

UNIVERSITY OF GHANA

COLLEGE OF HUMANITIES

AN ASSESSMENT OF THE IMPLICATIONS OF MULTIPLE LAND SALES ON ECONOMIC
DEVELOPMENT IN THE AWUTU SENYA EAST MUNICIPALITY

BY

PAMELA NUONAWA KUURIDONG (ID: 10876396)

THIS DISSERTATION IS SUBMITTED TO THE UNIVERSITY OF GHANA, LEGON IN
PARTIAL FULFILLMENT OF THE REQUIREMENT FOR THE AWARD OF MA
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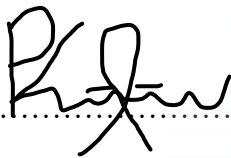
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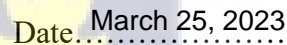
DECLARATION

I hereby declare that this dissertation titled “An Assessment of Multiple Land Sales on Economic Development in the Awutu Senya East Municipality” is my research work, submitted to the Institute of Statistical, Social and Economic Research (ISSER) of the University of Ghana. References that were made to scholarly works of other people have been duly acknowledged. I declare that this dissertation has not in part or whole been submitted for the award of a degree in Ghana or elsewhere.

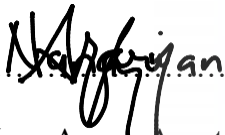


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Pamela Nuonawa Kuuridong (Student)

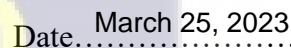


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Dr. Nana Amma Asante-Poku (Supervisor)



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DEDICATION

This work is dedicated to God almighty, my parents and my siblings, for all the support and encouragement.



ACKNOWLEDGMENT

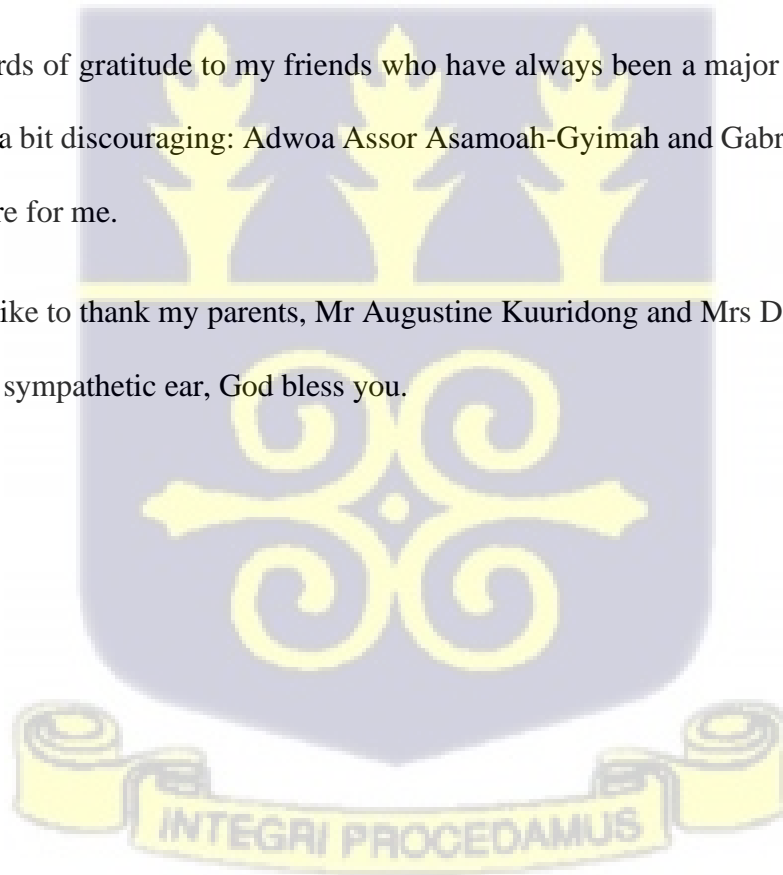
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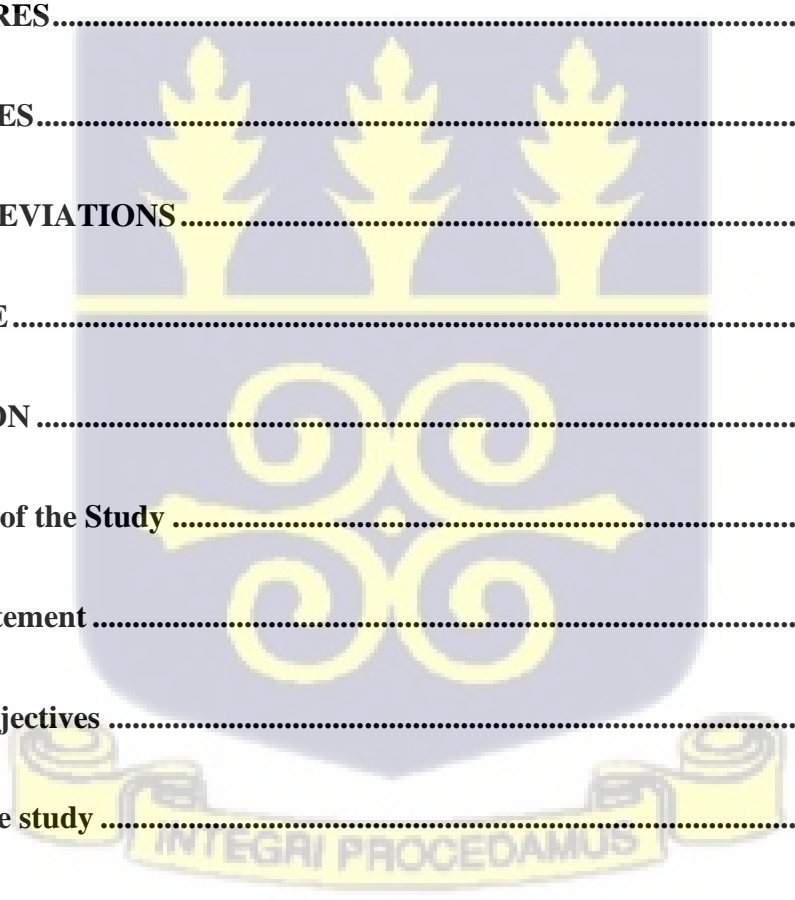
ABSTRACT

The increasing population has reflected an extensive demand for land for agricultural, residential, commercial, and small-scale industrial activities resulting in tensions or land disputes among communities. The study sought to examine the implication of multiple land sales on the economic development of the Awutu Senya East Municipality. To achieve this, the study employed a qualitative approach and the main instruments for data collection were interview guides. Purposive and snowball sampling techniques were employed and 24 respondents, were sampled as the participants of the study. The key findings of the study were that; customary freehold and leasing or leasehold arrangements are the common landholding arrangements in the study area. The study also found that there is a strong link between multiple land sales and social tension in the study area. It was found that the causes of multiple land sales in the municipality are as a result of greed, misunderstanding between chiefs and sub-chiefs, hardship, and abandoned lands among others. Finally, the study found that the impact of multiple land sales in the municipality has enormous effects on its economic development. Some of the effects revealed by the respondents are the fact that it stifles development, discourages investors from coming to the area, leads to emotional stress and affects market activities in the area. Based on the findings of the study, the following recommendations were given; prospective land buyers should carry out a thorough search of lands before purchasing, and the state and the relevant agencies should educate the public on the implications of multiple land sales and their effects on economic development of the country.



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LIST OF ABBREVIATIONS

GSS	Ghana Statistical Service
WB	World Bank
UN	United Nations
MoLNR	Ministry of Lands and Natural Resources
FAO	Food and Agriculture Organization
IFAD	International Fund for Agricultural Development
USAID	International Fund for Agricultural Development
LTR	Land Title Registration
LTC	Land Title Certificate
ASEMA	Awutu Senya East Municipality
UN-HABITAT	United Nations Settlement Programme



CHAPTER ONE

INTRODUCTION

1.1 Background of the Study

In Ghana, both customary land tenure and statutory systems run concurrently (Arko-Adjei et al., 2010). Traditional or customary lands are owned, controlled, and managed by clans, tribes, heads of families, and social groups. Chiefs and family heads are the principal caretakers of customary lands and are permitted under the constitution to enforce rights and obligations to the lands in their control [The 1992 Constitution of Ghana (Article 267)]. All state lands were obtained by authorized ordinances, statutory procedures, or proclamations from family heads or traditional rulers or chiefs (Kuntu-Mensah, 2006). Similarly, Ollenu (1962) established that every available land on earth belongs to either the dead, the living, or the unborn.

Ghana's land tenure system has evolved to include family, stool, individual, and vested lands. Depending on the land's location, Ghana now employs both title and deed registration. The Land Title Registration (LTR) was introduced by the PNDC Law 1986 (Act, 152) to replace deed registration, to guarantee ownership certainty, expedite land title verification, and facilitate land transactions without any apprehension. LTR is currently used in the Greater Accra Region to facilitate secure land transactions and safeguard participants' safety. The Land Title Certificate (LTC) is binding and can only be revoked by a court of law according to the PNDC Law on LTR of 1986. The LTC, therefore, ensures secure land transactions in the Central Region of Ghana, including the Awutu Senya East municipality.

Ghana's customary land tenure system is gradually moving towards more individualized property rights and land transactions on open markets due to the country's growing population. According to Deininger (2003), these individualized property rights may lead to the rising need for family farms and the free buying and selling of land on an open market based on the owners' preferences and changing

resource endowments. The free buying and selling of land leads to the transfer of titles or ownership rights from the original owners to corporate institutions or individuals. Ownership of land use and control defines the social and economic system, not just the basis of agricultural production in rural settlements (Spichiger & Stacey, 2014; Odeny, 2013).

The chiefs of the different stools administer the stool lands in the Awutu Senya East Municipality on behalf of the people living on them. The procedures required in acquiring stool lands are less time-consuming than those involved in acquiring family holdings. Historically, the lands of the Awutu Senya East Municipality were entirely controlled by the government and utilized solely for agricultural purposes. Since the region was considered waterlogged, it was zoned as an irrigation land in 1974 (Maxwell et al., 1998). However, there was no one to oversee the land titles after the government takeover, and farmers who helped with agricultural operations claimed ownership. As a result, some farmers became chiefs and sub-chiefs, selling their properties to Islamic settlers for livestock rearing. Currently, all lands belong to the earlier settlers, including the Odupongkpehe and Nyanyano people, whose chiefs act as guardians and trustees for their subjects. The Odupong and Nyanyano Stools hold the allodial interest (Ghanney & Bentil, 2019; Awutu Senya East Municipal, 2014). Sub-Chiefs in Odupong Ofaakor have comparable land rights but report to the paramount chief (Awutu Senya East Municipal, 2014).

The ownership of co-proprietorship, family, or clan lands requires more than one consent approval for land transactions, which often has implications unlike lands owned by individual proprietors. In this case, the ownership of a particular land can affect its economic value, development, and social relationships. The attitude of co-owners and ineffective land registration procedures significantly affect transactions with such lands. As a result, land transactions, specifically in the Awutu Senya East Municipality, have become complicated in recent times. These circumstances lead to conflicts among co-owners and eventually result in the abandonment of lands. The conflicts surrounding the abandoned lands in the municipality and their improper demarcation could affect many economic activities, such

as agriculture and other development projects, including the establishment of hospitals and schools, in the municipality.

Aziz (2009) affirms that multiple land title holdings in land transactions are the biggest problem of multiple ownership. Ancestral lands with existing ownership conflicts within the Awutu Senya East Municipality have been prolonged for generations, adding intricacies and problems to the municipality's economic development. According to Khalid (2008), continuous conflicts among joint title bearers have posed social aspect implications, such as multiple land sales to different individuals without any orderliness, but rather a fraudulent activity due to approval from co-owners. Multiple land sales and ownership have resulted in many negative implications, especially in development (Sulong & Tahan, 2016). This implies some risk associated with acquiring land as potential buyers are not certain who rightfully owns the parcel of land. This situation further discourages prospective buyers, such as investors within or outside the community, from acquiring lands to undertake developmental projects because they might be purchasing lands already owned by a different person or organization, leading to underdevelopment. Loopholes in the regulatory framework that grants various rights to access, use, control, and ownership of land are also accountable for the multiple sales of land (Paaga, 2013; Cotula & Cissé 2007). Fraudulent multiple sales of land due to a weakened land regulatory framework not only lead to more abandoned lands, but also have significant negative implications.

The situation of multiple land sales can have both positive and negative implications for economic development in communities. On one hand, it can lead to increased investment and economic growth. On the other hand, it may discourage investors due to the potential for social tensions and conflicts over land. Several studies, including those conducted by Chakravarty (2015), Kotkin (2014), and Gurr (1970), have highlighted the concept of relative deprivation as a source of social tension. Land, as a valuable economic resource and a source of livelihood, is intricately linked to a community's identity, history, and culture, making it a prime source of contention. This can be exacerbated when multiple

land sales occur, leading to conflicts between lineages, families, and even entire communities. Additionally, these tensions may be exploited for political purposes.

Social tensions arising from multiple land sales may also result from disparities between the ideals of development partners and the unique historical and cultural experiences of a community. Inequalities and poverty, which can be caused by both structural and idiosyncratic sources of danger, can create societal conflict. Group immobility, polarization, and concerns about middle-class living conditions can also contribute to social tensions.

Multiple land sales have a history of creating social unrest and tensions in many parts of Ghana. When the same parcel of land is sold to different buyers, regardless of the social interests involved, it tends to stir up tensions and lead to land conflicts. Therefore, it is necessary to examine the implications of multiple land sales on economic development.

1.2 Problem Statement

Despite Ghana's vast land surface area and measures adopted by the Lands Commission to ensure smooth land business, there have been tremendous problems in acquiring land rights due to improper procedures or land frauds among land market participants in the Ghanaian community. The increasing population has been identified as one major factor accounting for land right transfers, resulting in land value appreciation (Barzel, 2000).

The land enterprise in the Greater Accra region of Ghana is currently encountering these challenges due to rapid urbanization, high demand-driven in the land market, and a weak institutional framework (Gyamera, Duncan, Kuma, & Arko-Adjei, 2018). Therefore, it is imperative to establish that, due to the factors mentioned above, land as an inelastic property, its appreciating value and the demand to acquire personal property have exacerbated multiple sales.

According to Ashitey (2018), multiple land sales deter investors from carrying out developmental projects due to conflicts among parties to land transactions. These problems, among others, necessitate

the need to examine the effect of multiple land sales on economic development in the Awutu Senya East Municipality.

There have been limited studies examining land ownership problems in Ghana, which typically focus on customary differences, gender disparity, productivity, and development (Edwin, Glover and Glover, 2020; Kuusaana, Kidido and Halidu-Adam, 2013; Phanwin and Lambrecht; Migot-Adholla et al., 1994). However, studies on land acquisition or multiple ownership tend to concentrate on conflicts, productivity, and household livelihood (Mabe et al., 2019; Danso and Manu, 2013; Gyamera et al., 2018), without considering their implications on economic development. While regulators are aware of the causes of multiple land sales, this research aims to contribute to the existing body of knowledge by examining how multiple sales occur and the extent of their impact on the development of affected areas. Furthermore, by gaining a better understanding of land acquisition procedures, this research can help identify loopholes in the current land regulatory frameworks and suggest necessary policy adjustments to mitigate multiple land sales. Finally, understanding the implications of multiple land sales on economic development would help promote effective regulation of land market transactions to promote development in the Awutu Senya East municipality and the country. Therefore, this study aims to conduct an exposé evaluation of the effects of multiple land sales on economic development in the Awutu Senya East Municipality. Additionally, the study will provide a basis for landowners to cooperate with land regulators to mitigate conflicts associated with multiple sales and promote economic growth.

