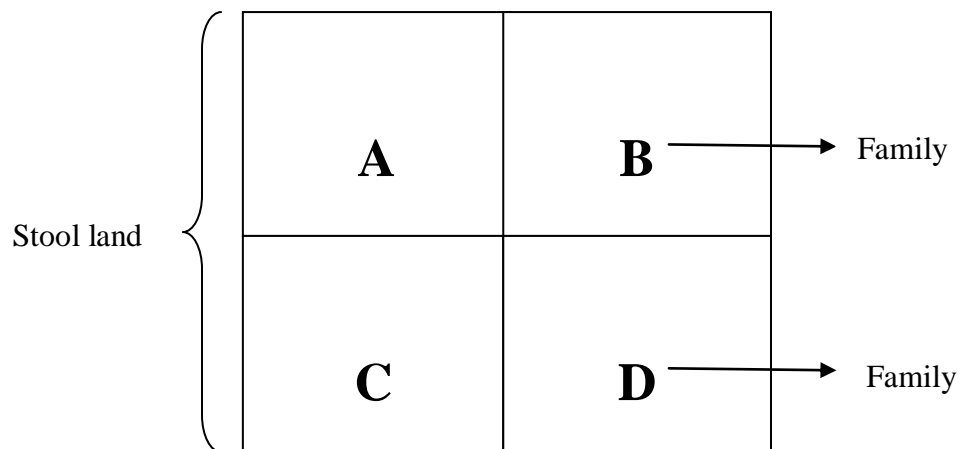
The other time, I was speaking with the Ahantahene [Omanhene] and he was telling me that some of the families own land on their own which is not subject to the chief. They have the right to own their own land. The only condition they give is that while they own these lands the chief has certain things that he requires to maintain the stool and therefore when the family sells [portions of their

lands], they will not sell it in the name of the stool. They will sell it in the name of their families. And when the proceeds come, they only give one-third of it to the chief. But every lease whatsoever is executed in the name of the family.

(Land Official, Regional Lands Commission)

Since the chief cannot exercise his full authority without land there is always a tussle between the chief and the families who own land. The OASL official further explains that the declaration of boundary is misunderstood by both the families and the chiefs as conferring the absolute title of land ownership on them and as a result act with impunity. With an illustration he aptly explains declaration of boundary as it pertains to family lands.

Fig. 5 – Explaining Declaration of Boundaries



Using the above diagram (Fig.5) he notes that family lands, first of all are contained within stool lands just as stool lands are also contained in the territory of the Omanhene. He argues that, in essence when families A, B, C and D (as per the above diagram) declare their boundaries, it does not delink their family lands from the stool land. The

declaration that the land is a family land only seeks to clearly define the boundaries of the family land and thereby ward off other families who might intrude into that territory. But that is not the case when families declare their boundaries. Land officers and even some lawyers ignorantly craft the declaration documents indicating the family lands as existing independently of the stool lands and once this is processed and registered it is assumed into law. Thus the family land is defined as it exists in other jurisdictions where the family land is clearly distinct from the stool land. This generates disputes because the families begin to claim they have the right to sign land documents as the lessor and thus can dispose of land as they please and claim any revenue accruing from the land. This is because the OASL recognises the lessor and gives the lessor a portion of the land revenue which it is mandated by law to disburse (Ghana Const. art. 267, cl. 6, § a, b, c). This practice by the family heads, the OASL official continues to expatiate will lead to serious disputes in the future when it comes to the renewal of leaseholding agreements. He attributes all of this to the breakdown of the traditional set up where there is no order. The chiefs and the families continue to abuse the power they wield as they seek their own selfish interests.

He argues that if done properly, the statutory declaration of boundaries would have solved the land disputes, to a large extent, and prevented, to a considerable degree, the abuse of power being exercised by the chiefs and family heads. First, the declaration will help the LC to determine who has the right to sign which document within a particular area. If a document is presented without the signature of those who are mandated by the declaration to sign, then that document cannot be processed as covering a land sale in that particular location. Second, it will help to resolve the authority of the

lessor in that the family heads and the chiefs cannot simply type a statutory declaration of boundary, sign as the *ebusuapayin* and present it for processing. The authority of the lessor must be confirmed by all those who share boundaries with the family or the stool land. They must be mentioned in the declaration documents and they must append their signatures agreeing that indeed the land belongs to the stool or the family and they share boundaries with them. Third, the chief in the area must sign the document indicating that indeed the land belongs to the family. In the case of a chief, a higher ranking chief must do that then the Omanhene who is the overlord of the entire land must also sign. If these are adhered to, most of the problems and abuse would be reduced considerably.

4.2.2 Town and Country Planning Unit (TCPU)

The TCPU's role in the land acquisition process though minute is very important. The principal role of this land institution is to ensure that the use to which lands will be put to after it has been acquired do indeed conform to the development plan or the scheme of the vicinity where the land is located. Thus the TCPU grants the required approval for LC to register the land. When the intended use of the land which has been acquired does not conform to the development plan or the scheme of the area, the individual either applies for a change in land use or goes in search of another parcel of land in an area whose scheme fits the intended use to which the person will put the land.

4.2.3 The Office of Administration of Stool Lands (OASL)

The OASL like the LC plays no supervisory role in any land transaction whatsoever neither do they negotiate any land deal. The OASL is constitutionally mandated (Ghana Const. art. 267, cl. 2, § b; cl. 6, § a, b, c) to collect all revenue from land, i.e., they are to mobilize and disburse all stool land revenue in any shape of income.

The OASL also liaise with LC, TCPU and others in their line of work and they also engage in policy formulation. The OASL also plays an advocacy role in the administration of lands in Ghana. On several occasions they have organized fora for the chiefs in the Western Region to educate the chiefs about allocating large tracts of lands to investors. The OASL official noted that as a result of such advocacy campaigns, the chief and people of Atuabo prevented government from expropriating their land for the Ghana Gas project. Instead the chief used the land as an equity stake in the gas company which was built so that the entire community will benefit from the project. He decried the unfortunate situation where some chiefs are caught in the lure of money and simply give their lands away at the sight of huge sums of money. The OASL also have a lot of expertise in Alternative Dispute Resolution (ADR) in that they deal with the chiefs and the traditional rulers in the resolution of the numerous disputes over land before they end up in court. According to the official of OASL, LC has jurisdiction over all the lands by granting titles and deeds but OASL is in charge of the management of the lands. The LC manage state lands only and have nothing to do with stool and family lands except in cases where they would have to grant consent and concurrence to certain transactions on the stool and family lands.

CHAPTER FIVE

TRAJECTORIES OF LIVELIHOOD, SPATIAL AND SOCIAL RELATIONS

5.0 Introduction

This chapter continues with the analysis of the data gathered. It discusses the distortions that have occurred in the social relations and the livelihood of the peasant farmers of Ewusiejo as a result of land acquisition. The chapter also discusses the following: Seeking the consent of peasant farmers in land acquisitions; the calculation and payment of compensation; youth employment; status mobility; women and land use, and emerging issues emanating from the data.

5.1 Seeking Consent

As part of the transaction process of land acquisition, landowners either negotiate the terms of compensation payment on behalf of the occupants of the land (usually peasant farmers) with the prospective buyers or allow the prospective buyers to directly negotiate the terms of compensation with the occupants of the land. The landowners, in addition, also notify the occupants of the impending land deal and give them ample time to vacate the land. In some cases, especially when the land is a family land and the occupants are family members, the landowners (notably the *ebusuapayin*) seek the consent of the family members before the land is sold or leased. In Ewusiejo, all the lands leased to both Gimel and Aleph are family lands which had family members farming on the land as well as a few farmers who, though not family members, were given access to the land. According to the peasant farmers who used to farm on both Gimel and Aleph

sites, their consent was not sought. Since the land belonged to the entire family for which the family heads are custodians, the consent of the entire family ought to have been sought so that in agreeing to the land sale, they could also discuss issues of compensation for those who farm on the land. As a family, there was no formal discussion to seek the consent of family members. Rather it was the family elders who sat and took the decision to sell the land. They were simply informed that the land has been sold so they were to vacate the land.

They only informed me and all those farming on the land that they have sold the land. They did not discuss it with us to seek our opinion or anything of the sort. They simply informed us that the land has been sold so we are to leave the land.

(43 year old, Female Peasant Farmer – Gimel site)

They just informed us that the land has been sold so we should move off the land.

(45 year old, Male Peasant Farmer – Aleph site)

Two of the peasant farmers who had a 45 year and a 40 year lease agreements with the family that leased the Gimel site said they were not consulted about the land sale. The parcels of land leased to them which were yet to expire were sold without any notification whatsoever.

Yes, it was a family land that was leased to me. But the lease period did not expire and they took over the land to sell.

(60 year old, Male Peasant Farmer)

One of the farmers who had a lease agreement with the family mentioned that he had gotten the lease agreement from the former family head and he has receipts to prove the lease agreement. But when the new family head took over, he wanted to take over the

land leased to him but he resisted till he was informed the land has been sold. He said he wanted to sue the family head but he has no money besides the family head has become rich and powerful due to the numerous land sales and he cannot engage in a legal tussle with him.

(...) My greatest worry had to do with the fact that I've receipts covering the land. I acquired the land from ebusuapayin KY, the one who passed away and is yet to be buried. He gave me the receipts. At the time he was live, he, TY's mother together with PK sold the land to me. When BKB took over as the Ebusuapayin he wanted to take the land from me. But I told him I had bought [leased] the land and I've the receipts to indicate that. I told him to go sell his family lands and not my farm. So I wanted to take the issue to court since I've the receipts showing that I bought [leased] the land and they cannot simply take it from me. But my eldest son told me that I had no money to engage in a legal tussle with the ebusuapayin who has become rich because of the land sales. I wanted them to give me some extra compensation for the fact that they sold my land when the period of lease had not expired. But they never did that.

(65 year old, Male Peasant Farmers)

From this account, what the peasant farmer failed to realise was that leasing land without a title deed does not mean much legally and the family head can dispose of the land as he wants. This is because there is no legal transaction covering the lease except for a receipt that shows as exchange of money and an access to land but not a title deed. The title deed legally authorises the individual to enjoy the rights in the land which has been transferred to him/her by the family head.

The family head of the Aleph site, however, said that the entire family met and agreed to sell the land, and once the land was sold members of the family were given their share of the money. For the Gimel site, the family head mentioned that not all

family members were informed of the land sale initially, although some of them heard about it. It was later on that the rest were informed. He explained that only family members who had their farms and were connected to the land that was leased were informed. The other family members who have farms on the other lands belonging to the family were not informed because they have nothing to do with the land that was leased.