1.3 Research Objectives

The study's main objective is to examine the implication of multiple land sales on economic development in the Awutu Senya East Municipality. Specific objectives include the following:

- i. To examine the state of landholding and transactions in the Awutu Senya East Municipality.
- ii. To establish the links between multiple sales of land and social tension in the Awutu Senya East Municipality.

- iii. To assess the impact of multiple land sales on the economic development within the Awutu Senya East Municipality

1.4 Research Questions

- i. What is the state of landholding and transactions within the Awutu Senya East Municipality?
- ii. What links exist between multiple sales of lands and social tension in Awutu Senya East Municipality?
- iii. What is the impact of multiple land sales on their economic development in Awutu Senya East Municipality?

1.5 Outline of the study

This research is broken down into five sections. The first chapter covers the study's basic overview, including the objectives and questions that will be used to collect data. Chapter two would focus on reviewing literature on the subject and constructing a conceptual framework guided by theories reviewed in line with the objectives. Chapter three would present the methodological framework upon which the study would be built. Specifically, the chapter would discuss the research design, population, sample size and procedure, instrumentation, data collection procedure and data analysis. Chapter four would analyze the study's data and present the results generated in tables and charts. This would help to make inferences for recommendations and conclusions in the subsequent and final chapter, five. In chapter five, recommendations and contributions to literature and policy making would be deduced based on the analyzed data.



CHAPTER TWO

LITERATURE REVIEW

2.0 Introduction

This study examines the implication of multiple land sales on economic development in the Awutu Senya East Municipality. The chapter reviewed theoretical literature, empirical literature and describes the Conceptual framework on the subject matter to address the research questions of this study.

2.1 Land Tenure

The customary land tenure system, which operates alongside the statutory tenure system, has been a unique aspect of land tenure in most African countries, including Ghana, over time (Mends, 2006). However, there has been a recent shift from customary to statutory tenure. The statutory system gained ground in Africa with the introduction of western laws of land tenure systems by the colonial administration in urban areas (Mends, 2006). The introduction of western tenure laws led to a shift from customary to modern tenure arrangements.

Natural resource tenure, which sets the terms and conditions under which natural resources are held and used, is derived from land tenure. Tenure is a social concept that establishes specified rights and obligations between individuals and organizations (ECA, 2004; Bruce, 1986; Moyo, 1995; Shivji et al., 1998). According to Payne (1997), as cited in Mends (2006), land tenure refers to the set of rules and regulations that regulate the holding, use, and transfer of interests or rights in land. There are two types of land tenure in Ghana: the State Tenure system and the Customary Land Tenure system.

The many systems of land tenure and land management that exist in Ghana today, according to Fiadzigbey (2006), arose through the interplay of socio-political organization of distinct ethnic groups, clans, and families through commerce, warfare, and integration. Consequently, Ghana has experienced either a shift from one system to another or the play of both systems in the administration and holding of land. The following is a detailed explanation of Ghana's land tenure system over the decades.

2.1.1 Land Tenure Systems and Its Evolution (Pre-colonial and Colonial Periods)

Prior to colonialism, the area was governed by customary law, which consisted of various tribal rules found in the customs of different tribes. Land was the most prized asset since it was the source of all life. Natural resources, such as land, were owned by communities in the pre-colonial era under local laws and customs known as customary law, which was prevalent throughout the Gold Coast at the time, according to Godwin & Kyeretwie (2010). Customary tenure varied from place to location and community to community, as indicated by Agbosu et al. (2007) and ISSER (2007: 30). The basis for appropriating land, delimiting land, protecting lands, among others, was formed by three customs. The collection of these customs forms a system mostly known in contemporary times as customary land tenure.

Mends (2006) defines customary land tenure as a land tenure system in which a collective, such as a family, lineage, or clan, owns the property, and the individual has unrestricted virtual rights of use. The cardinal principle underpinning customary land tenure practice is the assumption that "land belongs to a vast family of which many are dead, few are living, and countless numbers are still unborn" (Ollenu, 1962 pp.04, in Mends, 2006). According to Mends, this idea renders land inalienable, and hence the living must use it to protect the interests of future generations. Unlike current land tenure regimes, customary land tenure norms are generated from and maintained by the community rather than the state or state legislation (statutory land tenure) (Wily, 2012). According to Wily (2012), the rules that a particular community follows, known as customary law, are unique to that community and rarely apply to other communities. Since the indigenous tenure system is derived from the customary laws, norms, and principles, the former obtains enormous resilience, continuity, and flexibility from customs (Wily, 2012).

On a global scale, customary or indigenous land tenure is a significant tenure system. It is not just a problem in Africa (Wily, 2012). Wily postulates that the indigenous tenure system is mainly practiced in agrarian economies. In Ghana and Africa, each member of the landowning community has the right

to inhabit and use a portion of the land for their livelihood, and no individual can transfer these rights to another (Mends, 2006). Communal lands were abundant, and there were no defined boundaries.

In their literature review, Godwin and Kyeretwie (2010) distinguish three main types of customary land rights: allodial title, which is held by the customary law community; secondary law rights such as "customary law freehold" or "usufruct," which can be held by individuals or groups belonging to the community that holds the allodial title; and various forms of tenancy (Bentsi Enchill, 1964; Woodman, 1996). The history of human societies' dialectical evolution reveals that communal ownership of the means of production shields individuals against exploitation by others (Agbosu, 2000). Agbosu (2000) argues that pre-colonial Ghanaian communities were egalitarian in nature and that communal land ownership was the primary economic structure. According to him, subsistence agriculture organized around collective land ownership was the primary economic activity of traditional Ghanaian civilizations.

"Before colonial rule, the territories now comprising the state of Ghana were occupied by various independent polities. Their boundaries were not clearly defined, but each territory had a well-organized government. Members of each community resided in well-established towns and villages constituting the fixed bases from which they were engaged in the exploitation of the land and its resources. People of each community or tribe were united by certain patriarchal and matrilineal traditions owing allegiance to its individual, tribal government. Each polity, whether it was a Dagomba, Krobo, an Akan, or an Ewe, had its internal arrangements and rules for the control, management, and administration of lands included in the areas it regarded as falling within the territorial confines of its polity" (Agbosu, p.14, 2000).

Hunters played a crucial role in establishing new communities. They built hamlets during their hunting expeditions that eventually grew from small to large and became the largest communities we have today (Selase & Worlanyo, 2015). According to Agbosu (2007), heads of families and key members of their households were primarily responsible for land management in non-patriarchal societies. These

individuals with political and other government-related powers were entrusted with the responsibility of controlling and administering lands.

The presence of Europeans in Ghana, formerly known as the Gold Coast, changed the landscape of land tenure, and the British indirect rule technique played a key role in this transformation. The control of people through the chiefs was a vital aspect of indirect rule (Selase & Worlanyo, 2015). This change aimed to claim control over lands and promote British interests. Selase & Worlanyo (2015) indicated that this alteration led to the weakening of the chiefs' authority over their subjects. For instance, land administration was delegated to paramount and divisional chiefs, limiting village leaders' authority. Northern Ghana became a protectorate in 1927 when the Land and Native Rights Ordinance declared all lands public and vested them in the colonial governor (Lund, 2008, 19; Kuntu-Mensah, 2000). As a result, imperial policy became the basis for land acquisition and distribution, replacing religion and culture. History reveals that various policies and laws (e.g., the protectorate and the Land and Native Rights Ordinance of 1927) were introduced to vest all lands in the crown. This meant that the customary land tenure system was being replaced by a codified system drafted by the crown. This development resulted in the creation of a multiple system of land tenure.

2.1.2 Post-colonial Land Tenures Regime

In recent decades, African economies and communities have experienced significant changes, including demographic growth, urbanization, economic monetization, livelihood diversification, and increased integration into the global economy and cultural change (Cotula & Neves, 2007). These developments have had important implications for customary land tenure systems. Cotula and Neves (2007) argue that although these systems have their theoretical basis in customs, they evolve quickly over time in response to social, economic, political, and cultural changes. It is noted that the extent to which these customary systems respond to change varies considerably and is influenced by the degree to which the aforementioned factors manifest within each local context.

According to Cotula and Neves (2007) in their literature "Changes in 'Customary' Land Tenure Systems in Africa", these changes in customary tenure systems appear to support the fundamental principles of the "evolutionary theory of land rights," which suggests that land rights become more individualized and commercialized due to population growth and agricultural intensification. Land tenure evolution theory is the primary analytical framework used by mainstream economics to examine the land tenure situation in emerging countries and make predictions about how the issue will evolve. This theory suggests that land rights evolve spontaneously towards increased individualization due to the combined effects of increasing population pressure and market integration. As a result of this progression, rights holders will demand the creation of properly formalized private property rights, and the state will be compelled to meet this demand (Platteau, 1996).

This has led to a shift from customary land tenure systems to modern ones. This shift is partly due to the failure of customary systems to provide sufficient tenure security, clarity of title, and the freedom to use land as collateral (Swynnerton, 1954; Wilson, 1971). These three features are a benchmark established by Maine and Strieker (1971) that is used to evaluate the success of every land tenure system.

Ghana's traditional land tenure system has been criticized since colonial times for failing to provide adequate tenure security, hindering investment, and reducing agricultural production. Thus, the government aimed to strengthen the land tenure system by replacing traditional land tenure systems with a "modern" property rights system based on state legislation, European conceptions of ownership, and land titling and registration (Cotula & Neves, 2007; Godwin & Kyeretwie, 2010). After independence, Ghana made various attempts to restructure land title holdings through land registration. The pillars of this restructuring, which were designed to promote equitable distribution and long-term management of land resources and their linked natural resources, were the 1960 Land Development Act, the Farmlands Protection Act of 1962, and the Land Registration Act 1962 (Act 122) (Ministry of Lands and Forestry, MLF, 1999) (cited in Selase & Worlanyo, 2015).

According to Maha-Atma (2014) and other researchers, traditional land tenure in many African countries still follows the ancient concept of communal property, despite changes in social, economic, and political systems (Kasanga et al., 1996; Woodman, 1996). However, there is growing evidence that some African nations are transitioning towards a modern system of land tenure administration and governance. This article will explore the factors contributing to this shift from customary to modern land tenure systems.

The modern, or statutory, land tenure system was developed to address the shortcomings of the customary system. Its purpose is to establish a reliable system of land management that assures landowners of their rights, prevents fraudulent claims, and provides security for land buyers and lenders (Sittie, 2006). According to Godwin and Kyeretwie (2010), the state's tenurial land system is a set of codified legislation and regulations based on colonial-era laws that define acceptable land practices and impose penalties for non-compliance. In Ghana, government agencies such as the Ministry of Lands and Natural Resources and the Lands Commission are responsible for administering the codified system. This approach aims to integrate the customary system with the national land policy framework, despite the differences between the two systems. Nonetheless, there are overlaps and commonalities between them (Agbosu et al., 2007; ISSER, 2007:30), and the distinction between the two is not always apparent in practice (Godwin & Kyeretwie, 2010). Despite efforts to reconcile the two systems, full integration has yet to be achieved.

2.1.3 Population dynamics

Land is of great importance, particularly to rural populations whose livelihoods and access to necessities of life are linked to it in one way or another. Population distribution in Ghana largely reflects housing distribution, livelihoods, and economic growth. According to the 2021 Population and Housing Census (PHC), Ghana's population is 30.8 million people (GSS, 2021). Since the first post-independence census in 1960, the country's population has increased by about fivefold, indicating a steep rise in population density against the relatively fixed resource base of the country. In many

communities, including Ghana, the population quadrupled in a single generation when the productivity of the resource base (land) decreased due to deforestation, excessive resource harvesting, or unsustainable farming practices that rendered previously bountiful fields barren (USAID, 2002).

Rising population pressure is linked to the development of land rental and purchase markets, as well as changes in land allocation institutions, both of which are fast changing farm structure and, as a result, tenure systems (Jayne et al., 2014). According to census data from 2010, the national population remained primarily rural, accounting for around 56.3 percent of the overall population (Bank of Ghana, 2017). However, the rate of urbanization has skyrocketed in recent decades, and according to the CIA (2017) fact book of 2017, the urban population currently accounts for 55.3% of the total population (2017) as against 43.7% in 2010.

Appiah et al. (2014) noted that the demand for housing for the growing population accounts for the high pressure on land and the recent hikes in land values. Their study, which examines factors influencing peri-urbanization and land-use change patterns in peri-urban Ghana, found that the majority of respondents (50%) believe that increased physical infrastructure in communities is attributable to population growth. According to Owusu (2008), as cited in Appiah et al. (2014), the development of cities into peri-urban areas in Ghana has resulted in changes in land use practices in these places. Duta (2008) and Kombe (2005) went on to say that city expansion has an adverse influence on peri-urban land-use decisions.

Evidence suggests that rising rural population densities in regions of Sub-Saharan Africa, combined with policy choices, have a substantial impact on farming systems, as well as the general trajectory of economic systems, in ways that are currently unappreciated in the region's development debate (Jayne et al., 2014). Chiefs awarding huge areas of land for agriculture and urban development under long-term lease agreements or outright sales due to the need for land and labor for cash crops like cocoa and oil palm (Fiadzibey, 2006), the demand for land for residential purposes, and other land uses have

disadvantaged individuals, households, and communities. This unsustainable increase in pressure on land necessitates the introduction of market-based norms to reduce pressure on common resources.

By its very nature, the modern or state land tenure system is a capitalist system that allocates land resources using the forces of demand and supply. Though there are arguments that the market has failed to allocate resources efficiently, tenure systems have succeeded in allocating resources to the most efficient uses (Fiadzigbey, 2006).

2.2 Challenges/ lack of fairness in the customary system

The tenure and administration of stools, clans, and families who possess and administer customary lands are governed by traditional and customary rules and customs (Fiadzigbey, 2006). Ghana's land tenure system is governed by customary tenure regulations with diverse tenure and management systems that vary across all landowning groups in the country. However, a few common practices cut across all tribes. The land is held in communal trust for the ethnic group, clan, or family and is controlled by chiefs (Tindambas) or the heads of various socio-political institutions (Fiadzigbey, 2006). Despite this, customary tenure systems are not immune to the many issues that plague their existence (USAID, 2002). According to the Ghana land Policy (1999), some of the challenges that the customary tenure system is plagued with include:

- i. General indiscipline in the land market characterized by the current spate of land encroachments, multiple sales of residential parcels, unapproved development schemes, haphazard development, etc., leading to environmental problems, disputes, conflicts, and endless litigation.
- ii. Indeterminate boundaries of stool/skin lands resulting directly from the lack of reliable maps/plans and the use of unapproved, old, or inaccurate maps, leading to land conflicts and litigation between stools, skins, and other land-owning groups.
- iii. Compulsory acquisition by the government of large tracts of lands, which have not been utilized, and for which payment of compensation has been delayed. By this policy, landowners

have been left almost landless, denied their source of livelihood, and have become tenants on their own lands, giving rise to poverty and disputes between the state and the stools, as well as within the private land sector.

- iv. Inadequate security of land tenure due to conflicts of interests between and within landowning groups and the state, land racketeering, slow disposal of land cases by the courts, and a weak land administration system.
- v. Difficult accessibility to land for agricultural, industrial, commercial, and residential development purposes due to conflicting claims to ownership and varied outmoded land disposal procedures.

These challenges have significant effects on investment and the livelihoods of people. Mwesigye (2014) notes a substantial body of literature that reveals the existence of insecure land tenure regimes in Africa and their negative influence on land transactions, land investment, and agricultural output. For example, Atwood (1990), Migot-Adholla, Hazell, Blarel, and Place (1991), Place and Hazell (1993), and Besley (1995) have all reported on this issue. Fiadzigbey (2006) highlights several challenges in the customary land tenure system, including indeterminate boundaries resulting in boundary disputes, commoditization of land leading to frequent and unregulated sales, poor customary land management practices, lack of accountability from those entrusted to manage the lands, and insecurity of tenure, which is the most delicate of all the issues. Several other challenges also plague this system.

Regarding land accountability, there is growing evidence that the customary land tenure system has failed to promote transparency, accountability, and effective checks and balances. Managers of customary lands are supposed to be transparent and accountable in their land dealings, ensuring that the advantages of customary lands are used to benefit wider populations (Fiadzigbey, 2006). Unfortunately, the customary tenure system has woefully failed in the pursuit of this agenda. USAID (Ibid), in its policy brief on the future of customary tenure, notes that customary authorities are just as prone to corruption, injustice, and partiality as anyone else. Moreover, these customary authorities are

the land managers who administer the various customary tenure rules in the rural setting. Land conflicts have also been connected in numerous studies to weak or non-existent formal land institutions, as well as the inadequacy of present customary land tenure systems to resolve conflicts (Fred-Mensah, 1999; Donge and Pherani, 1999).

Regarding unstable tenure, USAID (2002) states that rural communities sometimes, but not always, defend minorities, women, and the poor. This is true in both urban and peri-urban locations where customary tenure have existed and continues to exist. Local interests may seem to dominate decision-making, but this is not the reality. Affluent leaders alienate unallocated property without considering their people, denying them any profit from land sales (Fiadzigbey, 2006). Recent studies reveal that allodial titleholders take back lands once offered a resale gift. Insecure tenure affects investment, livelihood, and food security, among other things.

These challenges of the customary system prompted the need for a more satisfactory land tenure and administration system. More suitable land tenure and management systems, according to Sittie (2006), provide ordinary people with a sense of confidence over the lands they own and independence from false claims. It enables a person who invests good money in land, whether as a buyer or a lender against the security of a land mortgage, with some independent ways of ensuring that he is getting good title rather than a lawsuit (Sittie, 2006). The ideal system is the modern system (Ameyaw & de Vries, 2021). Therefore, Ghana's government felt it was important to adopt a more formal and codified system of managing land with the ability to provide security and proof of ownership at all points in time.

2.3 Government interventions or land reforms

The state and other concerned social actors must take well-informed, deliberate actions in order to achieve sustainable and equitable development. For example, in their study to determine the association between Customary Land Ownership and Underdevelopment in Northern Uganda, Amone and Lakwo (2014) noted: "24% of the respondents agree that many government programs fail due to customary land ownership, 18% agreed to insecurity due to land-related conflicts from customary

holdings disrupts economic activities leading to underdevelopment, 20% respondents accepted with the poor infrastructural development of Kitgum District also attributed to customary land ownership while 23% and 14% of the respondents agreed to the poor agricultural practices and underutilization of the natural resources respectively". As a result, it is reasonable to argue that traditional land ownership may result in underdevelopment. This can be replicated in Ghana, and similar if not the same results could be found.

According to the FAO Thesaurus, "land reform" refers to changes in the legal and institutional framework governing land policy. In a changing political, economic, and social environment, land reform aims to implement changes in land policy that achieve desired outcomes. Land reforms, typically administrative reforms, are forms of government intervention in land administration and management. The redistribution of land from the rich to the poor is also known as land reform. It encompasses land ownership, operation, leasing, sales, and inheritance in a broader sense (indeed, the redistribution of land itself requires legal changes) (Basu, 1987). State participation in land reform is critical, according to Barraclough (1999). Barraclough (1999) adds that because the state is the institutionalized political organization of society, it articulates and implements public policy and resolves conflicts.

Equity is the most obvious argument in favor of land reform. From this perspective, the case for ensuring that everyone has access to some minimum amount of land in a land-scarce country with a significant portion of the rural population below the poverty line appears persuasive. However, this is a general argument in favor of redistribution, not necessarily in-kind redistribution (i.e., land). To establish that case, one must first understand the economic forces at work and the rules governing land distribution. The customary rules of tenure over the years have failed to promote equitable distribution of land. Another source of friction could be that the market for land does not function efficiently due to an imperfect legal framework. To summarize, the leading reasons for land allocation distortions are incentive problems and imperfect property rights. These reasons imply that land reform will both increase productivity and achieve equity.

Over the years, governments have recognized the need for a formal yet satisfactory land management and administration system. A satisfactory system of land administration, according to Sittie (2006), "should give ordinary people a sense of security concerning the lands they hold and freedom from fraudulent claims, it should provide a man who lays out good money whether as a purchaser of land or as a lender against the security of a mortgage of land, with some independent means of assuring himself that he is obtaining good title and not a lawsuit." It is necessary to add that a satisfactory tenure system should also ensure equitable distribution of land and its resources. In many developing nations, gross inequity in land ownership is a major impediment to widespread rural development. As a result, states and other actors dedicated to socially and environmentally sustainable development should prioritize land reform that ensures secure and equitable rights to productive land for rural poor people. Sittie (2006) notes that the ideal situation in any tenure system would appear to be organizing things so that an official record showing the title position for any specific piece of land is available for inspection (Bentsi-Enchill K., 1964). Furthermore, it is believed that publicity and transparent processes can help address this at an operational level (Ali et al., 2014). Thus, a formalized system offers advantages such as clearing boundaries, transparent transactions, and proof of ownership that the customary equivalents find difficult to match, resulting in the latter's abandonment.

2.4 Emerging phenomena of large-scale land-based investments

Land deals have become a major concern, attracting significant attention from the media and advocacy groups, and sparking debates in public circles. However, the concern is usually focused on large-scale transactions or huge deals dubbed 'land grabbing,' rather than the 'small' deals that occur every day. According to Borrás and Franco (2012), the definition of land grabbing is limited to transactions involving foreign investors and governments and the dispossession of communities. This narrow definition fails to capture the contemporary nature of the issue and limits the application of the study of the phenomena in other areas where it occurs in several different ways. The authors contend that the key characteristic of land grabbing is the 'power to control' land and other resources associated with it to gain benefits. Land grabs, irrespective of the scale and those involved, perpetuate and deepen social

differentiation, food insecurity, and poverty. Most of the money gained from these deals is misappropriated, and the landowners soon find themselves worse off than before.

Some literature has identified elites as primary actors in land grabbing (Keressen, 2013). According to Keressen, actors of land grabbing in the case of Aguán were not only foreign investors but also local elites. Hernández (2013) also posits that local elites play a very significant role in land grabs. In furtherance, Hernández states that local land grabs would not be possible without the involvement of local elites. In the case of Ghana, the composition of this elite class is mostly intellectuals. Elites have unprecedented access to global markets, investment capital, and political power, which puts them ahead of non-elites. IFAD (2008) notes that the establishment of cadastral and the distribution of formal legal titles can be influenced by powerful elites. These policies they spearhead often promote private ownership of lands, creating an environment for land grabbing to thrive. IFAD posits that these settings are highly vulnerable to elite capture, especially by the local landed elites who control local government units, bureaucracy, and power structures. This backs Schneider's argument that elites and their powerful friends intimidate local authorities (Schneider, 2011). Kachika (2010) cites an example where political elites coerced a traditional leader in Ghana into signing a land deal agreement, he understood little or nothing about. Hence, most elite capture can be regarded as grabs considering the abuse of power by elites. Even within families, elite capture exists and is increasing. There are situations where intellectuals prey on family members by either forcing or deceiving them to dispose of their lands for inadequate consideration. This is prevalent in rural areas where many of the rural dwellers are "illiterates". In such communities, elites are accorded much respect and held in high esteem, allowing them to impose their will on the innocent and ignorant landowners by grabbing their lands.

An imperative perspective on land grabbing reveals a segmentation that extends beyond foreign transactions to include local land captures. According to Liversage (2011), land grabs done by foreigners may only form a small portion of the total captures within a country. He notes that local land captures mostly involve national governments and powerful elites, competing land clients

(pastoralists, crop agriculturists), and within families (men from women and widows and orphans, etc.). These individuals are members of the societal group but are still discriminated against when it comes to land. For example, women do not have the same rights and privileges over land as men in indigenous African society. So do the young and the old, settlers and indigenous landowners, the rich and poor. This trend indicates marginalization along certain lines such as power, prestige, recognition, gender, age, etc. Hence, one's social makeup can make them inferior to another. It is becoming clear that one's social makeup determines their access rights, rights to be consulted for appropriation and the amount received as consideration and compensation.

According to Amone & Lakwo (2014), customary tenure has failed to protect its members' rights and interests over the years. They indicated that 28% of their respondents (land tribunal members, clan leaders, local councils, and community members) established that the major challenge faced by customary tenure is its inability to stop land grabbing and eviction by some community members. Similarly, in recent research yet to be published, grabs by family and community members form a large proportion of all grabs in the area. The government seeks to reduce the incidence of large-scale land acquisitions introduced by the State tenure, which provides tenure security and introduces quotas and standards restricting and guiding the volumes of land individuals may hold. The State tenure also introduces dispute resolution mechanisms and institutions to solve abuses of land rights and power.

2.5 Types of Land Interest in Ghana

Different tenure regimes give rise to diverse land interests. Agrarian interests stem from Ghanaian customs and traditions as well as English Common Law and Equity, according to the Ministry of Lands and Natural Resources (MoLNR, 2003). Ghana has at least five significant land interests (MoLNR, 2003). These include the mentioned interests.

2.5.1 The Allodial Interest

Allodial interest is the fundamental basis for all other land interests. It is the highest form of land ownership and is only subject to restrictions or limitations imposed by the general laws governing it

(Bugri, 2012, p.37). Allodial title can be acquired through conquest, donation, purchase, or forced acquisition. However, conquest is no longer practiced as civilization has evolved and embraced a market-based economy. Stools or skins, Tindana (earth priests), and in some instances, clans, families, and individuals typically hold allodial title.

Bentsi-Enchill (1964) differentiates between governmental and family ownership of land. The former refers to public lands that were taken through force, with compulsory acquisition resulting in the destruction of all previous land interests. Individuals, families, and communities hold allodial titles, with variations depending on their ancestry (Maha-Atma, 2014). Similarly, land interests in Awutu South are held by the stools/chiefs, with the highest interest coming from the allodial title.

The chiefs of the various stools manage the stool lands in the Awutu Senya East Municipality on behalf of the people who reside on them. Compared to acquiring family holdings, the process of obtaining stool lands is less complicated and time-consuming. Historically, the lands in the Awutu Senya East Municipality were entirely under government control and exclusively used for agricultural purposes. This has since changed. In 1974, the Acheampong administration decided to transform the area into irrigated land due to water scarcity (Maxwell, Odame, Lamptey, Zakariah, & Armar-Klemesu, 1998). As no one was monitoring the property's title, farmers who participated in agricultural activities claimed ownership of the land. Consequently, some farmers became chiefs and sub-chiefs, selling their land to Islamic settlers for cattle raising purposes. Current land ownership is held by previous settlers, including the Odupongkpehe and Nyanyano people, whose leaders act as guardians and trustees for their subjects. The Stools of Odupong and Nyanyano hold the allodial interest (Ghanney & Bentil, 2019; Awutu Senya East Municipal, 2014). Sub-Chiefs in Odupong Ofaakor have land rights similar to those of the paramount, but they are accountable to the paramount chief (Awutu Senya East Municipal, 2014).

2.5.2 Customary Freehold

Bugri (2012) defines customary freehold as an interest in property owned by subgroups and people in a community. It is also defined as a right interest by the Ministry of Lands and Natural Resources (2003). MoLNR adds that if possessed and exerted by an indigenous person, his interest is perpetual and above all others, including the allodial titleholder. Generally, a usufruct may construct, farm, and enjoy any part of the property, provided he does not infringe on the stools and state's mining rights (ibid). The holder of this interest is in beneficial occupancy of the land and may transmit it to his heirs (Bugri, 2012). Most parcels' freehold interest developed through time, like the phrase "customary freehold" used by customary landholders in Nigeria, Sierra Leone, and Ghana. A member of the landowning group may annex unsettled and unfarmed lands. Clearing barren lands, donations, and inheritance are all ways to acquire the customary freehold.

2.5.3 Common Law Freehold

The common law freehold is a creation of English common law that protects a piece of land. According to Bugri (2012), a common-law freehold may only be acquired via an explicit gift made under common law norms. He argues that the gift of a common-law freehold may be made to both non-members of the community (strangers) and members of the community (members of the community). This interest is defined by the Ministry of Lands and Natural Resources (MoLNR) (2003) as a right to use property that derives from an allodial title transferred to a third party by sale or gift like a freehold. The method of acquiring customary freehold involves purchasing property and/or giving land to others.

2.5.4 Leasehold including subleases.

Leaseholds are created by subdividing other higher interests, such as freeholds and allodial titles, into smaller parcels. According to the Maryland Property and Natural Resources Code (2003), these are rights given to a person to occupy and use land for a defined period, subject to certain agreed-upon conditions and the payment of an agreed-upon rent. Typically, leases are created via the use of deed

papers. Although leases may be granted orally, the Ghanaian constitution promotes the establishment of explicit grants that are properly recorded to protect the parties' rights.

It is noted by Bugri (2012) that leases are established for durations; the most frequently occurring term is 99 years; and that any lease must comply with the common law criteria for the formation of a legal lease for it to be considered valid. On the other hand, leases are agreements that transfer certain rights to a parcel to a person for a specified time. Leases are often accompanied by terms and conditions and covenants that govern how the property is to be used throughout the lease time. Sublease agreements are curled off the main lease agreement and are often issued by the leaseholders themselves.

2.5.5 Customary Tenancies

Customary tenancies refer to the interests of lessors obtained through land ownership. Bugri (2012) explains that these are "contractual agreements between an allodial, customary, or common law freeholder or a lessee on one hand, and a tenant farmer on the other." The lease agreement can be negotiated by either party, and it is often beneficial for both. The Ministry of Lands and Natural Resources (MLNR) states that customary tenancies are typically "sharecropping contractual agreements," in which the tenant farmer agrees to provide a set percentage of the farm's output to the landlord during each harvest season.

According to the MLNR and Bugri (2012), the most prevalent customary tenancies in Ghana are "abunu," in which the product is divided equally (50:50), and "abusa," in which the output is shared with the landowner receiving one-third and the farmer receiving two-thirds of the produce. However, in some cases, the share of the product is not predetermined and is left to the discretion of the tenant farmer. In such situations, farmers must decide what proportion to give to the landowner to persuade them to continue to allow the use of the land. It is important to note that sharing food is not the only way; sharing monetary compensation or sharing the farm itself are other possibilities.

2.6 Multiple Sale of Lands

It is commonly believed that customary land tenure systems are shifting towards private land ownership. However, the progress and implications of this shift are not well understood (Mwesigye, 2014). The move towards statutory land ownership in Africa is occurring gradually through partnerships between state institutions such as the Lands Commission and the Office of the Administrator of Stool land, resulting in the establishment of Customary Land Secretariats (Biitir and Nara, 2016). Due to the challenges of customary tenure, there is a growing shift towards adopting statutory tenure. However, this shift is not without its own set of challenges.