The family heads evicted the peasant farmers on short notice. The peasant farmers mentioned that they were not given ample time to vacate the land; not even those whose crops were due to be harvested. They were evicted from the land just about when they were informed that the land had been sold.

All they told us was that the land has been sold so we are to move from the land. The next thing we knew, they were clearing the land.

(62 year old, Female Peasant Farmer)

For the peasant farmers who farmed the Aleph site, however, they were granted access to the other section of the family land which is yet to be acquired. They were informed by the family head that they can farm there for the time being but they will be evicted once the family decides to sell that part of the land.

The peasant farmers – both kin and non-kin – had no say in the kind of compensation that was negotiated and paid them. In all the two sites (Gimel and Aleph), the family heads negotiated the terms of the compensation on behalf of the farmers. In negotiating the terms of the compensation on behalf of the peasant farmers, the family heads never had a discussion with the farmers for them to voice their concerns and what they expect from the negotiations. The peasant farmers from the Gimel site were kept in

the dark about the nature of their compensation till they were all bundled in a bus with their national ID cards to Takoradi.

There was no discussion. They asked us to meet and they took us in a bus to Takoradi where we were paid some money for the crops we had on the land.

(54 year old, Female Peasant Farmer)

There, in the office of the family lawyer, each peasant farmer was asked the type of crops s/he had on the farm and they were paid accordingly.

This is what they did. They simply ask you if you have say, cassava on the land. If you respond in the affirmative they will ask you to bring your card [National ID Card], pay you and ask who else had a farm there.

(45 year old, Male Peasant Farmer)

The peasant farmers who farmed on the Aleph site were paid their compensation through a bank in Takoradi. According to the farmers, the family head took a look at the type of crops on the farm, i.e., he visited the farms prior to going to the bank, and then decided the amount to pay as compensation.

No, they did not compensate us according to the size of the farm neither did they compensate us for the number of crops we had on the farm. He just takes a look at the farm and then decides what to pay you. If he thinks it is worth 400ghc, he pays you that much.

(55 year old, Female Peasant Farmer)

The decision of the family heads not to include the peasant farmers in the discussion concerning the land deals let alone seek their consent violates the 2007 UN Declaration on the Rights of Indigenous Peoples. This declaration states that indigenous people have the right to approve or veto proposed developments on their lands through free, prior, and informed consent (Colchester and Ferrari, 2007 cited by Vermeulen and

Cotula, 2010:3). Though it might be argued that both Aleph and Gimel might have sought this consent through their dealings with the family heads who were representing their family members (peasant farmers), the family heads on their part failed to seek and present the free, prior and informed consent of the peasant farmers to the investors. These peasant farmers by virtue of being members of the family share in the communal ownership of the land, which belonged to the family, for which they had usufructuary rights. But the family heads denied the peasant farmers the opportunity to have a say in determining the loss of their usufructuary rights.

The inability of the peasant farmers to stand up to the family head and his elders has cultural underpinnings. Traditionally, it is deemed inappropriate for a younger person to reproach an adult. This is not restricted to age alone but also in terms of one's ascribed status. Thus the peasant farmers, some of whom were older than the family head and were members of the family could not reproach him for his misdeeds. They dared not challenge his authority; worse still if the person was a woman. An act of confrontation is deemed a great sign of disrespect for the elders; it amounts to disgracing and insulting the elders

(...) if you decide to challenge them [the family head and the family elders], they won't allow you to speak. Since I am young and I complain they tell me I've insulted them and have disgraced them. So I did not pursue the matter any further. Again you can't pursue the matter because you don't have money to hire the services of a lawyer. Besides how much money did they pay you for you to engage a lawyer to fight for your cause? So you just keep your silence and put the little money paid you to some good use.

(43 year old, Female Peasant Farmer)

This cultural barrier was greatly used by the family heads and their cohorts in exploiting their kith and kin as well as those who though not family members were granted access to the land. As a result of their ascribed status as family heads and the power they wield in this regard, they acted with impunity by refusing to seek the consent of family members regarding the land sale. They only informed the family members who were peasant farmers farming on the land after the deal had been closed and the investors were ready to move in to occupy the land. Ergo the peasant farmers barely had time to move off the land. The peasant farmers still had fruiting and maturing crops on the farms waiting to be harvested. Some only required a few weeks to be harvested but these family heads were not patient enough. Once the land had been leased and the deal had been sealed the peasant farmers were to move off the land with immediate effect; so far as the family heads were concerned, they had paid them enough compensation for their woes.

5.1.1 Basis for Calculating and Paying Compensation

The compensation paid by the family heads was not based on the size of the farm nor the number of crops one had on the farm. The calculating of the compensation was based on the type of crop one had on the farm and whether or not it was perceived as a cash crop. On the Gimel site, compensation was mainly paid for palm trees and mature cassava plants. Cassava seedlings and the young cassava plant were not compensated for. According to the peasant farmers from the Gimel site, the family head only paid compensation to those who had palm trees on their farm. Cassava, plantain, banana, pineapple and cocoyam were not deemed worthy of compensation. They were considered by the family head as flowers on the farm. Thus farmers who farmed these crops on their

farms were not compensated. Those who had a blend of these crops and palm trees only received compensation for the palm trees.

I had palm trees and some cassava on the farm but they considered cassava as flowers so they did not pay for that. What they paid for was the palm trees.

(43 year old, Female Peasant Farmer)

I did not receive any money for my crops. I was told that since the crops I had were not palm trees they were not going to pay for them.

(62 year old, Female Peasant Farmer)

The peasant farmers who used to farm on the Aleph site, however, did receive compensation for palm trees, cassava, plantain, banana, pineapple and cocoyam.

According to the family head of the Gimel site, in negotiating the compensation for the farmers with Gimel, an agreement was reached for Gimel to pay 18ghc for every single palm tree. Since most farmers on the land planted palm trees, it was agreed that every acre of land contained 60 palm trees and Gimel was to pay for the 60 palm trees per acre at a total of 1,080ghc per acre. This rule was to be applied whether the acre of land contained palm trees or not and Gimel paid accordingly. The family head paid the peasant farmers varying amounts as compensation for the loss of their crops based on type and the number of crops (palm trees) one had on the farm. However, the farmers received far less than that amount. One farmer received 2,000ghc for 24 acres¹³ of land with palm trees instead of the 25,000ghc plus he deserved as per the agreed basis of

¹³ The peasant farmers have their own unique standard of measuring land size. 1 *pole* of land is equivalent to 4 acres of land. This farmer said he had 6 poles of palm trees, i.e. 24 acres of palm trees. With regards to cassava and sweet potatoes, the unit of measurement is *ahoma kor* (loosely translated as “one thread”) which is equivalent to 1 acre. So an *ahoma kor* of cassava is the equivalent of 1 acre of cassava.

compensation payment reached between the family head and Gimel; another received 1,500ghc for 4 acres of palm trees and yet another 2,000ghc for 4 acres of palm trees instead of the stipulated 4,360ghc; other peasant farmers who could not tell the size of their farms¹⁴ received 500ghc, 1,500ghc and 1,000ghc for the palm trees on their farms. Basically, the family head ripped all his relatives off. He made a 'profit' of 2,820ghc on the 4 acre plots and a whopping 23,920ghc on the 24 acre sale.

The investor of the Aleph site said they paid 10ghc for each palm tree on the land and 1ghc for every cassava plant depending on the maturity of the plant. This was confirmed by the family head. The family head thus paid varying amounts in compensation to the peasant farmers for the loss of their farms: 400ghc – cassava farm; 300ghc – sweet potatoes farm; 300ghc – cassava, sweet potatoes and plantain farm; 1,600ghc – 8 acres of palm trees and pineapple; 2,000ghc – 8 acres of palm trees and cassava.

The compensation paid to the peasant farmers was not enough to compensate for the loss of their livelihood. For the peasant farmers who had palm trees on their farms, during the peak season, they made a fortnightly income ranging between 200ghc and 700ghc depending on the size of the farm and the quantity of the fruits that are harvested. For a 4 acres land of palm trees, a farmer makes an income of about 400ghc every fortnight. This will amount to 800ghc a month. Paying such a farmer a compensation of 1,500ghc does not measure up to what he would have made over a three month period (2,400ghc) from his farm. The peak season for oil palm is from April to November each

¹⁴ Some of the farmers said because it was family land, they did not care to know the size because they could farm anywhere on the land. Others too mentioned it was the men in the family who knew the size of the farm, for them as long as they could farm on the land that was ok with them.

year and about 70% of the annual yield occurs during this period. The lean season lasts from December to March (Danyo, 2013). Considering the amount of money the peasant farmers made on a fortnightly basis in relation to the peak season, one can better comprehend the plight of the peasant farmers once they are evicted from the land. As shown by Schoneveld et al. (2011), peasant farmers are always cheated in compensation payment for the loss of their livelihood. The amount of money paid the peasant farmers as compensation does not commensurate with what they would have made had they not been expropriated from their land. Amanor (2008) argues that it is the chiefs, in this case the family heads who get to benefit greatly from the compensation which is paid by the investors. This is because compensation for the land is paid to the chiefs/family heads as owners of the land while the peasant farmers are paid compensation for the crops on the land. Hence it is the chiefs/family heads who get to gain economically from the expropriation of the peasant farmers from the land. This is corroborated by Ubink (2008) in her work in peri-urban Kumasi where peasant farmers were paid compensation for the crops they lost and not the land nor their livelihood.

The peasant farmers were very aggrieved by the amount of money they were paid as compensation. The farmers' discontent was not only in relation to the compensation but the destruction of the farm as well because that was their only source of livelihood. For those who were not family members, they simply said they are just peasant farmers who were given the opportunity to farm on someone's land so there was very little they could do but to move on in search of another piece of land. The peasant farmers who are family members said their greatest hurt was that their own family members swindled them and did not even pay them adequate compensation for them to start a new life. One

of the farmers expressed dissatisfaction at the way he was treated by the family. According to him, his father's land which was bequeathed to him was sold and he was paid a meagre amount of 500ghc as compensation. His hurt stems from the fact that his father was one of the family elders and he was expecting them to pay him his father's share of the land as well as pay the right compensation to his children but they did not.

My father was one of the elders of the family and if for nothing at all they should have given our father's share of the land sale to his children. (...) It hurts that your brother [referring to the *ebusuapayin*] died and you took over from him and sold his share of the land. At least they should have considered that and given me a fair deal since my father is part of the family but they don't care about anybody. It really hurts.