There are numerous obstacles to buying land in Ghana, including repeated transactions, unofficial fees, excessive paperwork, inexperienced intermediaries, and lack of transparency (Ameyaw & de Vries, 2021). The land market in Ghana is characterized by indiscipline, such as land encroachments, multiple sales of residential plots, unapproved development schemes, and haphazard development, leading to environmental issues, disputes, conflicts, and endless litigation (Ministry of Lands and Forestry, 2003). Additionally, due to the practice of multiple tenurial systems, landholding is often opaque, with no clear rules or transparent allocation procedures, resulting in multiple land sales and allocations.

According to Kasanga & Kotey (2001), the combination of urbanization and a rapidly increasing population in both urban and peri-urban areas has caused chaos in land relations and management, leading to land disputes, multiple sales, ambiguity in land transactions, lack of security in land titles, and vast unplanned areas. Title ambiguity and expensive litigation have plagued the overburdened land tenure delivery system. Disputes also arise during land transactions between traditional customs, norms, and legal postulates of indigenous land law on one hand and Anglo-American tenure and common-law notions on the other.

To address the challenges of both statutory and customary land tenure systems, the Ghanaian government introduced deed and title registration to prevent repeated allocations or sales of the same property. This is seen as a strategy for avoiding multiple sales of land, sales of someone else's private

property, and government concessions on private land, which are only possible when the land is not registered (Wehrmann, 2008). Improved record-keeping provides information to potential buyers to curb these issues. However, Gyamera et al. (2018) note that deed registration is only useful in the event of a priority conflict between instruments and does not provide title to land. Gyamera adds that inaccurate site plans, multiple land sales, and insecure land ownership are some of the difficulties facing deed registration.

The promulgation of Land Title aimed to "provide certainty and facilitate proof of title to land, and to create an enabling environment for land transactions, with the intention of making dealing in land safe, pro-poor and guaranteed security" (Gyamera et al., 2018). Once issued, land titles are indefeasible and become the first proof of ownership to any land. Only courts have the power to revoke these documents. Multiple sales of land often result in litigation or prolonged land conflicts. Wehrmann (2008) points out that many other land conflicts arise from numerous sales and double allocations of land, either as a result of legal pluralism or customary unrecorded tenure or competing state entities all legitimized to do so.

Multiple sales of lands can manifest in several ways, including privately-owned land sales by private individuals, sales of the same type of property, acceptance of faked titles due to technical flaws or malfeasance by the land registration office, overlapping/contradictory rights due to repeated allocation of land titles by multiple institutions, and public officials' multiple sales of state land. The inefficiency of Ghana's land management system has serious ramifications for the country's economy. For example, many parcels of land are unavailable for development due to disputes over the property's title. Land disputes account for 57% of all cases in Ghana's judicial system (Sittie, 2006). The question of who has the power to sell a property within a family or community is complicated by ownership and control over the property. Additionally, some evidence suggests that title documents at land secretariats are changed or tampered with.

2.6.1 Social Tensions and Land Conflicts resulting from Multiple Sales

High rates of population growth, combined with limited opportunities for non-agricultural work, can lead to significant land conflicts and related social tensions and violence both within and between communities and households (Cullingworth, 2018). Land reform has also emerged as a significant issue in many countries where land distribution remains severely unequal, as well as in post-conflict countries where access to land was often a major demand that led to violence (Cullingworth, 2018). In most areas of the world, social tensions take the form of land conflicts or litigations where parties are competing to secure an interest in a particular piece of land (UN-HABITAT, 2012). According to UN-HABITAT (2012), attempts to promote peace and resolve disputes or competing interests in land may unintentionally worsen tensions or, in the worst-case scenario, lead to a deterioration of the situation without careful consideration and preparation. Additionally, UN-HABITAT notes that tensions may exist between the ideals of development partners and the historical and cultural experiences of conflict-affected societies, which, if not handled appropriately, might drive away investment or result in violence.

Access difficulties may not always lead to conflict. For example, despite significant complaints, no violence may occur. Likewise, such tensions may not always lead to conflict in many societies with highly uneven access to land or high rates of landlessness. However, given the appropriate conditions, access-related issues can quickly escalate into land conflicts. Thomas Chung and Rich Megginson define conflict as "the struggle between incompatible or competing needs, desires, ideas, and interests of people. Conflict arises when individuals or groups encounter goals that both parties cannot satisfactorily obtain." It is a battle between individuals who have different wants, beliefs, values, ideas, or objectives and between people competing for limited resources. Sociologists define conflict as "a social fact in which at least two parties are involved, and whose origins are differences either in interests or in the social position of the parties" (Imbusch 1999).

Conflict is therefore common, pervasive, and expected. It is a part of life. It is sometimes even beneficial, which is why it is impossible to imagine a scenario without conflict. Indeed, conflict is inherent in all human societies (Bercovitch and Langley, 1994). According to Deutsch (1991) and Zartman (2005), the causes of conflict are control over resources, preferences and annoyances, values and beliefs, or the nature of the relationship. Furthermore, the form of institutional change is closely linked to some land conflicts. Multiple sales, for example, are common for sluggish institutional developments that result in the overlapping of two systems due to legal pluralism (Wehrmann, 2008). That is, weak institutional frameworks and capacities may create avenues for conflicts to thrive in land transactions. Lands are sacred. Hence, landowners may go to any extent to secure their threatened rights. Lands can be held for their investment values; hence landowners and buyers would go to any extent to protect their interest in land. Land conflicts frequently have far-reaching negative consequences for economic, social, spatial, and environmental development (Wehrmann, 2008). The effects are vast and cover every aspect of human life.

Conflict obstructs economic development through reduced investment, trade, and production, as well as the loss of human and physical capital (including forced displacement and catastrophic effects on education and health care). When considered collectively, these variables contribute to a sustained decrease in an economy's productive capacity. Counterfactual research shows that wars cause a 15 to 20% drop in real GDP per capita over five years compared to a no-conflict situation.

2.6.2 Linking Multiple Land Sales and Economic Development

Tenure security is based on critical objectives such as the clarity of defined rights and obligations, the quality and validity of property rights records, the precision with which boundaries are demarcated, the likelihood that rights will be violated, and the ability to seek redress from a competent authority (Deininger, 2004). Secure tenure is also recognized as a critical issue in managing urban development and reducing urban poverty. In response, the United Nations Habitat launched the Global Campaign

for Secure Tenure in May 1999 to strengthen protection against forced evictions and promote longer-term secure tenure alternatives (Payne et al., 2009).

Poverty has many repercussions for those on insecure tenure (Payne et al., 2009). Legal tenure is necessary to provide basic services at the settlement level. The Millennium Development Goals, established in 2000, emphasize the importance of property rights and the connection between property rights and poverty alleviation.

However, Ghana's present land management system creates a great deal of tension for various reasons. Under Ghana's traditional land tenure system, multiple parties may be interested in the same piece of land, and they cannot sell or register it without the permission of the other parties or claims. However, the current land management system is confusing and disorganized, allowing people to do so. Deininger (2004) points out that any deficiencies or inconsistencies across the various components of the property rights system can substantially damage tenure security, increasing the chance of disputes and lowering investment and trade incentives. It also directly impacts investment at the settlement level and exacerbates poverty and social isolation. Payne et al. (2009) further note that insecure tenure has a detrimental effect on local taxes, property, and economic activity from the perspective of governments.

To protect their rights, Ghanaian law requires landowners to register their property with the Lands Commission. Land policies are critical to long-term prosperity, effective governance, and the well-being of both rural and urban residents, notably the poor, as well as the economic opportunities available to them (Deininger, 2004). Hence, there has been a development and promotion of land-based policies and titling. However, deed registration has been rolled out nationwide while land title registration is only being piloted in a few regions. Moreover, many obstacles face deed registration, including faulty site plans, multiple land sales, land ownership uncertainty, and many types of land conflicts (Gyamera et al., 2018). Therefore, questions about whether it fulfills its objectives for being set up arise.

The World Bank policy on title suggests three phases of change based on experience in East Asia and the Pacific: 1) defining property rights within a coherent legislative framework and establishing administrative procedures to ensure the security of tenure of these property rights, 2) developing organized land markets in which land may be readily leased, bought, sold, and given to maximize the resource's efficiency and value, and 3) using real estate and land use as security in transactions (World Bank 2004: ii-iii). However, in the case of gradual institutional changes that result in the overlap of two systems, multiple sales, such as those resulting from legal pluralism, are common. Unfortunately, these shortcomings have failed to implement the reforms mentioned above. A significant number of multiple sales, evictions, and land grabs, among other things, cause people to lose confidence in the state and mistrust one another in regions where there is a high number of these events. Additionally, there are worries that the procedure is time-consuming and expensive, with suspected bribe payments being one of the costs. Consequently, many property purchasers do not complete the title or deed registration procedure after obtaining their allocation papers.

In certain family, clan, or traditional areas, there is a lack of accurate information about who has the authority to sell communal property. Traditional authorities may distribute property to community members and prospective buyers on behalf of the community, resulting in individuals acquiring property without conducting a title search and buyers being misled. Many buyers become victims of repeated sales and are forced to seek compensation through the legal system.

The case of Dora Boateng versus Mackeown Investments illustrates the difficulties involved in purchasing land in Ghana. Boateng was the legitimate owner of the contested property according to a majority of five justices in Ghana's highest court. The deed of sale was signed in 2000 and recorded in 2014. However, the judges were surprised by the condition of Ghana's land records, which they said made it difficult to determine the legal owner of certain parcels of property. They stated that such uncertainty regarding the validity of real estate transactions coupled with turmoil could also discourage international investors.

The justices ultimately ruled in Boateng's favor, but they highlighted some of the tremendous difficulties that may arise when adjudicating property title issues. For example, between 1984 and 2014, the following individuals were listed as the sellers of the 50-acre property: Beatrice Afua Obuo & Cardina Apparama, Emmanuel Kwabena Larbi, Opanyin Emmanuel Amponsah Atiemo, Benjamin Tetteh, Stephen Alfred Tagoe, Evelyn Doku, Madam Gladys Yirenkyiwah, Madam Elizabeth Darkoa, and Emmanuel Kwasi Awuah. The judges noted the challenges that courts continue to face in obtaining reliable maps, reports, and data when resolving land disputes, highlighting the poor state of land administration in the country. They stated that although the Land Title Registration Act, 1995 (PNDCL 152), has been in effect since 1995, only the Greater Accra Region and the Kumasi metropolitan area have been designated as registrable areas for land title registration. After reviewing the search findings, the judges asked, "In situations like these, how can a potential purchaser determine the real family that owns the land other than through relying on the good faith of the prospective grantors?"

The court emphasized that a country's ineffective land administration may negatively impact its ability to attract foreign investment. Therefore, the court advocated for an overall policy addressing land ownership, title, and administration. According to the five judges, who ruled that the sale to Boateng was valid and the purported sale to the second buyer was invalid, Kwame Kissiedu Kwaasi or his family should not have benefited from a double sale, as occurred in this case, and they expressed their displeasure with the decision.

Hernando de Soto (2000:7) has effectively drawn attention to the importance of tenure policy as a key element in forming social and economic institutions. He argues that the absence of tenure security in developing nations is one of the most significant impediments to their ability to participate in the capitalist system. De Soto contends that although the poor already possess the assets necessary to make capitalism work for them, they do so in a flawed form due to their exploitation. For example, they may have homes but no titles, crops, deeds, and companies with no incorporation statutes, resulting in their assets being treated as "dead" capital. He estimates that the entire worth of such 'dead capital' is at least US\$9.3 trillion based on his calculations.

Moreover, when it comes to landed properties, not having a secured tenure due to multiple sales prevents one from enjoying the full economic benefits of the land. Multiple sales, therefore, makes it impossible for property owners to enjoy the benefits of their properties fully. For persons whose security is threatened, the amount of investment into such properties would be limited. Both local and foreign investments are scared to purchase or make investments into landed properties due to the inefficiencies of the landed property market.

2.7 Conceptual Framework

Land acquisition in Ghana has been characterized as being fraught with obstacles, regardless of where the land originates (public lands or customary lands). Double land sales, difficulty getting trustworthy property information by potential purchasers, various unofficial charges in the acquisition process, issue of unreliable land documents to innocent and naive land purchasers, fraudulent land transactions, delayed delivery of land documents, and extended processing times for closing land acquisitions are just a few of the challenges that landowners must confront. Land disputes and litigations that have resulted in deaths in some cases, the use of armed thugs (commonly known as land guards) who are kept on the land to scare away or beat counter claimants simply to protect the land, and a massive backlog of land dispute cases at Ghana's law courts that has slowed the delivery of justice in the court system are all consequences of these challenges.

Because the municipality's population has grown rapidly in recent years, and demand for land exceeds supply, available land is under tremendous strain. Indigenous landowners and settlers who came to farm in the area have come to terms due to confusion over actual property ownership. Land was not traditionally viewed as a tradeable good. Instead, settlers were given land as a thank you. Previously, they were obligated to farm the land and deliver a percentage of the profits to the traditional owners. Despite its new municipality status, farmland has been replaced by housing complexes. Due to this, the original agreement is no longer valid. These organizations have been acquiring land and using land

guards, resulting in the local governmentselling property twice. The original landowners are selling while the settlers are selling, producing issues for traditional and urban authorities

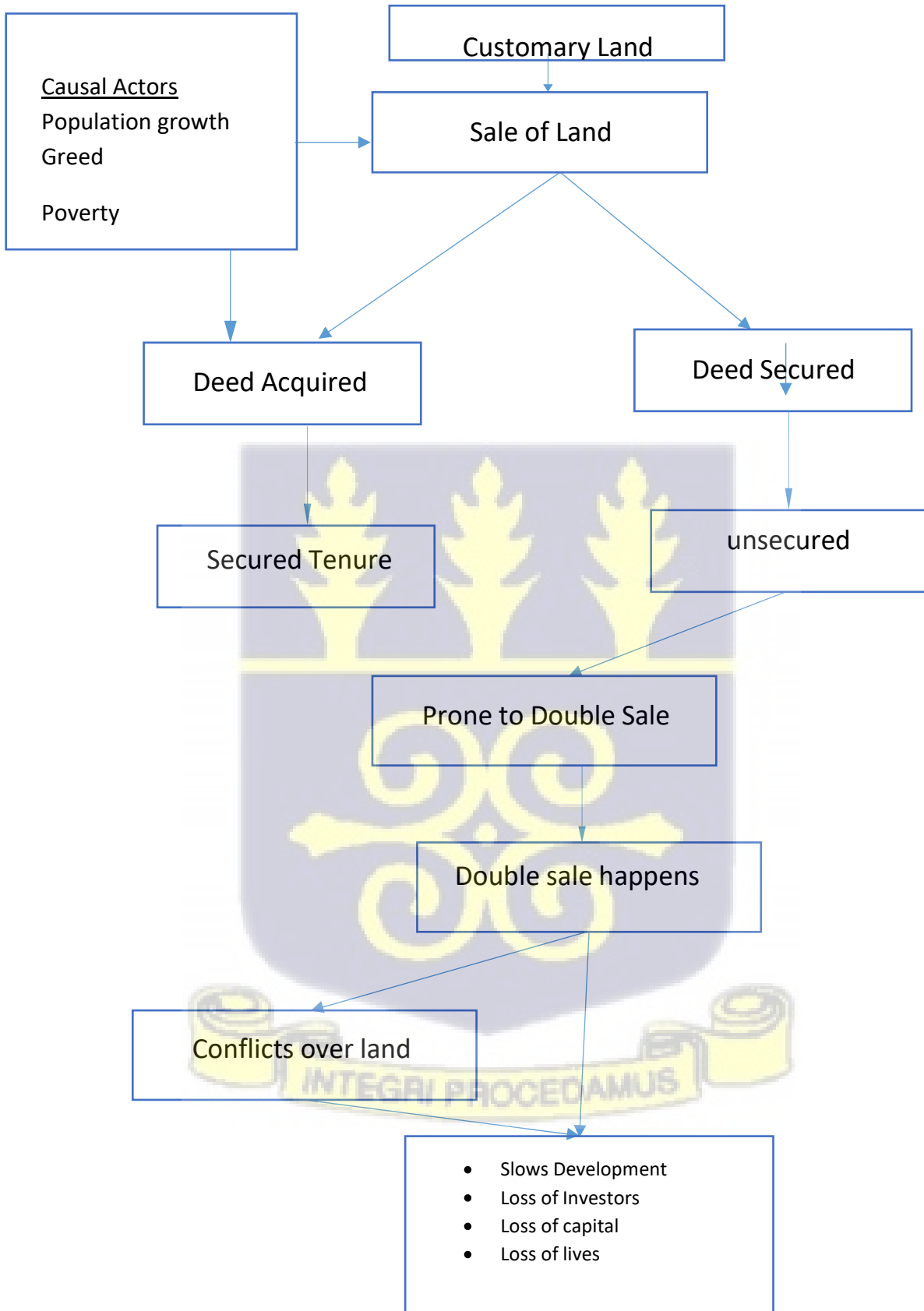
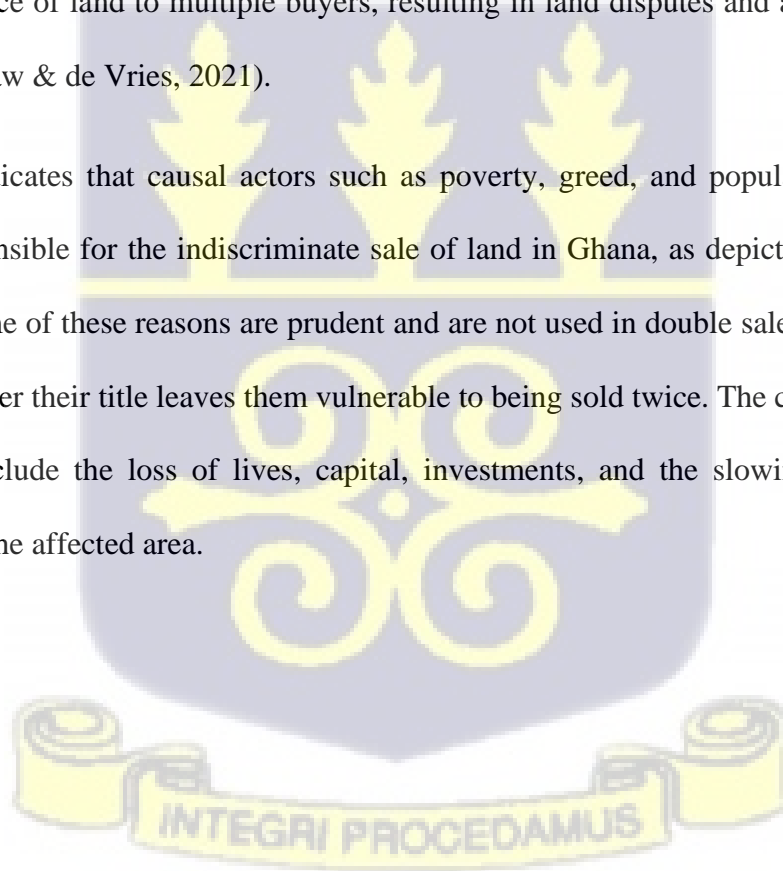


Figure 2. 1 Conceptual Framework

Source; Author's Construct, 2021

Despite the fact that customary land transactions do not require registration in a formal land registry, certain constitutional provisions and land legislation render all customary land transactions ineffective and illegal from an official and legal standpoint until they are formalized in state-established land institutions (Antwi and Adams, 2003). Hence, current legislation recognizes as landowners the first individual to securely register an interest in a parcel of land, regardless of whether the acquisition was legal. As a result, double sales occur for a variety of reasons, as illustrated in Figure 1, with some consequences for businesses. Additionally, some dishonest chiefs take advantage of their position to sell the same piece of land to multiple buyers, resulting in land disputes and animosity among those involved (Ameyaw & de Vries, 2021).

The research indicates that causal actors such as poverty, greed, and population demands, among others, are responsible for the indiscriminate sale of land in Ghana, as depicted in the figure above. Even though some of these reasons are prudent and are not used in double sales, the failure of buyers to properly register their title leaves them vulnerable to being sold twice. The consequences of double sales of land include the loss of lives, capital, investments, and the slowing down of economic development in the affected area.



CHAPTER THREE

METHODOLOGY

3.0 Introduction

The methodology and various techniques that guide the study are presented in this chapter. It starts with a profile of the study region to establish a clear context in which the research was conducted. Aside from the study area's profile, the research strategy, research design, sampling and sampling technique used in the study, as well as the rationale for their use, are all described. The scale of measurement, target population, research tools, types of data, data analysis method, research reliability and validity, and ethical considerations that were examined during the study are also included in this chapter.

3.1 Study Area

The Awutu Senya East Municipal Assembly (ASEMA) is one of the recently created municipalities in Ghana's Central region. The municipality was formed in 2012 through the dissolution of the former Awutu Senya District and the promulgation of Legislative Instrument (LI) 2025, which created it as a municipality. The Awutu Senya East Municipality is located in the eastern section of the Central Region, between the latitudes of $5^{\circ}45'$ south and $6^{\circ}00'$ north, and the longitudes of $0^{\circ}20'$ west to $0^{\circ}35'$ east (see Figure 3.1). It is bordered on the east by the Ga South Municipal Assembly (in the Greater Accra Region), the north by the Awutu Senya West District, and the west and south by the Gomoa East District. The municipality covers an area of approximately 180 square kilometres, accounting for approximately 1.8 percent of the total land area of the Central Region. Kasoa, the Municipal Capital, is located in the southeastern part of the country, about 31 kilometres from Accra. Other notable communities in the area include Opeikuma, Adam Nana, Kpormertey, Ofaakor, Akweley, Walantu, and Zongo.

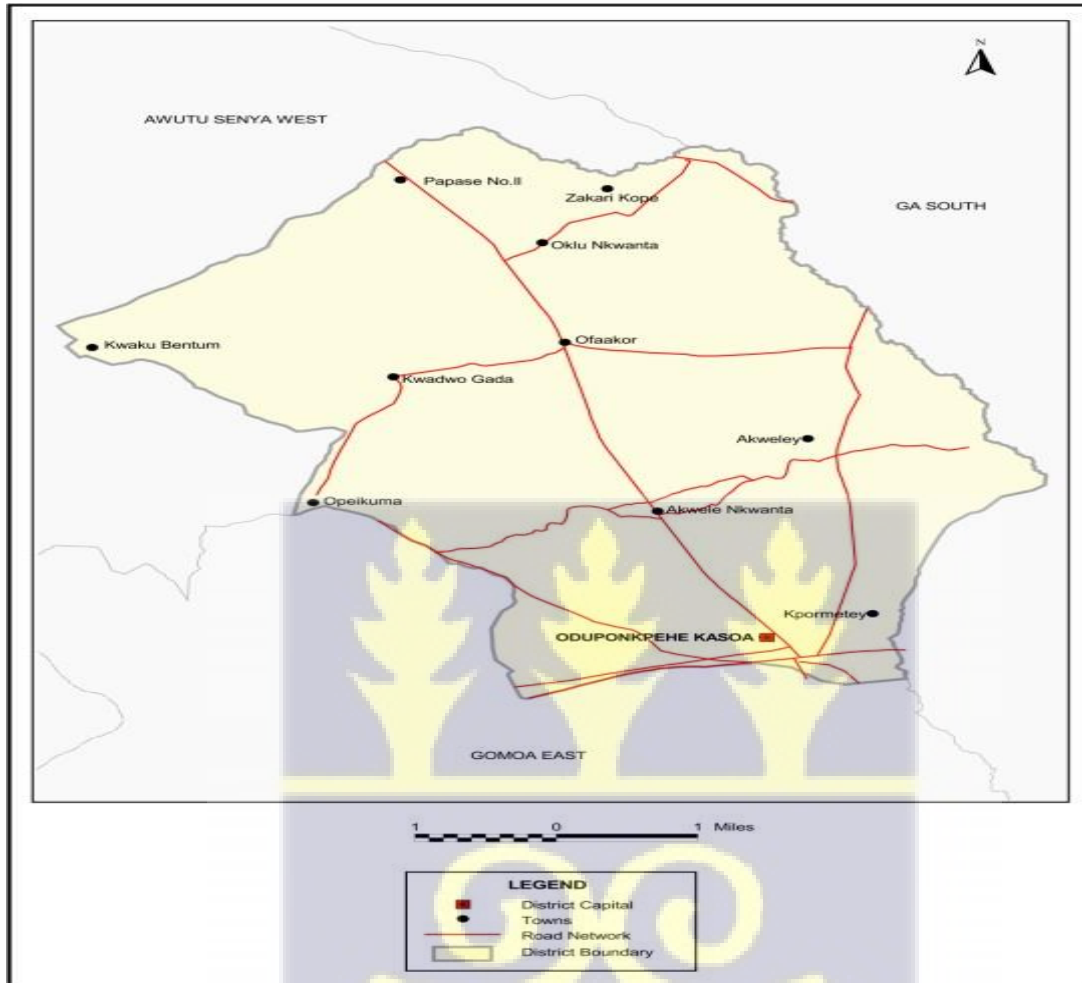
Due to its proximity to Ghana's capital, Accra, the Awutu-Senya East Municipality, which has Kasoa as its municipal capital, is now one of the country's largest municipalities. A municipality that had been dormant for a number of years has been converted into a haven for individuals of all walks of life. In order to accommodate the growing population and the high cost of acquiring land in Accra, the majority of people have settled in the municipality to commute to Accra for economic pursuits, with no comparable expansion in safe water and sanitation facilities (Awutu-Senya East Municipal Assembly [ASEMA], 2014).

Literature shows that the government entirely held Kasoa lands and used them only for agricultural purposes. Since the land was flooded, the then Acheampong government converted the territory into irrigation farms in 1974 due to the water shortage (Maxwell, Odame, Lamptey, Zakariah, & Armarm-Klemesu, 1998). Following a series of government changes, the farmers who assisted in agricultural activities asserted ownership of the land because there was no one in charge of regulating land ownership. As a result, certain farmers rose to become chiefs and sub-chiefs, and some of their properties were sold to nomadic settlers who used the area for animal rearing. As things stand now, all lands are held in trust by earlier settlers, including the inhabitants of Odupongkpehe and Nyanyano, who serve as guardians and trustees for the subjects of their respective chiefs. The Odupong and Nyanyano Stools are the Odupong and Nyanyano Families (Ghanney & Bentil, 2019; Awutu Senya East Municipal, 2014). The sub-chiefs in the Odupong Ofaakor area also have comparable land rights, but they are answerable to the supreme chief instead (Awutu Senya East Municipal, 2014).

Due to the rapid expansion in population in the municipality over a relatively short period, and because there is currently a greater demand for land within the municipal area than there is supply, there is significant pressure on available land. Land was not traditionally considered a commodity to be exchanged. Instead, settlers were given the land in exchange for a gesture of their gratitude. According to the earlier arrangement, they were required to farm the property and deliver a portion of the proceeds to the traditional proprietors. Although the area has just been designated as a municipality, farmland has been phased out in favor of housing complexes. As a result, the land has been assigned a monetary

value, rendering the original agreement moot.

Table 3. 1 Map of Awutu Senya East Municipal Assembly



Source: Ghana Statistical Service, 2010.

3.2 Research Design

The study will be best conducted utilizing a qualitative research approach due to the nature of the research aims. The choice of qualitative research approach is justified because the study sought to unearth the different experiences, emotions, stories and perceptions of people regarding the causes of multiple land sale and its attendant effect on the socio-economic development in the Awutu Senya East Municipal Assembly.

3.3 Target Population

According to the Ghana Statistical Services (GSS, 2021), the Awutu Senya East Municipality has five traditional rulers (subchiefs), and 15 families owning lands. Data from the Awutu- Senya East Municipal Assembly showed that in 2020, 200 individuals and organizations were registered and permitted to undertake developments. Similarly, as at the end of 2020, records from the Kasoa District Court and the Cape Coast High Court, revealed 365 and 789 pending land litigation cases respectively. Based on the above exposition, the target population for this study primarily comprised of the landowners within the Awutu Senya East Municipality, indigenes, purchasers, the court and the customary land secretariat. Landowners in this context are family leaders and sub-chiefs who have been entrusted with their subjects' land. Land purchasers are also those who engage in land transactions. This may entail leasing or outright purchasing of land within the study area.

3.4 Sampling and Sampling Techniques

The study employed the qualitative research approach and therefore, adopted non-probability sampling techniques in the selection of respondents or participants of the study. The study first of all adopted the purposive sampling technique to sample the family heads, traditional rulers, and court registrars as respondents of the study. Purposive sampling helps in gathering data from people who are perceived to have adequate knowledge on this particular subject (Sudarmaji, 2020). The case of researching double sales of land requires unique knowledge and selection of people who have experienced the issue in question, hence, the adoption of the purposive sampling technique in the selection of the key informants for the study since they have adequate knowledge on land issues in the Municipality.

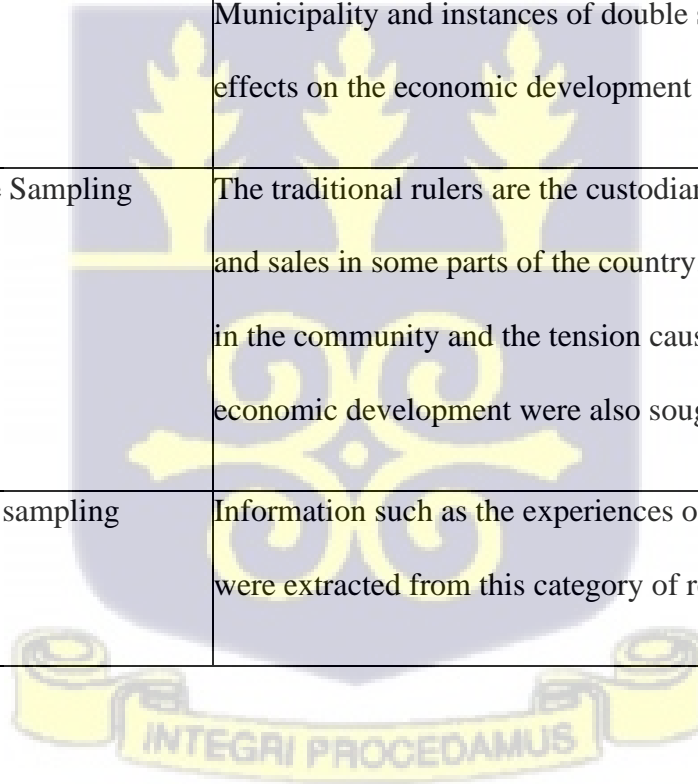
In addition, since it was cumbersome to identify specifically, the landowners and indigenes who engage in land purchasing activities, the study adopted the snowball sampling technique in sampling the landowners and the indigenes as respondents of the research. The choice of the snowball sampling technique is due to the fact that there is no accurate and current data in the study area regarding landowners and hence, adopting snowballing technique to select respondents for the study was appropriate in identifying respondents. This kind of sampling technique although characterized by

some disadvantages such as sampling bias and lack of cooperation, has proven to be very essential in selecting participants for a study because it is cost-effective, it is quicker to find samples and samples are not hesitant to subject.