(38 year old, Male Peasant Farmer)

Aggravating the pain of their loss is the fact that they have no recourse to an authority to register their grievances. Some farmers wanted to seek redress at the courts but they could not because they did not have the money to sue the family head. A farmer indicated that there is no point in remonstrating with the family head because he and his accomplices have already spent the money they made from the land sale. Besides they do not want to have anything to do with the peasant farmers let alone listen to their complaints. For those who received no compensation, they simply said they had no one to fight for them.

There is no one to complain to for the person to go plead or fight for me. Those of us who were not paid have nobody to fight for us.

(45 year old, Female Peasant Farmer)

Some farmers said they complained to the family heads about the meagre sum they received as compensation but nothing was done about it. There was an exceptional case of one of the peasant farmers who confronted the family head of the Gimel site over the amount of money that was paid to him as compensation and he got a top up.

I was not happy with the compensation so I went to the family head to ask him, how much he paid for each palm tree I had on the land but he did not answer me. Because I had travelled at the time, they just put 2,000ghc in an envelope and gave it to my sister and since she is a woman she could say nothing. I told the family head the amount was inadequate. Look, I've really laboured on that land. I used to work at Norpalm while at the same time working on my farm. I was so angry. (...) My mother is sick and she was concerned that if I should go challenge them they will kill me. I was unperturbed by her persuasions not to go ask for more. Besides all my uncles are dead and I'm the only male in the family now. That day I took a bit of alcohol and went to the house of the family head. I told him that you know this land belongs to me, there are documents covering the section of the land with my name on it. You never approached me to haggle over the amount you are going to pay for each palm tree so why are you paying me 2,000ghc for the 240 palm trees I had on the land? I had 60 trees on every one acre of the land and I had 4 acres so that is 240 trees. I asked him to tell me how much he charged for each palm tree for which he is paying me 2,000ghc for all the 240 trees. After arguing for a while he added 1,600ghc to amount to 3,600ghc. That was the end.

(39 year old, Male Peasant Farmer)

There was some fear among the farmers that if they confront the elders of the family and they persist in their demands, the elders will consult the gods through the shrine to either make them sick or kill them. A farmer who was sick said he fell sick after confronting the family head and tried preventing people from working on the Aleph site

because the compensation he was paid was inadequate, and the jobs promised them too was being given to others.

If you dare complain it turns into something else. Recently I went to sack some of the guys from the site [Aleph] and they said I was too aggressive so they used juju to make me sick. (...) it means you are always challenging them so they need to calm you down. It won't kill me; it is just a punishment being meted out to me for challenging them and speaking my mind on the way we were treated. So we are waiting to see what God will do for us.

(55 year old, Male Peasant Farmer)

Another farmer also pointed out strongly that one dares not challenge the authority of the family head for paying them such a pittance for compensation because it will only result in one's death. For him, he did not remonstrate with the family head although he feels aggrieved.

If you dare try to challenge them, they will kill you. They will show you that indeed they are in-charge. If they think you are becoming an obstacle to their agenda, they will eliminate you.

(58 year old, Male Peasant Farmer)

The actions of the family heads do not reflect what exists in literature where it is usually the investors who swindle the landowners of the land sale transaction and the payment of compensation. In most cases recounted in the literature, empty promises are made to lure the landowners – chiefs and family heads – to release the land and expel the peasant farmers (Tsikata and Yaro 2011; Schoneveld et al., 2011). But in Ewusiejo, it is the family heads who swindled their own kith and kin in the land sale and the payment of compensation. They are so taken over by the craving for more money they do not value the kin relations that exist in the lineage. At least the family head of the Aleph site was

not that mean in the payment of compensation. Nonetheless, he could have done better by counting the crops and factoring in the size of the farm in calculating the compensation paid the peasant farmers. These actions of the family heads go to confirm the fact that the local elites always have access to land and they dispose of it according to their selfish interests (Alden Wily, 2011; Rose, 2002).

The other issue that worked against the peasant farmers was that the whole land sale and compensation was treated strictly as a family issue, therefore, if one is not expressly invited to partake in the discussions surrounding the issue one cannot simply engage in it. This meant those who are not part of the family but are concerned about the way the peasant farmers were treated could not really intervene and speak on behalf of the farmers. The family head and the elders of the family would simply argue that it is a family issue and they cannot partake in it. It is not a community issue which is open to all. With this, the family heads and the elders were able to ward off anyone who was concerned and wanted to intervene. Thus they were able to prevent others from fighting the cause of the peasant farmers.

5.2 Trajectories of livelihood

The main source of livelihood for the inhabitants of Ewusiejo is farming. It is the basic profession practised by all in the community even though some individuals have and ply their additional skill as masons, carpenters, auto mechanics, traders in the market etc. For such people, they have a dual source of income and have an alternative strategy to livelihood as opposed to the majority who are mainly farmers with only one source of income. These farmers are totally dependent on land for their sustenance. In the wake of these wanton land sales in the community, several peasant farmers lost their only source

of livelihood and have had to go in search of new lands or devise totally new sources of livelihood. Those who farmed the Aleph site were spared this ordeal. They were asked by the family head to move to the other part of the family land which has not yet been sold. They simply had to re-start new farms, hoping that the land will not be sold or leased in a long while so they can continue to eke out a living. Although they have access to the land to farm, they said, they are farming in fear, in that they are not certain when that piece of land will be sold. They mentioned that lands are not available so if this land too is acquired then they will have no option but to move out of the village since there are no jobs.

There are no lands available here. All the lands have been acquired. All we have is this cassava farm so if that is taken from us then we'll have no more lands or farms. If they acquire this land then we will have to go to Takoradi to work as porters – to carry load for people. Because here you can't find any work to do. They don't employ women on the construction site so we'll have no option but to go to Takoradi and work as porters.

(36 year old, Female Peasant Farmer)

For those who used to be on the Gimel site, they had to go in search of non-existing lands in order to survive. According to the peasant farmers it is very difficult to find new lands to farm because all the lands have been sold.

Where am I going to get a new land? When I move forward, they take the land; when I move backwards too they take the land so where am I going to get a new land?

(55 year old, Female Peasant Farmer)

Most of the peasant farmers have farmed all their life without any other skill but farming. They have been farming since they were young.

I've been farming on the land since I was young. I used to follow my mother to the farm; that was a long time ago.
(62 year old, Male Peasant Farmer)

The compensation which was to have propped up the peasant farmers in creating another means of survival was so meagre that the farmers could do virtually nothing meaningful with it. As one farmer recounts, the compensation she received was inadequate to do any substantial trading.

The amount of money they paid was not enough to even start trading. Even trading in tomatoes, that money was inadequate.
(55 year old, Female Peasant Farmer)

Since the amount of money paid to the farmers was inadequate and thus they could not do anything substantial with it, some peasant farmers simply spent it on the daily expenses of running a home, catering for the needs of the entire family; others used it for the payment of their children's schools fees. A farmer said he used his compensation to repair his old car with the hope that he could use it as a taxi to generate some income. But the car broke down in no time and he has no money to repair it.

I had a car but it got spoilt so I decided to repair it. But it broke down in no time and the engine of the vehicle is in the kitchen. Now I've nothing.
(60 year old, Male Peasant Farmer)

Another farmer bought aluminium roofing sheets to replace the thatched roof he had on his mud house, and since then he has been sick so he used the rest of the compensation to pay his medical bills. Some farmers also mentioned that they used the compensation to cater for some pressing needs they had at the time.

With a paltry sum as compensation and being unable to find land to farm, the peasant farmers are compelled to engage in other means of survival. Some peasant farmers help other farmers on their farms in order to earn some income. They do this by either weeding on people's farms as hired labour or by helping to harvest bunches of palm fruits from the farms of other farmers. Some farmers also live off the palm fruits that fall of the bunch that is being harvested. They go picking these fruits that fall on the floor of the farms and sell them.

I take care of the house by weeding people's farm. Sometimes I get hired to weed the farm and I can earn some income for the house.

(40 year old, Male Peasant Farmer)

I've no land to go to. I've pleaded with those who still have palm trees on their farms so I go pick the palm fruits that fall from harvesting the entire bunch. They top up with a little of the palm fruits they have harvested so I can also sell to earn a living.

(62 year old, Female Peasant Farmer)

Other peasant farmers have been able to negotiate the use of the space in between the palm trees with farmers who grow oil palm. These displaced peasant farmers grow cassava in between the palm trees and harvest them to sell in order to earn some income.

My wife and I managed to plant cassava on someone's palm tree farm and we went harvesting this dawn. But the cassava roots are not as big as they are supposed to be because the roots of the palm trees suppresses it growth. So now it is very difficult for us, we don't know where we are to farm because they are selling all the lands.

(65 year old, Male Peasant Farmer)

There are no lands available. What I do now is to work on the farms of those, whose lands have not yet been sold, i.e. those with palm trees. That is how I'm managing to survive. When I plead with them, I weed around and get to plant cassava in between the palm trees. I have nowhere else to go.

(43 year old, Female Peasant Farmer)

Some peasant farmers have been employed on the Norpalm Plantation¹⁵ as farm labourers who engage in slashing, weeding and harvesting of palm fruits. Some women farmers have encroached on a section of the plantation where they have planted cassava amidst the young palm trees. Though they are aware the plantation officials will harass and cut down their cassava crops any time the young palm trees start growing big, it is a risk they cannot avoid but embrace in their quest to make ends meet.

I've planted cassava and garden eggs on a section of the Norpalm plantation. There is a portion where they have young palm trees; that is where I've planted some cassava and garden eggs. Even though they harass us from time to time, we can harvest the cassava before the palm trees grow big enough for them to evict us from the place.

(60 year old, Female Peasant Farmer)

In their bid to secure a source of livelihood, these women have defied the authority of Norpalm and have gone against what the company represents. In their own subtle way, these women are rebelling against the acquisition of their farmlands. These actions of the women are termed by James C. Scott as "weapons of the weak" (1985:29). Scott (1985) argues that it is erroneous to think these peasant farmers have a false consciousness for which they are not aware of what is happening around. On the contrary, they are indeed

¹⁵ This is an oil palm plantation situated partly in the village and stretches across the neighbouring villages. See the section on Emerging Issues (below) for a detailed discussion on the plantation.

aware of what is happening to them and thus put up a certain level of resistance bearing in mind their limits and the fact that an open resistance will jeopardize their precarious livelihoods. These women knowing that the authorities will completely clear their crops upon discovery have skilfully planted their crops such that they will be able to harvest before the company officials come round looking for such crops. Though they rebel by planting where they are not supposed to plant, they do so on the quiet and not in the open.