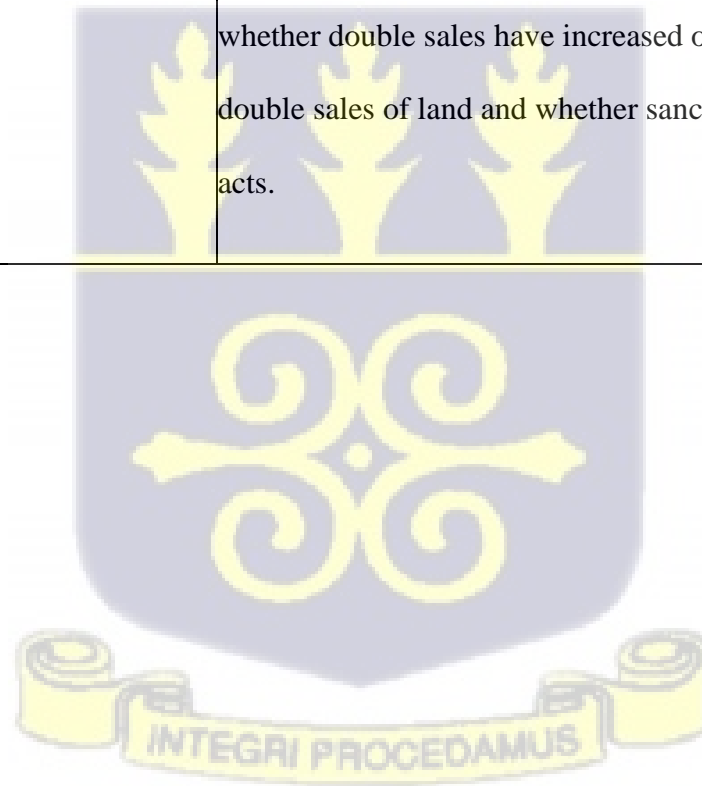
Table 3. 2 Breakdown of the Sample Size and Techniques used for Sampling Study Respondents

Interviewee/Units	No. of Respondents	Sampling Technique	Definition
Family Heads	5	Purposive Sampling	Since family heads typically accent land sales, the research finds it essential to interview them. It seeks to extract information such as the process of land sale in the Municipality and instances of double sales of land within the study area and its effects on the economic development of the Municipality
Traditional Rulers	2	Purposive Sampling	The traditional rulers are the custodians of the land and hence determine land use and sales in some parts of the country. Information such as the state of landholding in the community and the tension caused by multiple sales of land and its effects on economic development were also sought from this category of respondents.
Indigenes	20	Snowball sampling	Information such as the experiences of multiple land sales, their causes and effects were extracted from this category of respondents.



Landowners	25	Snowball Sampling	Although double sales do occur, they can be challenging to identify. As a result, the research, which was conducted using a database from the customary land secretariat to purposefully select respondents to probe on issues or instances of double land sales.
Court Registrar	2	Purposive Sampling	The research compiled statistics on the number of instances of double sales over the last two years in the study area. This data enabled the study to establish trends, i.e., whether double sales have increased or decreased as well as ascertain the causes of double sales of land and whether sanctions are meted to culprits who engage in such acts.

Source: Author's Construct, 2022



3.5 Sample Size

As shown in Table 3.1, the overall sample size for the study was 54 respondents, comprising two (2) traditional rulers, five (5) family heads, twenty-five (25) landowners, two (2) court registrars, and twenty (20) indigenes who engage in land acquisition operations.

3.6 Data Collection Sources

The variables under consideration determined the data to be obtained. The state of landholding and transaction within the Awutu Senya East Municipality, the link between multiple land sales and social tension in the Municipality, and the impact of multiple land sales on the Municipality's economic development were among the major variables and their specific indicators, as stated in the research objectives. Based on this, the study leveraged on both primary and secondary data sources to achieve the objectives of the study. Due to the qualitative nature of the study, the primary data was collected through direct interaction with respondents using an interview guide and a focus group discussion guide. The secondary data was obtained from various publications such as articles, papers, relevant existing studies among others.

3.7 Techniques and Tools for Data Collection

The study employed the use of key informant interviews (interview guide) and focus group discussions as the data collection methods/tools to gather data for the study. The tools that were used are discussed in the following sub-sections.

3.7.1 Key Informant Interview

For qualitative data, key informants were interviewed to provide in-depth information regarding the subject matter. For the purpose of this study, interviews were conducted with family heads, landowners, traditional rulers, and some indigenes who might have been victims of multiple land sales. The interviews with these key informants or stakeholders provided the opportunity to elicit data from the respondents regarding the processes involved in land sale in the municipality, the issues of multiple

sales of land and its effects on the socio-economic development of the Municipality, and to find out whether sanctions are meted out to culprits who indulge in multiple land sales and the various measures taken to mitigate the issues of multiple sales of land in the Municipality.

3.7.1 Focus Group Discussion

Within the study area, three focus group discussions were held with indigenes who engage in land sale activities and victims of multiple land sales. The membership of each focus group did not exceed 8 participants. The focus group discussions were conducted with indigenes to, first of all, ascertain data on the factors that lead to multiple land sales, the experience victims go through including the adoptive solutions they employ anytime they encounter such situation and finally based on the experiences and perceptions of respondents, solicit recommendations from respondents on how multiple land sales can be curbed in the Municipality.

3.8 Techniques and Tools for Data Collection

The basic quantitative information that was collected mostly on the demographic characteristics of the respondents was analyzed using Microsoft excel. Thematic analysis was used to interpret the qualitative data acquired from the interviews and focus group discussions that were conducted. Thematic analysis has been defined as a method for identifying, examining, describing, and recording patterns found in data (Braun & Clarke, 2006). The data acquired throughout the research was therefore analyzed using thematic analysis, described, and grouped into themes for interpretation in the form of verbal quotations among others.

3.9 Ethics Application

Each respondent was adequately informed about the goal of the study and the data they were expected to provide, and they were assured that there would be no danger associated with providing information to the researcher or research assistants. Data analysis was conducted anonymously or using pseudonyms to ensure that the study accurately reflected participants' perspectives. The data collected

was not shared in whole or in part with anybody who participated in the study. When an audio recording was to be made, respondents were notified in advance. Additionally, the study adequately acknowledged any material obtained from other sources to avoid plagiarism.

3.10 Chapter Summary

This chapter provides an overview of the topic area and the methodology employed to conduct the study. To collect data, the study used a qualitative research approach. This was performed by using non-probability sampling approaches, notably the purposive and snowball sampling strategies, in order to sample respondents for the study.



CHAPTER FOUR

RESULTS AND DISCUSSION

4.0 Introduction

This chapter presents the qualitative findings from a study conducted on the topic "An Assessment of the Implications of Multiple Land Sales on Economic Development in the Awutu Senya East Municipality." The study utilized a qualitative research method, and an interview guide was employed to independently elicit information from the study respondents. The presented findings are based on the study's objectives and questions, which aimed to gather data about the topic. The analysis was conducted according to the research objectives.

4.1 Demographic Variables

Background information of respondents in research is necessary as it provides basic information on the particular persons who partook in the study. As a result, the first section of the questionnaire interview guide was designed to elicit personal information from the respondents. The background data obtained from the respondents include data on respondents' gender, age, occupation, educational level, land ownership among other relevant data. The demographic information of respondents is presented in the tables below.

Table 4. 8 Gender of Respondents

Gender	Frequency	Percentage (%)
Male	22	92
Female	2	8
Total	24	100

Source: Author's Field Survey, 2022

Table 4.1 above gives an illustration of the demographic characteristics of the respondents of the study. This was necessary as it provides basic information on the persons who partook in the study. Concerning the gender of respondents, the majority of the respondents (thus 92%) who participated in the study are males with just 8% being females. The table indicates that there is a significant gender disparity in land ownership in the municipality, with men dominating the ownership of land. This aligns with broader trends in many parts of Ghana and other countries, where women often face barriers to land ownership and may have less access to resources than their male counterparts. (Jackson, 2003; Quansah, 2012).

Table 4. 9 Age of Respondents

Age of respondents	Frequency	Percentage (%)
21-25	1	4
26-29	4	18
30-34	3	13
35-39	7	29
40-44	2	8
45-49	2	8
50-54	2	8
55-59	1	4
60+	2	8

Total	24	100
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Source: Author's Field Survey, 2022

Table 4.2 shows the age composition of respondents. The most common age group among the respondents is 35-39 years old, with 7 respondents or 29% of the total. The next most common age group is 26-29 years old, with 4 respondents or 18% of the total. The least common age group is 21-25 years old and 55-59 years old, each with only 1 respondent or 4% of the total.

The age distribution of the respondents suggests that the study included participants from a wide range of age groups. However, it is worth noting that the majority of the respondents were in their late twenties to mid-thirties, which could indicate a bias towards younger adults in the sample.

Table 4. 10 Occupation of respondents

Occupation of respondents	Frequency	Percentage (%)
Civil/public servant	8	33
Entrepreneurs	8	33
Private consultants	2	8
Accountant/bankers/financial sector workers	3	14
Auditor	1	4
Students/NSS	2	8
Total	24	100

Source: Author’s Field Survey, 2022

The table shows the distribution of occupations among the respondents of the study.

The most common occupation among the respondents was civil/public servants and entrepreneurs, each accounting for 33% of the respondents. The next most common occupation was accountant/bankers/financial sector worker, which accounted for 14% of the respondents. Private consultants and students/NSS accounted for 8% each, while auditors accounted for 4% of the respondents.

This information provides insight into the occupational demographics of those who participated in the study. It suggests that civil/public servants and entrepreneurs are well represented in the study and may have unique perspectives on land ownership in the municipality. Additionally, the presence of accountants/bankers/financial sector workers indicates that financial matters related to land ownership may be an important aspect of the study.

Table 4. 11 Educational attainment of respondents

Educational Attainment	Frequency	Percentage (%)
Basic	1	4
Secondary/ SHS	6	25
Tertiary	17	71
Total	24	100

Source: Author’s Field Survey, 2022

Concerning the educational attainment of respondents, the study found that about 71% of the total

respondents attained their highest education at the tertiary level (HND, Diploma, degree and post graduate degree). Based on the findings gathered on the occupation of respondents, it is not surprising that the majority of the respondents have their highest education at the tertiary level. It also depicts that the community or district has learned people who collectively put ideas together for the socio-economic development of the district and the country at large.

Table 4. 12 Ownership of lands

Respondents state of land ownership	Frequency	Percentage (%)
Yes	23	96
No	1	4
Total	24	100

Source: Author's Field Survey, 2022

Table 4. 13 Mode of land acquisition

Respondents' way of land ownership	Frequency	Percentage (%)
Purchase	18	75
Inheritance	4	17

Others	2	8
Total	24	100

Source: Author's Field Survey, 2022

The findings of the study also revealed that about 96% of the total respondents in one way or the other own lands within some communities in the Municipality. The data shows the ways in which the respondents acquired land ownership in the Awutu Senya East Municipality in Ghana. Out of the 24 respondents, 18 (75%) acquired land through purchase, 4 (17%) through inheritance, and 2 (8%) through other means. This indicates that the majority of landowners in the municipality acquired their land through purchase, which could suggest that the demand for land has led to a rise in commercial transactions in land ownership. The relatively low percentage of inheritance as a means of acquiring land could be an indication of a shift from traditional inheritance practices or a reflection of the fact that a significant proportion of the population migrated to the area rather than being native to it. This is represented in tables in Table 4.5 and 4.6 above.

Table 4. 14 Interest held in Land.

Respondents interest held in land	Frequency	Percentage (%)
Freehold	17	71
Leasehold	5	21
Others	2	8
Total	24	100

Source: Author's Field Survey, 2022

The table shows the interest held by the respondents in land in the Awutu Senya East Municipality in Ghana. Out of the 24 respondents, 17 (71%) hold freehold interests in land, which means that they own the land outright with no time limit on their ownership. Five (21%) hold leasehold interests, meaning they have a temporary right to use the land, usually for a fixed number of years, and two (8%) hold other forms of interest in land. This data provides insights into the types of land ownership in the municipality and can help policymakers understand the needs of different landowners. For instance, freehold landowners may have different concerns and preferences than those with leasehold interests, and understanding these differences can help inform land use policies and regulations.

Table 4. 15 Duration of land ownership

Duration for Land Ownership	Frequency	Percentage (%)
Below 5 years	9	38
6-10 years	6	25
11-20 years	4	17
21-30 years	3	13
No ownership	2	7
Total	24	100

Source: Author's Field Survey, 2022

The table shows the duration of land ownership among the respondents in the Awutu Senya East Municipality in Ghana. The majority of the respondents (38%) had owned their land for less than five years, while 25% had owned their land for 6-10 years. 17% had owned their land for 11-20 years, and

13% had owned their land for 21-30 years. Only 7% of the respondents reported having no ownership of land.

This information provides insight into the pattern of land acquisition in the municipality. The high percentage of respondents who had owned their land for less than five years suggests that land ownership is a recent phenomenon in the area. The relatively low percentages of respondents who had owned their land for longer periods of time may indicate that there has been significant land turnover in the municipality in recent years. The fact that only 7% of respondents reported having no ownership of land suggests that land ownership is widespread in the municipality.

4.2 State of Landholding and Transactions in the Awutu Senya East Municipality

In order to gather data on the state of landholding and transactions in the Municipality, the study conducted inquiries with respondents to ascertain their views. The researchers first asked about the different types of landholding arrangements in the municipality and who has the right to sell or hold land. The findings from the respondents revealed that there are two primary types of landholding arrangements: customary freehold or tenancy and leasehold. According to the respondents, customary tenancy occurs when one inherits land from their family, while leasehold involves purchasing land from interested parties or individuals. The respondents also revealed that individuals with the right to hold or sell land in the Municipality include the chief, family heads, landowners, and real estate developers. The findings on the different types of landholding arrangements and rights to hold or sell land are illustrated through the following statements made by the respondents:

“The landholding arrangement I know of in this community is the customary tenancy and leasing. Those who can sell or hold land in the community and for that matter the municipality are the chief of the land, and family heads who have land custody” (63 years old; female; family head)

In addition, a traditional ruler intimated.

“Leasehold and freehold are the landholding system in this area. For instance, those who come from families that own lands, particularly in this area do not purchase land most of the time. However, those whose families do not own land are not from the area own lands only through purchasing and hold the leasehold interest in the land. For land ownership or sale, Nai Odupong Awushi Tetteh II is the one supposed to sell the land, and no one has the right to sell land in this area previously. However, the land has been shared so people are able to sell land, but the land sold bears the name Nii Awushi Tetteh II and his signature on it indicating that he is the one in charge of lands in the area” (60 years old; man; traditional ruler).

Also, a landowner intimated.

“The leasehold is one landholding arrangement that I am conversant with because my land was leased out to me. What I know is that the traditional authorities or sometimes the real estate developers are qualified to sell lands. An individual who has a land can also sell his/her land” (34 years old; male; landowner)

The study found similar results across the different respondent categories regarding landholding arrangements and who has the right to sell or hold land, which supports the findings of previous studies. Arko-Adjei et al. (2010) describe Ghana's two main landholding arrangements: customary land tenure and statutory land tenure systems. Customary lands are owned and managed by clans, tribes, heads of families, and social groups. According to Article 267 of Ghana's 1992 constitution, chiefs and family heads are the primary caretakers of customary lands. The study's findings support this assertion and are consistent with Arko-Adjei et al.'s (2010) findings and the 1992 constitution of Ghana.