These new forms of livelihood, according to the peasant farmers, barely aid them in meeting their needs. For them, life has become harsh, difficult and unbearable and they have no choice but to make do with what they have. One farmer recalled how life was comfortable until the land was sold.

Hmmm...it is difficult. I struggle to care for my children. When I had my farm, I could harvest some farm produce, sell and buy food for my children. But now that everything has been cleared off the land it is difficult to raise money to cater for the children.

(62 year old, Female Peasant Farmer)

Another farmer who is a widow mentioned that now that she has no farm to depend on, life has become very difficult for her and has had to ask her children to stay out of school because she has no means to support them.

Some farmers said the family heads promised them that they will be financially secure once the land is sold and their children will have free education. Others too were promised jobs by the family heads in the companies that will be set up. They actually went ahead to write down their names with the assurance that once the company starts operations they will be employed. But this never materialised.

We were here when we were informed that the family is selling the land and we were told that after the land has been sold all our children will be given free education, in addition we the farmers too will be financially secured.

(50 year old, Male Peasant Farmer)

According to one farmer they went asking about the jobs when the first part of the housing complex was completed. They were simply informed the white men who are to run the company have not yet moved in so they should hold on. The farmers initially believed these promises because for them it was a laudable idea in that even if the compensation was not enough, they were going to get jobs that will sustain them.

The promise of a job once the companies start operations gave the peasant farmers a false sense of hope which is beginning to dwindle. This is because Aleph is a real estate complex that cannot employ peasant farmers not even as security officers. Gimel, on the other hand, can only employ the peasant farmers as labourers during the construction phase of the company. Once the company starts operations these peasant farmers cannot be employed. Even the youth in the village cannot be employed because they do not have the relevant skills as mechanical engineers etc. Gimel will be operating workshops and a warehouse on the land site.

The process of expropriating the peasant farmers from the land leads to the unintended creation of a labour force. Marx (1890/2002) argues that the process of proletarianisation within the act of primitive accumulation occurs when the producer is turned into a wage labourer with no means of production but his/her labour which s/he offers for a wage. The purpose of this phase is to create the needed labour force which is a pre-requisite for the capitalist system of production. But this was not the case in

Ewusiejo, where the aim of the investors was to acquire land and build real estate houses for sale and rent. Gimel has given the construction phase of its project to another company which is using its own labour force from elsewhere and not labour created from the sale of land; a situation which is breeding tension in the community. Gimel only employed a few of the youth as means to quell the growing tension in the village. They are employed as labourers digging trenches because they do not possess the requisite skills needed by Gimel. Thus, it can be argued that the labour created as a result of the acquisition was not intended to be used by Gimel. It was an unintended consequence of their actions.

Most of the peasant farmers have become poorer as a result of these acquisitions. First, the compensation paid them was inadequate. Second, they lost the basis of their livelihood and they can no longer produce food crops for themselves and for the market. Most of them are now involved in ‘quasi-farming’ activities in order to survive. Others have been forced to change their occupation from farming to working as labourers on the construction site. There are still others who have no jobs or land to farm and they are jobless. These changing dynamics in the livelihood strategies of the peasant farmers in Ewusiejo bears semblance to the changes that occurred in peri-urban Kumasi as studied by Ubink (2008).

5.2.1 Youth Employment

The youth in Ewusiejo like their parents are farmers and some of them lost their farm lands to the acquisitions which took place in the Ewusiejo. In addition to farming, most of the youth have also acquired the skill of masonry and carpentry. Yet Gimel only employs a fraction of these masons and carpenters on its site. This is because Gimel has

contracted another company to do the construction phase of its project and this company is using its own workers and not the workers from Ewusiejo. This has incensed the members of the community greatly because for them this is an opportunity to be employed since they have lost their lands to these companies. Some of the youth in the community argue that the family heads should have struck a deal with the investors to employ 50% of the workers they need from the village. This would have been a good deal for them to secure jobs. But this was not done; apparently the deal was to employ individual members of the families whose lands the investors acquired. They were given priority in terms of employment.

The companies bring people from outside to come and work on their sites and those of us here in the village we don't benefit. The landowners come into an agreement with the companies to employ family members first before considering the other members of the village. By the time they will be done with the families of the landowners there will be no jobs for us to do.

(25 year old, male youth)

The jobs being offered to members of the community are temporary jobs. According to the official of Aleph, they employed members of the community during the construction phase of the project. But they had to lay them off during the finishing phase of the project because they did not have the skill as painters, tilers etc. They had to bring in people from elsewhere for the finishing phase of the project.

We employed people from the village (...) the only people that were not from here were the painters, tilers etc. during the finishing phase of the project.

(An official of Aleph)

The Gimel site currently employs a few of the community members as labourers on the site. Those who work there said they are paid meagre wages which is not enough to cater for the needs of their families. They are paid 11ghc a day and for those who would want to work on Sundays, they are paid 13ghc for that day. According to the youth, for one to be employed on the Gimel site, one has to be introduced by the elders or the assembly man of the community. However, the process is unfairly done in that the assembly man only provides names of people in his vicinity leaving out those from the other parts of the village.

For them to employ people from the village it depends on the elders of the village or the assembly man. (...) there was announcement that one of the companies will start operations (...) and employ people so we wrote our names with the assembly man to be given to the company. (...) an announcement was made that they are employing people in the company (...) when we got there the assembly man has written a new set of names of people from his vicinity to be employed. The company needed 15 people and it was only two people from this part of town [Ewusiejokrom] who were employed. This is not fair and it brings confusion and division. The assembly man was supposed to have sent a balanced list but he only sent people in his area leaving this side out. This only goes to create a divided community.

(28 year old, male youth)

The Ewusiejo Concerned Citizens Association (ECCA)¹⁶ explained that they have taken on the concerns of the youth and they are addressing it through dialogue with the companies and the community elders. According to the president of the group, Gimel gave them a list of the skills they need on site (masons, carpenters, steel benders and general workers – labourers) for which a list has been compiled and sent to the company. With the exception of steel benders all the needed skills can be found in the village. They

¹⁶ This is a group which mainly comprises the youth in Ewusiejo but is open to all the inhabitants of Ewusiejo.

are waiting and hoping some people will be employed. He also explained the rationale behind Gimel's decision to employ people through the chief, the assembly man and the elders as well as what the group has been up to in this regard.

We as a group encourage parents to send their children to school. For those who are not gifted to be in school we encourage their parents to let them learn a skill as artisans so that when the opportunity comes they can be employed. All these are part of our policies. Concerning jobs at Gimel, we realized that apart from the fact that the individual will go to school or learn a trade, we as a group ought to help as well. So we petitioned Gimel and they told us they would want to employ people through the Chief, DCE and the elders. They asked us to sensitize our people on this and we have done that. Their reason for wanting to employ people from the village through the Chief, DCE and the elders is because when someone misconducts himself, they can deal with the person as such. Since they are visitors in this village it will help them to truly identify those who are from the village in case something goes wrong. Our problem is that they keep employing people from outside the village.

(President, ECCA)

Some irate youth were not pleased with the insistence of the companies to employ those with education once they commenced operations. For them the companies are just using them as labourers.

With the job opportunities that come with these companies, there are jobs for every category of people, i.e., those who went to school and those who did not. But if they keep insisting they want secondary school leavers, this leavers, that leavers then what happens to us who did not go to school. We are supposed to be farming, right? And now they are taking the lands from us so what do we do? We'll become armed robbers.

(30 year old, male youth)

As a way of showing their displeasure some members of the community are not willing to rent out rooms to the workers who are brought from elsewhere to work on the Gimel site. As a result the workers are bussed everyday by the company to and from Takoradi to the site.

In order to assuage the fears of the peasant farmers in the wake of the land deals and the sums paid as compensation, the family heads informed the farmers and the youth that the land sale was going to offer them employment opportunities. The youth particularly were looking forward to being employed but they were disappointed to realise that the company carrying out the construction phase of the project came with their own workers and only ended up employing just a few of the people from the village. Apart from the fact that the peasant farmers and the youth were deceived by the family heads, there is also the sad reality that once the project takes off they cannot be employed by Gimel and Aleph as stated above. The best employment opportunities that may be in the offing for the youth will be for them to be employed as cleaners which will not pay much for which they will be further aggrieved.

5.3 Social Relations

One of the important components of any community is the network of relationships that exists among people in the community. It is one element that ensures harmonious living and the kind of bonding that exist in communities. Social relations traverse people's personal relations in terms of family and kinship ties; it includes relations in the work place – in this case the farms and the farmers; relations among neighbours; relations with the leadership of the community etc. The recent surge in land sales in Ewusiejo has resulted in numerous disputes which have led to strenuous

relationships if not ruptured relationships within families, among families, between the families and the chief, and among the neighbouring chiefs. A palpable sense of distrust in the community can be felt when one interacts with community members. The youth of the village are aggrieved because the chief, elders and family heads have sold lands to companies without securing jobs for them as part of the land deal. The male youth said as a result of the land sales, they have lost their farms; they are not being employed on the construction site, and thus they do not have any source of income. This, they explained has affected their relations with the women in community in that they are unable to marry. They cannot afford to pay the bride wealth and it is non-members of the community who are marrying the women in the community. Even if they do marry the women divorce them.

We can't get married. It is the outsiders, people who are not from this village who come to marry our women. There is no money so how can you take care of the children?

(27 year old, male farmer/youth)

The female youth simply explained that the men in the community are lazy and since they lost their farms they are not willing to work on the construction site claiming that the daily wage is inadequate.

We don't like the men from this village. They are lazy and don't like to work. You see the ECG site over there [an abandoned construction site]. They started employing some masons and they were paid 30ghc a day. The masons decided not to work there again because they wanted a wage increase – they wanted to be paid 100ghc a day. This is an employer who knows the difficult nature of the work the masons do and he is paying them 30ghc a day but they refuse to take it. In spite of this, the masons reduced the quantity of cement given them to be used for the job. As a

result of this the contractor decided not to employ any one from the village.

(23 year old, female youth)

The land sales have taken its toll on marriages in that it has generated numerous quarrels among spouses. Up until the land sale which led to a loss in livelihood, each spouse in most households made a contribution for the upkeep of the family. But since the peasant farmers lost their lands, they cannot make the kind of contribution they used to make for the upkeep of the house anymore.

(...) we women support our husbands at home. Even if they are government workers and they receive monthly salary, it is we the mothers who help the children in their schooling, upkeep at home etc. Even when she runs out of money from the housekeeping money given by the husband, the woman goes to the farm to get vegetables etc. to cook even before the husband arrives. For the child to go to school, it is the woman who caters for the classes' fees, pocket money etc. (...) But since we are no longer making a living off the land our children are not being catered for properly. It also leads to quarrels in the family, that is, between husband and wife. The wife used to support the husband but since that source of income is no more, she can't continue to contribute her quota.