Additionally, Godwin and Kyeretwie's (2010) study identifies three basic types of customary law and land rights that align with this study's findings. These include the allodial title, held by customary law; the secondary law right, which involves customary law freehold and can be held by individuals or

groups of people. Agbosu (2007) notes that heads of family and key household members primarily have the right to land management in non-patriarchal societies. In non-patriarchal cultures, the governance and administration of lands are given to the same individuals who wield political and other government-related duties. The study's results also support the Ministry of Lands and Natural Resources' (MoLNR, 2003) and Bugri's (2012) findings on the different types of land interests, including allodial interest, customary freehold, common law freehold, leasehold, subleases, and customary tenancies.

To further investigate landholding arrangements and transactions in the municipality, the study examined the reasons why people hold/sell land and whether the land market is profitable. The findings revealed that many people sell their lands due to financial constraints. Other factors that lead to land sales or leases include the need for resources to travel, the desire to convert land to cash, and other reasons. Conversely, some respondents stated that they do not sell their lands because they want to preserve them for future generations as they inherited the land. Additionally, people purchase land for farming purposes or to develop projects such as schools, residential and industrial buildings.

In addition, the study found that the land market is predominantly growing and profitable. According to the respondents, the market is growing because many people are putting up residential and industrial buildings everywhere, and this is why many landowners end up selling lands to multiple owners or users. These are some of the thoughts shared by some of the respondents regarding the factors that account for them to sell off land and the profitability of the land market:

“If you buy a land and you want to sell it you have to come to us (traditional rulers) for us to give you an assignment. The land is not supposed to be sold rather it is leased out. Yes, when you come for the assignment, it will indicate that you have bought the land from us hence, you do not have an option to sell the land. Most of them sell the land due to hardships and some also want to travel so they sell the land so that they can get money and travel” (60 years old; male; traditional ruler)

One of the family heads also had this to share;

“Most times, people decide to sell their lands because they need money either for family issues or for upkeep and people also buy lands because they need land for the development of projects (residential and industrial purposes). Oh, the land market is growing because, when you come and we realize what you are doing is not correct, then we make you aware that what you are doing is not right. Some people can sell one parcel of land for about 3 to 4 people, and they are the people creating such problems. Lands are mostly used for residential purposes” (63 years old; female; family head)

A landowner also intimated:

“There are so many factors. Some can be financial. For instance, I buy a lot of lands so when it gets to a time that I need money, I sell some and by then too the price will be high. I bought my land for 5000 cedis and I later sold it for 70,000cedis because land had appreciated in value. Some people are into the business of buying and selling lands. Some people also sell their land when they realise there are some disputes surrounding the land. So, when one realises there is a form of misunderstanding about the land, they sell it to make money. Some also do not like the location so when they get a preferable location they sell the land to buy the preferred one’ (43 years old; businessman; landowner)

Also, the focus group discussion with some landowners revealed that:

“There are situations where the government will need the land for developmental purposes like schools, hospitals and so they will seek help from the chief and the chief would release the lands to them. Maybe also, the chief himself wants to develop the land for the community, like a hospital or schools or something. The land market is

profitable. The land never depreciates in value. Because day in day out the country is developing. Maybe you bought it for GhC1000, but you can later sell it for GhC10,000
(Landowner, FGD)

Based on the study's findings, it is evident that the land market is lucrative, and individuals are willing to retain and sell their lands once there is an upsurge in land prices across the country. The profitability of the land business, as reported by the respondents, is not surprising. Appiah et al. (2014) observe that the current pace of urbanization in Ghana has risen considerably, leading to an increased demand for housing and other changes in land use patterns in peri-urban areas due to the need for physical infrastructure in communities caused by population growth.

Furthermore, Fiadzigbey et al. (2014) reveal that Chiefs, family heads, and landowners have allocated vast tracts of land for agricultural and urban development purposes through long-term lease agreements or outright sales. This is due to the demand for land and labor for cash crops such as cocoa and oil palm, as well as the need for land for residential, industrial, and other purposes, indicating that the land business has become more profitable in recent times.

4.3 Multiple Sales of Land and Social Tension in the Awutu Senya East

The second objective of the study sought to ascertain the link between multiple sales of land and social tension in the study area. The study sought to find out whether respondents ever experienced any social tension in the area in general. The study found that over 90% of the total respondents have in one way or the other experienced or heard of various tensions in the community. According to the respondents, most of the tensions experienced in the community are predominantly due to land transactions or land disputes and chieftaincy issues. According to the respondents, although these tensions have never escalated into a civil war, it sometimes destabilizes and disrupts economic activities in the area. Some of the tensions experienced in the community are presented in the following statement by the respondents:

“There are lots of such kinds of tensions everywhere in this area and we sometimes take issues of that nature to court. The fundamental causes of such tensions are largely due to land issues of transactions. There are just these issues of multiple land sales, where land is sold and another member of that family out of financial issues also sells out the same piece of land to another person which leads to this kind of tensions” (60 years old man; traditional ruler)

Contrary to the assertion of the first traditional ruler, the second traditional ruler has this to share:

“None that I can think of for now. For me there is not necessarily tension but when people have any form of misunderstanding on land issues, usually they come to the palace, and we have arbitration here so the chief sits with them and we resolve the issues” (57 years old man; Traditional ruler)

One of the family heads also intimated:

“Yes, I have experienced social tensions in this community and all the tensions I have seen or heard are all due to land transactions. For instance, I have seen a couple of people sell the same piece of land to about three or four different people and this creates problems within the area resulting in tensions all over the area” (63 years old; female; family head)

Contrary to the findings from the above which talks about land issues, a landowner had this to share:

“There have been series of tension experienced in this area and I will attribute it to chieftaincy issues. Such cases are becoming serious in this area. For instance, the land I have now, belonged to a group

of people who bought from a certain chief. After the court issue, it was found that the particular land is not part of that chief's territory so the new chief who owns the area sold it to us. After we bought it, another person also went to register the entire land claiming it belongs to him so we went to court with this person and we won the case that is why they are now working on our papers” (47 years old man; businessman; landowner)

The findings of the study on the experiences of social tension corroborate with the observation made by the MoLNR (2003) that, land encroachments, multiple sales of residential parcels, unapproved development schemes, and haphazard development are all examples of indiscipline in Ghana's land market, all of which contribute to environmental difficulties, disagreements, conflicts, and constant litigation. Similarly, UN-HABITAT (2012) asserts that social tensions in most areas are a result of land conflicts, chieftaincy issues, or litigations where parties are rivaling to secure an interest in a particular land. Attempts to foster peace and settle disputes or competing interests in land, according to UN-HABITAT (2012), may unintentionally aggravate tensions or, in the worst-case scenario, lead to a deterioration of the situation if not well-considered and prepared and hence is in line with the findings of this study as the study discovered that the main causes of tension in the study area are as a result of land transaction issues and chieftaincy cases.

Further, the study sought to establish the link between multiple sales of land and social tension in the area inquired from respondents whether they have ever been victims of multiple sales of land and how such cases are resolved. The findings of the study show that about half of the respondents have ever been victims of multiple sales of land while the other half have not been victims of multiple sales of land. Although some of the respondents have never been victims of multiple land sales, they are conversant with the issues surrounding multiple sales of land. It was revealed that the issue of multiple land sale is intentional because people sell out lands to clients and go back to sell it to another client which is very common within some communities and create tension all over. Despite cases of such nature, respondents revealed that efforts have always been made to resolve or address cases of land issues. Some of the resolution mechanisms intimated by the respondent's included arbitration in the

chief palace, court, and settlement between clients (one paying off another). The findings on victims of multiple sales of land are presented in the following statement by the respondents.

“Yes, I have been a victim of multiple sales of land in this same area. The issue was that the land belonged to their father so one of the children sold the land to me and later, one of the man’s children other than the guy that sold the land to me also went and sold the land to another person. In my situation, this was an intentional act because he knew his brother had sold it, but he did that because his brother was being selfish. He told him he has not sold the land, so he also decided to sell it. In the long run, we resolved it and what we did was that we agreed and decided to let one person take the land, so the other person gave my money back to me and became the owner of the land” (47 years old man; landowner)

Another landowner had similar views to share:

“Yes, I have been a victim of such acts. I bought the land, and it was re-sold to another person. So, upon finding out, I was told one of their own sold it so apparently the one who did the reselling used a fake signature for the person's documents. So, as it stands now, I am the original owner, but the second buyer does not want to let go and I cannot tell why they did that. In terms of resolution, my issue is still pending (out of court though) as the sellers are finding ways to resolve it” (39 years old; a civil servant; landowner)

Similarly, another landowner said:

“I bought land from a sub-chief (asafoatse) and I was led to this sub-chief by someone else. The sub-chief made me aware that the chief gave the land to him, so he sold the land to me, and I paid half the amount. With these people too, once you buy the land, you have to bear the cost of getting your site plan done, as well as your indenture. So, I paid the surveyor to work on the site plan so I can go and do a search on the land at the

Lands Commission at Cape Coast. Upon doing the search, I realized the names on the indenture were not the same names on the documents with the Lands Commission, so I confronted them and I was taken to the paramount chief, who owns the lands and it is like there was litigation between them (the sub-chief and the paramount chief) and the sub-chief had won but the titles had not been changed. So I went to the paramount chief, led by the sub-chief so that an agreement is made that once I make full payment, he signs and gives me full ownership of the land. However, the paramount chief declined and told me that I should not make the other half payment. Later on, I went to the land and realized someone was building on it suggesting that the land has been sold to another person intentionally. So, I reported the case at the police station and the man who was building on the land was almost locked up but after critical thoughts on the issue, I just allowed it to slide and asked that the man be released” (36 years old man; development practitioner)

In addition, a family head intimated:

“No, it has never happened to me before. Even though I have not been a victim of multiple sales of land, I think it is mostly intentional because, the person knows he has sold out that particular land already but out of wickedness, he will sell to another person just to make more money and creating problems in the long run. As I mentioned, I have not been a victim before however when such issues of multiple sales happen, it is mostly brought to the palace to be addressed and resolved” (63 years old; female; family head)

One of the traditional rulers had this to share:

“Yes, I sold land to someone, and my sibling sold the same piece of land on my blind side. It was intentional because I am sure he was aware that that piece of land has been sold but he still did. In the end, we sat down and sorted the issue out. The individual who bought the land from my sibling was given another piece of land and the issue was

closed” (60 years old man; traditional ruler)

The study's findings align with the reality of land buying in Ghana. The research is consistent with the work of Ameyaw & Vries (2012) who highlighted that repeated transactions, unofficial charges, paperwork, inexperienced intermediaries, and a lack of transparency are barriers to land buying in Ghana. These factors often result in conflicts and tension in various communities. Kasanga & Kotey (2001) also assert that urbanization and rapid population growth in urban and peri-urban areas have disrupted land relations and management. This has burdened the land delivery system and resulted in multiple sales, ambiguity in land transactions, lack of security in land titles, and vast unplanned areas.

Wehrmann (2008) identifies that multiple land sales occur due to double land allocations from legal pluralism, customary unrecorded tenure, or rival state entities all having the legal authority to allocate land. The study found that land disputes are frequently resolved through either the law court or arbitration at the chief's palace. This finding is supported by the fact that land disputes account for about 57% of all cases in the Ghana judicial system (Sittie, 2006).

Asaaga (2021) conducted a study on building traditional "land dispute resolution mechanisms in rural Ghana: Adaptive or Anachronistic." The research found that 100% of respondents preferred traditional courts, such as family heads, clan heads, chief or palace settlement through arbitration, and stool land offices as the primary institutions for resolving land disputes. Interviews with the participants revealed that in the event of a land dispute, they preferred to first attempt private resolution through negotiation moderated by the chief or landowners. However, if such attempts fail, the law court is often the next step. These observations support the findings of the current study.

Lastly, under the second objective of the study, it was found that the ~~first~~ cause of multiple land sales is greed. Other factors or causes included but were not limited to, misunderstanding between chiefs and sub-chiefs, financial needs, hardship in the country, and abandoned lands among others. The findings on the causes of multiple land sales in the area are illustrated in the following statements by some of the respondents.

“So, you see now, because there are no available lands for sale, these land guards will attempt to re-sell these idle pieces of land because of the hardships in the country. So, once they monitor and notice no development has begun on a particular piece of land that has already been sold out, they re-sell it to another buyer who has the financial strength to begin developing it as soon as possible” (50 years old man; landowner)

Another landowner has this share:

“Misunderstanding among chiefs and family heads, greed, and also because the law is not fighting this canker, they feel free to do that. For instance, if you and I have been victims of multiple land sales, where the same piece of land has been sold to us. Instead of us to hold that person responsible and let the law deal with him, we decide to fight each other while he the one who sold the land to us is free and continuing in that act” (36 years old man; development practitioner)

A family head has this to share:

“For me, the causes of multiple land sales in this community has to do with financial needs, greed, and the availability of abandoned lands or undeveloped lands in the area” (63 years old; female; family head)

Lastly, one of the traditional rulers intimated as follows:

“For instance, the land is a family land so if mine is there and my sibling is going through hardship the person can go behind me and sell the land and that is what leads to issues of multiple sales of land in this place” (60 years old man; traditional ruler)

According to Graphic Online (2013), a publication on land disputes and litigation, Land disputes and lawsuits have become commonplace, producing friction inside and among families, towns, and ethnic groups across the country. Greed, ethnic conflict, misunderstanding, mismanagement, and a lack of education, as well as delays in adjudicating land disputes in court, a lack of Customary Lands

Secretariats for traditional councils, improper documentation, and a lack of understanding between tenants and landowners or chiefs, may all be contributing factors to land dispute in Ghana (Graphic Online, 2013).

The study corroborates the findings of Tia (2017), who asserts that other causes of land disputes are chieftaincy problems, unemployment, default in rent payment to the Administrator of Stool Lands, and lack of sensitization programs for tenants, stakeholders, and chiefs on stool lands. Land disputes arise out of confusion over boundaries, unlawful acquisitions, claims, and unqualified successors to stools. Those involved in some of the disputes are siblings, couples, family heads, royals, chiefs, or public officials who use their positions to cause disaffection. There is also the thorny issue of land guards all over as identified or discovered by this study.

4.4 Impact of Multiple Land Sales on the Economic Development of the Awutu Senya East Municipality

The issue of multiple sales of land has been identified by the respondents to be a challenging issue in the Municipality. In the quest to ascertain the impact of multiple sales of land on the economic development of the area, the study sought from the respondents about the consequences of multiple sales of land per the respondents' experiences and views. The study found that some of the consequences of multiple sales of land are issues of misunderstanding resulting in conflicts in the area, financial loss leading to emotional torture, series of court cases stifling development in the area. Some of the respondents intimated the consequences of multiple sales of land as follows:

“People are losing their funds or their money and there are a lot of challenges going on, even with these land guard issues. And cases like this is rampant because sometimes they even sell street and roads. Because the lands are not there so they see any space and they want to sell. Though it has been demarcated as the road, they are still selling it” (33 years old man; Development Planning Officer; Landowner)

Another landowner has this to share:

“As for the consequences, they are a lot and like I said earlier, it brings about misunderstanding, conflicts, some people even lose their lives as a result and some people even take those fighting over the lands with them to ‘medicine men’ (juju) and it happens quite frequent” (42 years old; an entrepreneur; landowner)

One of the traditional rulers who partook in the study shared this:

“Although I don’t see such cases happening frequently, it doesn’t bring peace most time it brings disturbances and tensions. That is why when that happens the chief quickly solves it to avoid any further troubles” (57 years old; secretary; traditional ruler)

Lastly, a family head intimated:

“The consequences of multiple sales of land are that it brings about misunderstanding between and among people although I will say that issues of that multiple sales of land do not occur very rampant” (63 years old; female; family head)

Although not all the respondents assert that the issue of multiple sales of land occurs rampantly in the area, the consequences are common as almost all the respondents asserted that misunderstanding, conflicts, financial losses, among others stifling development in the area are some of the effects of multiple sales of land in the area. This corroborates the findings by Ashitey (2018) who asserts that multiple land sales deter investors from carrying out developmental projects due to conflicts among parties to land transactions. According to Mabeet al., (2019), the issue of multiple sales of land brings about conflicts and affect productivity and the livelihood of household due to financial losses among others.