(43 year old, Female Peasant Farmer)

It even worse for the men; their wives expect them to keep supporting the family even though they have lost their lands and farms. They are to go look for jobs and continue to fulfil their obligations as fathers of the house. This puts a strain on the relationship that exists between the husbands, wives and children. As one peasant farmer puts it, this puts lots of stress on the husbands and they may die at an early age.

With time we'll not live long. We'll die at an early age because we are stressed out by thinking about our inability

to cater for ourselves and our families; we are thinking about our children who are becoming wayward because we are unable to keep them in school etc. But when you have money, you can do a lot and even look young when you are old.

(38 year old, Male Peasant Farmer)

The land sales have also affected the social relations in the village. According to one farmer, people in the village regard those whose families sold land as rich meanwhile they are not rich. This is because they were not involved in the land deal; moreover they were cheated like all the other farmers. As a result of that they cannot even ask people to grant them financial assistance now that life has become difficult for them.

(...) I've no money. I am no different from those whose families don't own land. Yet if you walk through the village people regard you as having money because your family has sold the lands it owned. It is difficult to ask others to help you financially because they all regard you as being wealthy. Meanwhile, I'm poor.

(53 year old, Male Peasant Farmer)

Members of the community are seething with rage at the family heads and elders who sold lands in the community. For them, their actions have brought untold hardship to the community. As some farmers said no one in the community respects them anymore because they were ruthless in expropriating land from their kith and kin as well as ripping them off by paying a paltry amount as compensation.

People don't respect them. People are angry when they see them. There are a lot of family disputes. Even though I'm part of the family I don't side with what they did. They have greatly cheated us. Even if they will cheat people, they could have done it in such a way that the farmers would not have felt it so much. In spite of all that they have and got, they still took from the poor farmers.

(38 year old, Male Peasant Farmer)

The Chief of Ewusiejo acknowledged that there was harmony in the community in spite of their differences until the land sales augmented the disputes that exist between families, within families, between chiefs, and then between chiefs and families. He further lamented that the SFOs no longer respect the chief and the elders of the village, and they no longer care about the affairs of the community.

They [SFOs] have no respect for the chief and the elders of the village and don't care about the affairs of the community. When I summon them, they don't show up and I don't have money to take them to court. So then I've to leave the various cases against them as it is. That is the difficulty we are facing.

(Chief of Ewusiejo)

The disruption in the social relations of the community stems from the disruption of the spatial relations in the community. As Marx argues, the final phase of primitive accumulation is the process of accumulation. This is where the land or the resource previously owned by the producers is enclosed by the capitalist moguls after displacing the producers of their means of production. But this phase is not simply a matter of enclosure but "... a process that transforms on the one hand, the social means of subsistence and production into capital..." (Marx, 1890/2002:874). Thus there is a disruption and a redistribution of the spatial relationship between the peasant farmer and the land as well as the social relations that springs up thereof (Kenney-Lazar, 2011).

Hitherto, the spatial relationship between the peasant farmer and the land in Ewusiejo was defined by the customary land tenure which allowed him/her access to till and enjoy the produce of the land. This spatial relationship was also characterised by the social relation the peasant farmer had with the members of his/her own family, the

community as well as the chief and the family heads. But with these enclosures, this spatial relationship is now defined by these acquisitions which set new boundaries and then re-define the social relations the farmer now has with his/her family, the members of the community, family heads and the chief. The consequent effect of these acquisitions is the disruption of the harmony that exists in the community. The land sales have whipped up new disputes as well as rekindled old disputes leading to a further disruption in the social relations that existed among members of the community. This has an adverse implication for the livelihood strategies which the peasant farmers adopt. As the UNDP (2010) argues livelihoods are formed within social, economic and political contexts and as each of these change, it creates barriers and/or opportunities for livelihood. Social relations forms part of the social context within which livelihoods are developed and a ruffling of such a context distort the network of relationships which the peasant farmers depend on in forging new livelihood strategies. The numerous land disputes in Ewusiejo foment a breakdown in the harmonious relationships that exist in the community and thus affect the kind of livelihood strategies that are adopted by the displaced peasant farmers.

5.4 Status Mobility

The key family members together with the family heads who negotiated and sold lands seemed to have acquired new status in the community. According to the chief, they have no respect for him. When they are summoned to the palace, they do not show up. Because of their new found wealth they act as they please with no regard for anybody. Community members have divergent views on the status mobility of these men. Much as some members of the community despise them for all the wrongs they did, there are some who respect and acknowledge their nouveau riche status in the community. Though they

have acquired a new status in the community as rich landowners, they do not flaunt their wealth. According to the family head of the Aleph site, those who sold their lands in the community do not engage in any ostentatious lifestyle. This is because the land was sold by the family for a purpose and once the land is sold, the money acquired is used for the project for which the land was sold. They do not engage in any self-aggrandizement as can be seen in Hotopo, a neighbouring village where the young men around the chief have purchased cars and are showing off their wealth from the land sale.

(...) it is not some money that you'll use to show off. (...) the families have an aim for selling the land; hence I've not seen them buy cars. Except for Hotopo where some young boys who are on the side of the chief have bought cars. Because the chief is very sick, it is the young boys who sell the lands and show off their wealth.

(Family Head –Aleph site)

But some farmers also claim that those who sold lands have bought new cars and they are living a comfortable life.

They've bought new cars and they are enjoying themselves. One person recently bought two 4x4 vehicles. (...) he alternates the use of his cars.

(38 year old, Male Peasant Farmer)

For those who respect and acknowledge the new status of the family heads and their cronies, they do so with a certain level of expectation. Since they are all family members, they expect them to use their newfound wealth to help the poor members of the family.

If the land was sold by say three key people in the family, the amount of money made from the land deal is kept by these people. When we need help financially, even we who are also family members and were farming on the land, they will not help us. They just use the money for themselves. Yes we are the same family but they will not

help you, you would have to go look for some loan in order to pay your children's school fees.

(43 year old, Female Peasant Farmer)

The social status of some members of the community has changed as a result of the land sale and some of them are being discrete about it by not flaunting their wealth. This may be interpreted as the family heads and their allies not wanting to heighten the level of enmity that engulfs them in the community.

5.5 Women and Land use

The whole dynamics of land acquisition has a gendered dimension to it. From the very history of the formation of the village, women have always been sidelined in land and leadership related issues. According to the family head of the royal family, Ewusiejo was founded by a woman and she gave a hunter who came looking for land a place to settle. This hunter founded the next village, Hotopo. When the Ahantaman territory was being divided into divisional chiefs and sub-chiefs, Ewusiejo was made the Odekro – a sub-chief under Hotopo – instead of the divisional chief; although, Ewusiejo as a village was founded before Hotopo. According to the family head of the royal family, Hotopo was made the divisional stool because according to the elders, a woman cannot oversee the affairs of men; hence Ewusiejo was made the Odekro and Hotopo, the divisional stool.

Our ancestor was a woman. (...) they said traditionally a woman cannot oversee a man's affairs so then Hotopo was made the division chief and then Ewusiejo became the Odekro. So then we lost our glory

(Family Head, Royal Family)

This has engendered a long standing dispute between the two stools and it has had repercussions on the royalties derived from land acquisition. As a result of this rift, some families sell lands in Ewusiejo and refuse to pay royalties to the Ewusiejo stool for the chief to take a portion and pass on the rest to Hotopo. Instead they pay directly to the chief of Hotopo, thereby breaching the cultural practice and fuelling disputes. This is the case with the royalty for the lease in Ewusiejo for the Gimel site which was paid to the chief of Hotopo instead of the chief of Ewusiejo in whose territory the land is located.

Women in Ewusiejo cannot own land. According to the chief, lands are owned by the men and no woman can authorize a land sale not even the queenmother. This is confirmed by the queenmother who says, ‘(...) it is the chief who handles all land issues. I’ve no right over the lands.’ She further explains that she cannot take part in any discussion concerning land. It is the chief and his elders who handle all land discussions and she is informed by the chief after the discussions have taken place. –‘I’m not part of the discussion but when they finish, the chief informs me of what transpired.’

The family that leased the Aleph site is a family with more women than men. As per tradition, it is the eldest person alive in the family who gets to become the family head. Since the oldest person alive is a woman, it is a man who acts in her stead as the family head when it comes to certain issues. According to her, she did not sit in on all the discussion on the land sale. It was this male person who led all the negotiations and discussions. The few discussions she participated in, she sat and observed without taking part in the discussion. Her role in those meetings was to ensure that the issues discussed and agreed on prior to the discussions with the investors were adhered to.

Because I am a woman I can't partake in some discussions. (...) For the women, if you are brave enough you can partake in such discussions. I did when they were discussing land issues in my family. You know some men can't talk when it comes to such discussions so if the women don't go they will not know what is happening. If I had not taken part in the discussions I would not be here today answering your questions. (...) You know, we discussed the issue before going for such meetings because they expect the man to do the talking. So the man is to present the views discussed at home during the meeting. If he is not presenting what was discussed, then I nudge or pinch him to remind him in case he has forgotten.

(58 year old, Female Family Head)

This is not peculiar to this female family head. All the female peasant farmers confirmed that in Ewusiejo women are seen but not heard during discussions on land. They may be invited but their opinions and suggestions are not heeded to. Whatever views they express, is not deemed important.

Yes, women do take part in such discussions but they don't take you serious when you speak. Your views are not respected and they don't take it.

(62 year old, Female Peasant Farmer)

In addition to this, the female peasant farmers expressed how land sales have affected them greatly; for them they did not benefit from the land sales. According to them, farming was their main source of income and since they lost their farms and lands due to the land sales, they are finding it very difficult to cater for their children and the needs of their families.

The lands they are selling have brought a lot of difficulties to us women. You see, we depend on the farming we do to support ourselves, our families and children. But now that we don't have lands to farm, it has become very difficult to support our families.

(62 year old, Female Peasant Farmer)

Comparatively women were poorly compensated. But this can be attributed to the fact that, they farmed crops which were not compensated for by the landowners. Secondly, those who farmed oil palm in addition to other crops did not have huge farms as the men did thus the compensation they received based on the crops they planted was inadequate in relation to the men.

The marginalisation of women in relation to land in Ewusiejo stems from the customary laws and practices being observed in the community. This ties in with Kotey's (1995) proposition that the discrimination against women in relation to land has its roots in the customary laws and practices concerning the right of use, access to and the succession of land. The practice in Ewusiejo where women cannot own land echoes the practice in northern Ghana where it is the men who hold land titles while women have use rights by gathering and using the natural resource on the land (Apusigah, 2009).

As a result of women's vulnerable position in relation to land title and land use, the women in Ewusiejo have been greatly affected by these acquisitions and it has had a dramatic effect on their livelihood. Studies by Schoneveld et al. (2011) and Tsikata and Yaro (2011) confirm this pattern where Schoneveld et al. (2011) indicate that land acquisitions in the Pru district accounted for 70 to 90% decline in the income women derived from land. Tsikata and Yaro (2011) also report the ways in which women are forced to alter their source of livelihood in the face of these acquisitions since the commons on which they depend are also acquired.

5.6 Emerging Issues

Ewusiejo has a sordid relationship with Norpalm Gh. Ltd., a palm plantation located in the northern part of the community. According to the chief and the elders, the land for the plantation was acquired from the community by the Kwame Nkrumah government without compensating the community.

Kwame Nkrumah's government acquired the land from us but they failed to compensate the community. The only reason given was that, they will set up a company that will employ people from the village.

(Family Head, Royal Family)

After the land was acquired by the State for the plantation, the company did employ lots of people from the village till it was divested.

They employed people from the village. They employed people – women, illiterates etc. – everyone had something to do till the company was divested and an investor came to acquire it. They then chose to give portions of the work out on contract basis and also laid a few people off.

(Family Head, Royal Family)

An official of the company confirmed that Norpalm Gh. Ltd. was initially owned by State Farms which was set up by the Nkrumah government. It was divested in the 1980s and it became Ghana Oil Palm Plantation. It was acquired by Norplam under the supervision of the Diversification Implementation Committee in 2000. Currently, Norpalm Gh. Ltd. is a joint venture owned by Norpalm AS (68.6%) and PZ Cussons Ghana Ltd. (31.4%). As at April 2013, Norpalm Gh. Ltd. had a total of 284 employees including casual workers. In addition, it has approximately 1,250 contract workers who are engaged during harvesting,

pruning and weeding¹⁷. The plantation has a total land size of 4,500 acres which harbours 13 communities within the plantation. The land for the plantation was acquired from Ahanta West District, Mpoho and Pretsea.

According to the chief of Ewusiejo, Norpalm acquired 3,000 acres of land from Ewusiejo. With the increase in population and the need to have more land to farm and build houses, they petitioned Norpalm to grant them 1,000 acres of land to be given to the members of the community. But Norpalm did not heed to their petition. They have petitioned government through the regional minister and have even written to the President of the nation but to no avail. The chief acknowledged that Norpalm initially granted them 30 acres of land when they petitioned the regional minister about the community's need for land due to the increase in population. The 30 acres of land was sold to members of the community who used it to build houses. But there is still the demand for land to farm and build.

The chief also mentioned that Norpalm has contributed to the hardship in the community. They employ people from the community in the plantation but they only employ them as labourers who clear the plantation. The chief's account was corroborated by the youth of the community. According to them the company employs the villagers as labourers who weed in between the palm trees and harvest the fruits for 40-50ghc a month. The best job for members of the community is to be employed as a security officer which pays 100-150ghc a month as salary. The youth are very aggrieved because there are no jobs. The few who are graduates (polytechnic/university graduates),

¹⁷ Cf. Norpalm's website <http://www.norpalm.no/index.php?topmenu=118&expand=144&show=144> Accessed April 22, 2014.

however, confirmed that they are employed as supervisors who supervise the gang of labourers who work in the plantation.

Those who go clearing the plantation are not paid any good wages how much more those who work at the mills? It is the supervisors and the managers and the few at the top who enjoy. But all those below them are not paid well. Our mothers and sisters who pick the palm fruit in the plantation are paid a monthly salary of 40ghc or 50ghc. They don't pay them well in spite of all the risk of injuries they get while working.

(35 year old, Male Peasant Farmer)

According to the youth, Norpalm has never contributed to the development of amenities in the village. The only health post in the village is in a rented building and the community tax is used to pay the rent. The school (Primary and JHS) in the village was built by government.

Norpalm is one company that really cheated us in this village. Since they came here, they have not provided the village with any amenities, be it toilet, community centre etc. The only school we have here was built by government and not Norpalm. They don't have any scholarship scheme for the village. They claim they have awarded a scholarship to one person in the entire Ahanta West District. For the surrounding districts they claim they are sponsoring one person each per district. Just imagine a whole company like Norpalm sponsoring just one person in the entire district. We don't even know this person whether s/he is real or not.

(29 year old, Female Youth)

According to the youth, the chiefs are divided by the numerous land disputes and as a result cannot form a united front in getting Norpalm to do something substantial for the communities. But the official of Norpalm also claims that the company carries out their corporate social responsibility to the various communities. According to the official,

Norpalm offers scholarships to brilliant students. At the beginning of every academic year, they donate 2 drums of palm oil to all the boarding schools in the catchment area where the company is located. In addition, the company organizes the district science and math quiz; supports the regional and national farmers' day celebration as well as farmers' day for small holders; supports the Kundum festival; and organizes social interaction for the chiefs.

From the above, it can be deduced that land acquisition for commercial purposes in Ewusiejo dates back to the 1960s. From their accounts, it can be observed that the chief and people of Ewusiejo are still grappling with the adverse effects of such an acquisition and in a way, points to their fears over the new acquisitions taking place in the community.

CHAPTER SIX

SUMMARY, CONCLUSION AND RECOMMENDATIONS

6.0 Introduction

The land debate in Africa has grappled with questions on Africa's land tenure system(s), individual rights within these tenure systems, livelihood strategies, and development as a whole (Schoneveld and German, 2014; Tsikata, 2004). Since the announcement of the oil find in the Western Region of Ghana in 2007, there has been a heightened interest in land in that region. Much as the oil find is of enormous significance to Ghana's development, the consequent alterations to the economic and socio-cultural life of the surrounding communities cannot be ignored. One major change the oil find has brought about is the need for estate development and this has led to the acquisition of land for real estate. The study has therefore examined how the acquisition of land affects the local community. It has examined the land question from the perspective of the role played by local actors in the commercialisation of land for real estate as a result of the oil find. The study also focused on the changes taking place in the economic and socio-cultural life of Ewusiejo as a result of these acquisitions. The study was carried out within the purview of the following objectives:

1. Identifying what accounts for the changes in land use and land acquisition in Ewusiejo.
2. Ascertaining the means by which local actors contribute to the large-scale land acquisitions for real estate.

3. Examining the changing nature of the livelihood of the peasant farmer in the face of these acquisitions;
4. Exploring the effects of these acquisitions on the social relations and the spatial relations in the community.

The study was conducted in Ewusiejo, a community of about 4,000 inhabitants in the Western Region. Using the qualitative research design and non-probabilistic sampling techniques of purposive sampling, snowballing, saturation principle, and theoretical sampling, a total of 36 respondents were selected for the study. The respondents comprised peasant farmers whose lands have been acquired for real estate purposes and have been displaced from their land; the chief and queenmother of Ewusiejo; the family head of the royal family; the family heads of the two families who leased out their lands to Aleph and Gimel; family elders from the families who leased lands; and a middleman. A key personnel each from Aleph, LC, OASL, and TCPU were also part of the sample. Semi-structured interview guides, in-depth interviews and direct observation were used in gathering data for the study and the data gathered were analysed thematically. The findings of the study, the conclusions drawn thereof and recommendations are presented in this chapter as well as themes which can be explored for further research.

6.1 Summary of major findings

Land use in Ewusiejo and Ahanta West District as a whole has changed in recent times. Land was mainly used for farming purposes, and for the inhabitants in Ewusiejo it was also used for housing. But due to the oil find, farmlands in Ewusiejo and the entire district is now being put to residential and largely industrial uses. Owing to the need to

tap into the opportunities the oil find presents corporate entities are acquiring lands in Ewusiejo for reasons other than agriculture.

The process of acquiring land in Ewusiejo has changed with time; it used to be the chief who granted access to land by asking the person seeking land to clear portions of the forest for either farming or building a house. With time the secondary forest owners (SFOs), i.e., families who came to settle in the community and were given lands to farm became the ones indicating which part of the forest could be acquired after the person seeking land has consulted the chief. Now it is the SFOs who grant access to land after which the chief is informed of the prospective land deal and he is paid royalties from the sale of the land. As a result of this, all prospective buyers negotiate and transact land deals with the SFOs.

The chiefs and the family heads wield a lot of power by determining who is granted or denied access to land. They also determine the size and the location of the land which ought to be made available, and the kind of rights to be transferred to the one seeking land. It is through the exercise of this power that the chiefs and the family heads wrestle with each other and among themselves to make lands available for real estate purposes. The middlemen also play a significant role by serving as the intermediaries who link up both prospective buyers and the landowners. They make known to each party the kinds of lands available and the prospective buyers willing to transact a land deal. The Lands Commission (LC) acknowledged that it has challenges with its records section which makes it possible for lands to be resold. Second, there are lapses in their constitutional mandate which, among other things, do not empower them to have a direct

supervisory role over the chiefs in terms of land sales. Third, the LC has instituted the Declaration of Boundary to curb the numerous disputes engulfing land sales.

The various land acquisitions which took place in Ewusiejo has had damaging repercussions on the livelihood of the peasant farmers in the community. They lost their lands and the source of their livelihood forcing them to go in search of non-existent lands to farm. The compensation paid them was not enough to cater for their needs. In order to eke out a living, some farmers have had to become farm labourers weeding and harvesting palm fruits on the farms of other farmers in the community; negotiate for the use of the space in between the palm trees on other farms as cassava farms; seek employment at Norpalm Ghana Ltd. slashing, weeding and harvesting palm fruits; and others are simply jobless. A few of the young peasant farmers have changed their livelihoods completely by working as labourers digging trenches on the construction site of the companies. To make matters worse, the peasant farmers were paid meagre sums of money as compensation which was dubiously calculated.

Since the very life of the community is woven around land, the commercialisation of land has had a telling effect on the social relations in the community. It has disrupted the harmony that existed in the community by engendering disputes within and between families, and between families and the chief. It has put a strain on marriages by fostering quarrels among spouses over the inadequate income that either spouse contributes to the support of the household due to the loss of livelihood. The young men in the community are losing the women in the community to suitors from elsewhere because they do not have the means to marry them. People's use of space in terms of the land they farmed on used to be determined by the network of family relations. But with the various

acquisitions, the use of such spaces is now being determined by the companies who now exercise control over the land. Thus the spatial relations which was derived and determined by the families is now being determined by the companies.