Also, the observation made by the MoLNR (2003) that Land encroachments, multiple sales of residential parcels, unapproved development schemes, and haphazard development are all examples of indiscipline in Ghana's land market, all of which led to environmental difficulties, disagreements or

misunderstanding, conflicts, and ongoing litigation corroborate the findings of this study. Most multiple sales either end up as litigations in court or develop into protrudedland conflicts. Therefore, to ensure sanity and conflict-free in many communities, efforts should be put in place by the government, and traditional rulers and individual discipline shouldbe held in high esteem to ensure that issues of multiple sales of land which has trickle effects on the livelihood of people are curtailed.

Having ascertained the consequences of multiple land sale in the area, the study probed the respondent on the person or organization to be blamed as far as multiple land sale is concerned.

From the findings of the study, it can be concluded that both parties (sellers and buyers) are to be blamed when it comes to multiple sales of land. This is because the seller should have done a thorough check or due diligence on the land before purchase. In a similar, the seller should have known better than this land is sold out and refrain from selling it out to another buyer but out of greed, sellers indulge in this kind of act raising tensions everywhere in the municipality. However, from the findings of the study, the majority of the respondents apportion the blame to the sellers more since they own and are in charge of selling the land too. The statements below represent some of the respondents' views regarding the one to be blamed for the issue of multiple land sales in the area:

“I would blame the buyer. I blame the buyer because, even though he or she has purchased the land and has gone through all the procedures to register it, he or she should not leave it idle as it gives these land guards room, to be able to sell it to a different buyer. Since they go round looking out for and monitoring idle lands. See, I know of a guy who bought about 20 plots of land some years ago. He did all the registrations and travelled out of the country. It has been 15 years since he left, and no development has taken place on the land he purchased. These land guards have sold out 16 plots leaving only 4 plots and the man has no idea of what is going on” (47 years old businessman; landowner)

Contrary to the assertion of the 47 years old businessman, one of the landowners intimated:

“I would blame the seller. I blame the seller because, they should be aware that this land has been sold out or they can even enquire before selling it but out of greed, they just decide to resell for their own selfish gains. So, I just think the sellers are to be blamed because they are greedy and selfish” (42 years old; an entrepreneur; landowner)

One of the traditional rulers also had this to share:

“I blame the sellers because the buyer has no idea that, that particular piece of land has already been sold out” (60 years old man; traditional rulers)

Lands can be held for their investment values; hence landowners and buyers would go to any extent to protect their interest in land and so it is common that both parties can be blamed when it comes to land disputes or multiple sales of land. For instance, many individuals acquire properties such as land without doing a proper search on the land and are mostly misled by sellers. As a result, many buyers become victims of multiple sales of land, hence, should be blamed to some extent due to their own negligence.

Lastly, the study inquired from the respondents whether multiple land sale has an impact on the economic development of the area. From the respondents' point of view, it is obvious that issues of multiple land sales will have an effect on the economic development of the municipality, and this explains why over 99% of the respondents agreed to the fact that issues of multiple land sale impact the municipality adversely. According to the respondents, it has a negative impact on the economic activities or development of the municipality because it hampers or stifles development in the area because people are scared to purchase and develop lands in the area, it discourages investors from coming into the area, it leads to emotional drains and it has even led to a decline in the land market in the area because people no longer have trust in community members or landowners in the place. The findings from the respondents are presented in the following statements:

“It hampers development in that, people are always afraid to come and buy lands as

they are not sure how safe the lands will be in their absence, so it impacts economic development in the area “(63 years old; female; family head)

Similarly, one of the landowners intimated:

“Yes, it does affect or impact economic development in the area. This is because it does not bring businessmen and investors into the area as they are afraid of being victims of multiple sales of land. Also, all the time that would be spent trying to resolve the matter could have been channelled into businesses and other profitable activities therefore people would not want to have such experiences and rather move to areas where they are sure that lands purchased are safe and free from multiple sales” (47 years old man; landowner)

Also, another landowner had similar views to share:

“People who are yet to purchase lands lose trust in the area, especially for the upcoming youth who do not have so much money to start developing the land once it is purchased. And you know, once these land guards see that nothing is happening on your land, they sell it to another person. I also think that all the time and money that is wasted in pursuing some of these multiple land sales also affect individual income, especially for those who manage their own businesses” (43 years old man; landowner)

One of the traditional rulers also said:

“It has an impact on the development of the place. It has made our market decline. People only purchase lands because they know the individual selling the land personally or have some existing relationship. Also, people are not willing to buy lands here to start-up business because of the issue of multiple land sales” (60 years old man; traditional ruler)

The study's findings reveal a common agreement among all respondents that multiple land sales have diverse impacts on the economic development of the Awutu Senya East Municipality. These findings are consistent with Wehrmann's (2008) assertion that land conflicts often result in negative consequences for economic, social, spatial, and environmental development. The effects of land disputes are extensive and affect all aspects of life. Conflict can impede economic progress by limiting investment, commerce, and production, as well as causing the loss of human and physical capital, including forced displacement and catastrophic effects on education and healthcare.

Deininger (2004) contends that any flaws or inconsistencies in the various components of the property rights system could jeopardize tenure security by increasing the likelihood of a dispute and reducing investment and trade incentives. In addition, Payne et al. (2009) note that insecure tenure, from a government's standpoint, has a detrimental effect on local taxes, property, and economic activities within a community. The study's findings support the court's view that an ineffective land administration system in a country may negatively impact its ability to attract foreign investment.

Most importantly, Sulong and Tahan (2016) point out that multiple land sales and ownership have resulted in numerous negative implications, particularly with regard to development. This implies that the impact of multiple land sales on the economic development of a country, and specifically the Awutu Senya East Municipality, cannot be overlooked. This situation further discourages prospective buyers, such as investors within or outside the community, from acquiring land to undertake developmental projects due to fear of purchasing lands already bought or owned by another person or organization, leading to underdevelopment.



CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATION

5.0 Introduction

This chapter presents a summary of the study in general. It gives a brief account of the research process and the findings of the study. Also, conclusions derived from the findings are drawn, and recommendations are given based on the findings of the study.

5.1 Summary of Findings

5.1.1 The State of Landholding and Transactions in the Awutu Senya East Municipality

The study found that there are two fundamental landholding arrangements that are very common to everyone. These landholding arrangements are the customary freehold and the leasing or leasehold arrangement. The study found that the freehold involves inheriting the land from a family or clan, but the leasing involves purchasing of land by interested parties or persons for a limited number of years, which is subject to certain terms and conditions. According to the respondents, aside from the landholding arrangements, the persons with the right to hold or sell land in the community or area include the chiefs, landowners, family heads, and sometimes real estate developers.

The study again revealed that the land market is growing and becoming attractive to many because of its profitability hence the reason why people may choose to hold or sell their lands. The study found that people buy lands either for the development of projects (residential buildings, industrial buildings, schools, shops, etc) and people also sell lands because they need capital to meet certain desired needs or for business purposes.

5.1.2 Multiple Sales of Land and Social Tension in the Awutu Senya East Municipality

The study discovered that over 90% of the respondents had either experienced, heard of, or seen social tensions in the Awutu Senya East Municipality. Nearly all of these tensions were the result of land

disputes or transactions and chieftaincy issues. Although none of the tensions had escalated to civil war, they often disrupted economic activities in the various towns. Therefore, a strong correlation exists between multiple sales of land and social tensions in the area. Additionally, more than half of the respondents had been victims of multiple land sales in the area, and they believed that such sales were an intentional act on the part of the sellers.

The study revealed that the predominant causes of multiple land sales in the Municipality were greed. Other factors, according to the respondents, included misunderstanding between chiefs and sub-chiefs, hardship, and abandoned lands, among others. The findings established that chieftaincy issues, unemployment leading to hardship, confusion over boundaries, and unlawful acquisition, among other factors, were the causes of land disputes or multiple sales of land.

5.1.3 The Impact of Multiple Land Sales on the Economic Development of the Awutu Senya East Municipality

The impact of multiple land sales on the economic development of any given area is significant and cannot be overlooked. According to the findings of the study, approximately 99% of the respondents agree that issues related to multiple land sales have an adverse impact on the economic development of the Awutu Senya East Municipality. The study revealed that multiple land sales hinder or stifle development within the municipality. This impediment occurs in several ways, such as scaring people from purchasing and developing lands in the area, discouraging investors from entering the region, causing emotional distress, and negatively affecting market activities in the area, among others.

5.2 Conclusion

Land is undoubtedly a crucial asset for national development, serving various purposes such as agriculture, residential, commercial, industrial, and open space utilization. The increasing commercialization of land has transformed the face of the land market, bringing both challenges and advantages. According to the 1999 Ghana Land Policy, the land market is plagued with issues such as indeterminate boundaries of stool/skin lands, compulsory acquisition by the government without

compensation, and a general lack of discipline characterized by encroachments and multiple sales of land.

This study aims to investigate the economic development implications of the problem of multiple land sales in the Awutu Senya Municipality. The findings reveal a strong link between economic development and multiple sales of land. Specifically, the study shows that due to land conflicts arising from multiple sales, investors are reluctant to invest in areas where such cases exist. Since land is a costly investment, developers and investors do not want to deal with litigation on their lands, which takes away from the time they could have spent developing them. Furthermore, land investments are long-term investments, which means that investors begin earning from it only after a lengthy period. Therefore, time is crucial when it comes to land investment. The prevalence of multiple land sales and its consequences discourage investments and, in turn, affect the development potential of the area. The prevalence of this problem is particularly concerning in the Awutu Senya Municipality, the location of the study, where around 90% of the surveyed respondents have encountered multiple land sale situations. This implies that the problem is widespread and needs to be addressed if the municipality is to fully benefit from the utility of land.

5.3 Recommendations

The study recommends the following:

- i. It is recommended that prospective land buyers should carry out thorough and complete search at the Lands Commission before making any financial commitments to a land transaction. Better still, they should insist to meet other members of the land-owning family to gather further information pertaining a piece of land they are interested in.
- ii. The state and land sector enthusiasts and agencies should educate the public on the implications of multiple land sales on the economic development of Ghana. This would dissuade perpetrators from engaging in anything to do with multiple land sales, especially if they are concerned about the overall development of their area of jurisdiction.

- iii. The Lands Act, 2020 (Act 1036) clearly illegalizes the operations of land guards, land speculators and multiple land sellers. It is therefore incumbent on the state agencies such as the Ministry of Lands and Natural Resources, the Lands Commission, Land Use and Spatial Planning Authority, the Office of the Administrator of the Stool Lands and other land sector agencies to carry out active steps to implement the portions of the act the illegitimate multiple land sales.
- iv. Security agencies should be equipped to mete out appropriate punishments for people who intentionally sell the same parcel of land to different people. This will serve as a deterrent for those who may want to engage in that act.



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APENDIX A

UNIVERSITY OF GHANA

INSTITUTE OF STATISTICAL, SOCIAL AND ECONOMIC RESEARCH (ISSER)

M. A. DEVELOPMENT STUDIES

DATA COLLECTION INSTRUMENT TO SOLICIT INFORMATION ON THE TOPIC

**“AN ASSESSMENT OF THE MULTIPLE LAND SALES ON ECONOMIC
DEVELOPMENT IN THE AWUTU SENYA EAST MUNICIPALITY”**

Dear Participant,

I am a final year master’s student of the above-mentioned University. I am carrying out academic research on the above-mentioned topic, and I would be very grateful if you could respond to all the questions, providing as much detail as you can. Responses given will be used solely for academic purposes and respondents are, therefore, assured that information provided would be treated with absolute/utmost confidentiality.

Please do you consent to be engaged in this study? [a] Yes [b] No

Thank you for your cooperation.



INTERVIEW GUIDE

Demographic Information

I would like to find out a few demographic details about you. Kindly provide information on the following

1. Gender
2. Age
3. Occupation
4. Highest Education level
5. Do you own land or intend to own land?
6. If you own land, how did you come by the land? E.g.: Purchase, inheritance, gift, etc
7. What interest do you hold in the land? E.g. Freehold, Leasehold, Customary Tenancy, Pledge, etc
8. How long have you held such interest in the land?

OBJECTIVE 1: To examine the state of landholding and transactions in the Awutu Senya East Municipality.

9. What are the various land holding arrangements in this Municipality?
10. Who qualifies to hold or sell land in the area?
11. What accounts for the decision to hold/sell land?
12. Are you conversant with the land market in the area?
13. How would you describe the land market? E.g.: Profitable, growing, declining, heavily agricultural, residential, or industrial etc?
14. Under the prevailing economic conditions, would you be willing to sell or hold onto your land?

15. Kindly explain your answer
16. Are you conversant with the statutory laid down rules in purchasing or selling land?

OBJECTIVE 2: To establish the links between multiple sales of land and social tension in the Awutu Senya East Municipality.

17. Have you experienced any social tension in the area?
18. What would you ascribe such tensions to? E.g., Chieftaincy issues, land transactions, tribal/religious tensions etc?
19. If land has ever been a source of social tension, kindly explain how. Please narrate the incidence.
20. Have you been a victim of multiple sale of land?
21. If yes, kindly narrate what happened?
22. Do you think it was intentional or by accident?
23. Is the issue addressed?
24. If yes, kindly explain how it was addressed?
25. What would you say are the causes of multiple sales of land?

OBJECTIVE 3: To assess the impact of multiple land sales on the economic development within the Awutu Senya East Municipality.

26. What are the consequences of multiple sales of land?
27. In your experience, how frequent is this phenomenon in the Awutu Senya East Municipality?
28. Whom would you say is to blame for the phenomenon? Buyer or seller?
29. Kindly explain your answer.
30. Do you think multiple sales of land impacts the economic development of the area?

Yes

31. Kindly explain your response



APPENDIX B

FOCUS GROUP DISCUSSION GUIDE

I. Opening Remarks (2 Minutes)

Thanks for coming today. The goal of this discussion is to understand the impacts of multiple land sales on the economic development of this Municipality. There are only a few basic rules to keep in mind while participating today:

- a. Everyone is humbly requested to be an active participant.
- b. There are no “right” or “wrong” answers.
- c. Speak freely but remember not to interrupt others while they are talking.
- d. Note taking is for reporting purposes only and will be used for analysis. Names are not attached to the notes.
- e. All feedback today will remain anonymous. To maintain anonymity, I just ask that anything that is said during our session is not repeated outside of our session.

II. Introductions (2 Minutes)

Before we start, I would like to go around the room for self-introduction.

QUESTIONS (To be followed strictly, but with allowance for follow ups)

1. Who qualifies to hold or sell land in the area?
2. What accounts for the decision to hold/sell land?
3. How would you describe the land market? E.g.: Profitable, growing, declining, heavily agricultural, residential, or industrial etc?
4. Under prevailing economic conditions, would you be willing to sell or hold onto your land?
5. Have you been a victim of multiple sales of land?

6. If yes, kindly narrate what happened?
7. Do you think it was intentional or by accident?
8. What would you say are the causes of multiple sales of land?
9. What are the consequences of multiple sales of land?
10. Do you think multiple sales of land impacts the economic development of the area?
11. Kindly explain your response.