6.2 Conclusions

The introduction of capital into rural communities alters the very structure of such communities. As the analysis has shown, capital also alters the very use of resources available to the communities. In search of pristine territories in order to expand its mode of production and preserve itself, capital will encounter non-capitalist mode of production and subdue it (Kenny-Lazar, 2011). In the process, it will alter the use of resources to suit the capitalist mode of production. Thus land in Ewusiejo which used to be acquired mainly for farming and rural housing, is now being acquired by companies to construct real estate housing and company warehouses and workshops. These companies in response to the dynamics of the oil industry are acquiring land and converting it to industrial use which will be of benefit to them and not the community per se. It can thus be concluded that land use in Ewusiejo has changed due to the introduction of capital. In addition, the process of land acquisition has also changed. Although this cannot be attributed to the introduction of capital, it can be argued from the analysis that capital has contributed to the exacerbation of disputes surrounding the acquisition process in Ewusiejo.

Resources in rural communities are under the care of community leaders. As the analysis reveal, land in Ewusiejo is under the care of both the chief and the family heads. These leaders in the community wield the power to decide who is granted or denied access to land as well as determine the kind of rights that are transferred to the individual.

By virtue of the exercise of the power the chief and the family heads wield which is derived from their ascribed statuses, they play a crucial role in determining which parcel of land can be given up for sale or not. Through this means of the power they exercise over land acquisition, the chief and the family heads contribute to the commercialisation of land for real estate purposes. It was also observed that lands are not actually sold by the chief and the family heads. Rather it is leased out in accordance with the 1992 constitution (Ghana Const. art. 266, cl. 5) and the Land Commission Operations Manual (n.d). It can be concluded that the State through the power exercised by the chief and the family heads ensure that the rural communities get to retain the lands that are leased out. The rural communities do not lose out completely in the land deal, in that they still retain a hold on the land and they can decide not to give the land up when the lease expires.

The chief and the family heads, exhibit traits of the African or local elite. The African or local elite is known to have achieved their status through education, wealth, political office or occupying a hereditary position of authority and thus have access and control over land (Rose, 2002). The chief and the family heads aptly fit the description by virtue of their ascribed positions of authority, and their access to and control over land. As Frank (1972) has argued, the national elite which he terms *comprador bourgeoisie*, have interests which are intimately tied up to foreign capital. Thus, in Latin America, for instance, the *comprador bourgeoisie* worked with the imperialists which led to the stunted economic growth that the continent experienced from the colonial period onwards. At the local level, using the Ewusiejo case, it can be argued that the chief and the family heads, apart from constituting the local elite as described by Rose (2002), can also be classified as *comprador bourgeoisie*. Their interest in amassing wealth for which

they are prepared to give up land ties in well with the capitalist agenda of seeking pristine areas to accumulate capital. Having established the fact that the chief and the family heads are comprador elite (*comprador bourgeoisie*), it can be concluded that the comprador elite in Ewusiejo by virtue of the exercise of the power they wield over land are complicit in the effectuating land acquisitions for real estate purposes.

Middlemen are usually deemed to be part of the comprador elite because they exhibit the same characteristics outlined above. In Ewusiejo, the traits exhibited by the middleman who took part in the study do not fit the description of the African elite. Though his traits do not readily fit the notion of the comprador elite, his actions are tantamount to that of a comprador elite. These features of this middleman may be unique to him yet it poses the question of whether the characteristics outlined above alone is enough to determine if one is an African or local elite for that matter a comprador elite or one's actions should be factored in and given prominence since it is the actions which gets to free up resources to be amassed by capital and not simply the characteristics the person possess.

The Lands Commission (LC) has been shown to complement the process of freeing up land for capital accumulation by virtue of their poor records system and the lapses in the mandate that establish the LC. Given the spate at which land is being acquired and the ease with which it is done as result of the actions of the comprador elite and defects in the LC, it can be argued that land in the long term will be largely controlled by the few wealthy people and companies. A situation which may resemble the land acquisitions in Latin America where there are more *latifundios*, few *minifundios*, and a lot of landless farmers who are constantly in search for a source of livelihood.

The study has shown that the various land acquisitions which took place in Ewusiejo has had a devastating effect on the peasant livelihood in the community. The distortion of the peasant livelihood in the community is an indication of the distortion of the moral economy of the community. From the analysis, it was realized that the expropriation of the peasant farmers from their farmlands led to the loss of their source of livelihood for which they had to go in search of new lands or alter completely their sources of livelihood. The source of livelihood of the peasant farmer before the acquisition was built around the subsistence ethic of the community for which his or her needs were met and protected (Little, 2008). This security of livelihood derived from the subsistence ethic which is at the heart of the moral economy of the community was broken by a few comprador elite in the community who placed their personal gains before that of the community.

Distorting the moral economy of the community automatically leads to a disruption in the peasant economy of the community. The analysis has indicated that peasant farmers have had to engage in “quasi-farming”, offer their labour to their fellow farmers for a wage, and others have had to seek employment in the oil palm plantation in the village and on the construction site of the company in the community. These new ways of using their labour is a departure from what they did on their family farms where the extent to which they use their labour was tantamount to the needs of the family. In the present situation the peasant farmer is exposed so s/he cannot exercise what A. V. Chayanov has termed “the degree of self-exploitation of family labour” (Thorne, 1966: xvi). Rather the labour of the peasant farmer is being exploited by capital where the driving force is more profits.

Land is not simply a source of livelihood in the rural communities. The very life of the people is woven around land in such a way that disposing of land entails disrupting the socio-cultural life of the community. The commercialisation of land especially for real estate purposes as the analysis indicates has a harrowing effect on the livelihood of peasant farmers and it has also distorted the social relations that exist in the community. The network of relations which stems from the land and exists in the families; among families; and between the chief and the families are fraught with disputes which can be argued to have disrupted the harmony that existed in Ewusiejo before the land acquisitions commenced. The use of space, in terms of the land the peasants farmed was determined by the family relations because the families owned the land. But that has changed with the companies who acquired the land exercising control over land which once belonged to the families. Access and use of space in the community is now being re-configured by the land acquisitions which transfers control over such spaces to the companies who acquire the property.

From the discussions in this section, it can be concluded based on the findings of study that:

- 1) The introduction of huge capital into Ewusiejo as a result of the oil find has altered land use in the community. Land is no longer being acquired for farming and rural housing but for industrial purposes and for real estate. There is a change in the process of land acquisition but that cannot be attributed to the introduction of capital. Rather it has exacerbated the disputes surrounding land acquisition.
- 2) Local actors, namely the chief, family heads and the middlemen who can be characterised as comprador elite play a vital role in making land available for

commercialisation. The chief and the family heads do so by means of the power they exercise over land acquisition; and the middlemen by virtue of the intermediary role they play between the landowners and the prospective land buyers. The land institutions, namely the Lands Commission also contribute to this by its poor records system and the lapses in the mandate which establishes the entire commission.

3) The acquisitions in the community have an adverse effect on the livelihood of the peasant farmers. Some peasant farmers now engage in “quasi-farming” which is negotiating for the use of the space in between palm trees as farms on the farms of other farmers; others offer their labour as farm hands to their fellow farmers for a wage; and others still have had to seek employment in the oil palm plantation in the village and on the construction site of the company being built in the community.

4) The commercialisation of land for real estate purposes has distorted the social relations that exist in the community. The social relations which was woven around land is now fraught with disputes there by fracturing the harmony that existed in the community before the acquisitions. In addition, the acquisitions have led to a re-configuration of the spatial relations that exist in the community.

6.3 Recommendations

In view of the conclusions that are drawn from the findings of the study the following recommendations are being proffered:

1. The Lands Commission and the Office of Administration of Stool Lands should be empowered by some legislative instrument to supervise land sales that are carried out by chiefs and family heads. This will help forestall the numerous disputes surrounding land acquisition.
2. Although a legislation instrument already exists which mandates landowners to give prior notice to occupiers of land before it is acquired; the government through the land institutions named above and in consultation with the various stakeholders of land, should come up with a stipulated length of time within which notice ought to be served to the occupiers of land before it is acquired by the purchasing party. This will ensure peasants are given prior notice and ample time before they are evicted from their land once it sold.
3. A standardised format for calculating compensation ought to be devised for use by all who engage in land sales. This format is to be determined by government through the Lands Commission, the Office of Administration of Stool Lands and the various stakeholders of land. This will ensure that peasant farmers are not swindled in compensation calculation and payments.
4. To protect the livelihood of peasant farmers, a legislative instrument ought to be developed by government through the land institutions named above and in consultation with the various stakeholders of land, that will mandate all who have acquired and have not developed it to allow peasant farmers who were farming

the land before acquisition to continue to farm until such time they are ready to develop the land.

6.4 Themes for Further Research

Large scale land acquisition in Ewusiejo is a new phenomenon and having experienced the adverse effects of these acquisitions it will be interesting to see how the community will resist future acquisitions. Still exploring the livelihood of the peasant farmers, it will be exciting to track these farmers after a couple of years to examine the trajectories and the sustainability of the new livelihoods they adopted in the wake of the land sales.

Since the effect of these land sales on the community is still in its nascent stages, it will be interesting to know the subsequent implications of these investments for the community once the companies become operational. This is because new people will move into the community to take up jobs in the companies that are being established; others too will move into the community to take up residence in the real estate complex. This is likely to have an effect on the social stratification of the community and studies can be done to explore the changing dynamics of the social stratification that will occur in the community viz-a-viz the social relations in the community. Lacking the requisite skills to be employed by the companies in the community, most inhabitants will be coerced by the need to survive to move out of the community in search of jobs. Research can be done exploring the effects of such migration on the social integration of the community. Attention can be paid to the possible breakdown of the strong ties that exist within and among families as a result of these migrations, and the kind of lifestyles that will be adopted by those who migrate.

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APPENDIX – A

PICTURES OF EWUSIEJO COMMUNITY

(Source: All pictures were taken during the researcher's field survey, January, 2014)



Ewusiejo Market



Taxi Rank in Ewusiejo



Ewusiejo bus stop



Traders selling close to Ewusiejo bus stop



Traders marketing their wares along the trans-West African highway



Housing in Ewusiejo



Housing in Ewusiejo



One of the newly built family houses



The newly built chief's palace surrounded by thatched houses



A School in Ewusiejo



Oil palm Mill



Women preparing palm oil



Ewusiejo Community Centre

APPENDIX – B

SEMI-STRUCTURED INTERVIEW GUIDE

A. Interview guide for Land Institutions (Land Commission (LC), Office of Administration Stool Lands (OASL), Town and Country Planning Unit (TCPU))

Socio-demographic data

1. Sex
2. Age
3. Office rank
4. How long have you been working with LC, OASL or TCPU?
5. How long have you been working in your current position?

Interview Questions

1. What are the processes of land registration?
2. What role does your outfit play in the registration process? (explore the constitutional mandate of each of the Land Institution)
3. What is the nature of the relationship between your outfit and the chiefs/landowners/family heads, and those who acquire lands from the landowners?
4. What is the nature of the relationship between your outfit and the other land institutions?
5. Does your outfit play any role outside your constitutional mandate in land acquisitions?
6. Does your outfit play any supervisory role whatsoever in the land transactions that takes place between the chiefs/landowners/family heads and the buyers?
7. What role do middle men (both in and outside the organization) play in this line of work? (probe characteristics of middle men)
8. Do you think there are some lapses in your constitutional mandate that paves way for these dubious deals to take place? (Explore their awareness of these lapses)

B. Interview guide for investors

Socio-demographic data

1. Sex
2. Age
3. Office rank
4. How long have you been working with the company?
5. How long have you been working in your current position?

Interview Questions

1. How did your company acquire the land you occupy?
2. Did you go through an agent/ a middle man?
3. Who were the original property owners?
4. Why did you choose that land site (Ewusiejo) and not any other place?
5. How many acres/hectares did you buy?
6. How did you negotiate the land purchase with the chiefs/family head?
7. How much did you pay for an acre/ a hectare of the land?
8. How families sold their lands to you?
9. Did your company have to pay compensation to the farmers who were farming on the land?
10. Did you pay directly to the farmers or was it paid to the families?
11. How much did you pay each farmer?
12. How did you arrive at such an amount?
13. Was the land sale an outright purchase or a lease agreement?
14. In what ways do you see your investment as a contribution to the development of the town?
15. What kinds of conflicts have you experienced with any of the properties you have acquired over the years?
16. What is the nature of the conflict? (Explore the causes of the conflict, the conflicting parties, has it got to do with boundaries, payment, documentation etc.)
17. How is the conflict affecting your business?
18. Tell me a bit about your project. What is the target market?

C. Interview guide for community leaders (chief, queen mother, elders)

Socio-demographic data

1. Sex
2. Age
3. How long have you been a chief/queen mother/elder?

Interview Questions

1. Please explain the paramount stool system you have in the area? (Who is the paramount chief and who are the sub-chiefs? What villages do they occupy?)
2. Do the chiefs own land? Or is the respective families?
3. What is the process of land acquisition in Ewusiejo?
4. How is land distributed in Ewusiejo?
5. Do women own land in the village?
6. What role do you play in these acquisitions? (Probe for the power the chief/queen mother/elder wield or exercise in land deals?)
7. Who has the right to sell/buy land and who does not?
8. Are the lands leased to buyers or sold to them on outright purchase basis? (Real Estate/Farming)
9. Are any royalties paid to you any time a parcel of land is sold? (Establish the exact amount or percentage paid to the chief; in the case of the queen mother and the elder establish if they are included in the sharing of the royalties)
10. What has been the history of land acquisition in Ewusiejo? (Explore the changing nature of the acquisitions, what accounts for the change, the key actors in the acquisitions, the uses these lands have been put to)
11. How does the selling of land for real estate improve the livelihood of farmers and those who own the land?
12. How has these acquisitions affected the village? Has it brought development in anyway? (Establish the ways by which land sale contributes to development or otherwise. Eg. Provided jobs during construction phase to villagers, farmers, loss of livelihoods, influx of people and thus potential consumers etc.)
13. Do buyers/investors come in search of land to buy or do the land owners go in search of buyers?

14. How are middle men involved in these land deals?
15. How would you describe the relationship between the chieftaincy and the families who own and sell land? (Especially those who sell their lands for real estate purposes)
16. Has there been any conflict between the chieftaincy and families over land deals? (Probe for the causes and the disputants involved in the conflicts) (How about conflict over lands for real estate purposes)
17. Do other chiefs try to sell lands in your jurisdiction? (Probe for conflict among chiefs as a result of land, boundary disputes etc.; any relation of the conflict to the acquisition of land for real estate purposes)
18. Are there families contesting each other over land that has been sold for real estate purposes? (Explore the nature of the conflict etc.)

D. Interview guide for middlemen

Socio-demographic data

1. Sex
2. Age
3. Occupation
4. Marital status
5. Number of children

Interview Questions

1. For how long have you been selling lands?
2. Do you derive any benefits from these sales?
3. Who pays the “commission” derived from the land sale?
4. How do you find prospective buyers?
5. How do you find those willing to sell their lands? Do they engage you to look for prospective buyers? (Probe for who the comprador elite works for – for themselves or they have a deal with the chiefs/family heads to look for prospective buyers)
6. What role do you play in the negotiations that take place?

7. Do you live off these land deals? (Establishing if the land deals are a source of livelihood for the comprador elite)
8. Have you ever negotiated/initiated a land deal that has resulted in a conflict between the chief/family head and the prospective buyer? (Explore the nature of the conflict, the parties involved etc.)
9. When a chief/family head requests a land sale do you interact with those who own the land/work the land? Why/Why not?
10. In what ways do you think you are contributing to the development of the community by selling these lands for real estate purposes?
11. What role do you play in the compensations that are paid out to the farmers whose farmlands are sold?
12. Have you had troubles with land owners in the various acquisitions you have brokered in the past?
13. How have the land deals you have brokered in the past brought development?

E. Interview guide for farmland owners (family heads and farmers) who have sold their farmlands for real estate purposes

Socio-demographic data

1. Sex
2. Age
3. Occupation
4. Marital Status
5. Number of Children
6. How long have you been farming?

Interview Questions

1. For how long has your family owned land?
2. How many acres/hectares of land do your family own?
3. How many acres/hectares have your family sold?
4. How did you come by the buyer for the land? (Find out if s/he used a middle man)
5. How much money did the buyers pay for an acre/hectare of the land?
6. Did the buyer pay the compensation due the farmers who farmed on the land?

7. How was the compensation calculated or worked out?
8. Why did you decide to sell the farmland? (Establish if selling the land is profitable compared to farming)
9. Was the compensation paid the farmers adequate considering the value of the crops?
10. Do you consider the price at which you sold the land a good price considering the price of land on the land market?
11. Did you face competition from other families in selling your land?
12. Do you carry out outright sale of the land or you lease it out?
13. What kinds of conflict arose over the decision to sell farmland? (among family members before, during and after sale etc)
14. Are all parties informed of the land acquisition?
15. Are all parties involved in the negotiation process? Or they were simply informed when the deal was done?
16. What role did the chief play in the sale of lands?
17. Do you have to pay any royalties to the chief? (Establish the exact amount or percentage paid to the chief)
18. Are there situations where the chief(s) gets involved in the sale of lands and try to sell family lands?
19. Who is responsible for all the documentation for the land sale?
20. Do you liaise with the government agency to get the documentation for the land?
21. How easy or difficult is it in securing all the documentation from the LC, OASL, TCPLU for the buyer?
22. Describe the process of acquiring land?
23. Who are the main parties involved?
24. How does one get to have access to farmland and farm on it?
25. Do you think you are exploited in these land deals or you think the buyers give you a fair deal?

F. Interview guide for peasant farmers (men & women) whose farmlands have been expropriated for real estate purposes

Socio-demographic data

1. Sex
2. Age
3. Occupation
4. Marital Status
5. Number of Children

Interview Questions

1. How did you lose your land?
2. How long had you been farming on the land?
3. How did you come to occupy the land?
4. How were you informed of the land deal? (probe whether consent sought, input sought in compensation, terms, enough time to leave land etc.)
5. Did you feel aggrieved about the amount that was paid as compensation? Do you think anything can be done about renegotiating the compensation? (For those who were not paid any compensation ask if they did have recourse to an authority?)
6. What did you use the money that was paid you for?
7. Was the compensation enough to cater for the family?
8. Now that you've lost your land, what do you do for a living?
9. Is it as lucrative as farming?
10. Have you moved on to another land?
11. How easy or difficult was it for you to move onto another farmland?
12. How do you support your family?
13. Do you have other friends or family members who have had a similar experience?
14. What kinds of conflicts ensue around land sale in Ewusiejo? (Probe for the causes of the conflicts, the disputants involved in the conflicts, the mechanisms used by the conflicting parties to outwit each other)
15. Are women in the family consulted when land deals are made?
16. Do women have a say in land deals or they are sidelined when it comes to such deals?
17. How are women affected in these acquisitions? (Probe the means by which these acquisitions have either made life difficult or better for women)

APPENDIX – C

INFORMED CONSENT FORM

General Information about Research

The purpose of this study is to know and understand the role Ghanaians play in making farmland available for real estate development and how these acquisitions affect the livelihood of the peasant farmer. The study also forms part of the requirements that I need to fulfill in order to complete my masters (MPhil) degree in Sociology. As a participant in this study you are expected to voluntarily grant an interview which is expected to last 30 minutes. The purpose of the interview is to have a deeper understanding of the ways by which chiefs/family heads/landowners/land institutions make farmland available to real estate developers and to know the ways by which farmers who have lost their farmland survive. I will ask a series of questions concerning these issues and you are expected to share your knowledge and experience of such matters.

Benefits/Risk of the study

This study will not be of direct benefit to you but you will be contributing to a broader understanding of how local actors are complicit in availing farmlands for real estate development; and also in knowing what happens to peasant farmers who lose their farmlands to real estate developers. The anticipated social risk associated with this study may be the fact that some conflicting parties of land disputes may see you as giving away information about them.

Confidentiality

All the information you provide will be strictly confidential. You will remain anonymous, as you will be identified by a pseudonym in all publications, and every effort will be made to conceal your identity in the analysis of the information provided. The interview will be recorded if it is agreeable with you and I will make transcripts of the entire interview. I, alone, will have the transcripts, which will be kept confidential. If I need further clarification of the interview, I will contact you. You will be consenting to

the above once you sign or thumbprint the written consent form or you give a recorded oral approval.

Compensation

No compensation either in kind or cash will be made available to participants of the study.

Withdrawal from Study

As a participant in the study, you have the right not to answer any question at any point in time and you also have the right to withdraw from the study (or end the interview) at any time without any penalty. You will not be adversely affected in anyway if you decline to participate or stop participating in the study.

Contact for Additional Information

If you have any questions about the research project, please contact the student investigator at the address below.

John Kojo Aggrey

P. O. Box CT 2110

Accra

Tel: 0246-605-703

Email: jk.aggrey@gmail.com

Respondent's Signature.....