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## **Customary Land Administration and Modern Land Markets in Ghana: The case of Akyem Abuakwa Traditional Area**

There is a continuous debate as to whether indigenous land tenure systems in sub-Saharan Africa can support land markets. Critics of this debate often advanced the argument that the common ownership and the absence of individualisation of land rights create situation where land markets cannot be supported. However, it has been observed over the years that indigenous land tenure systems are dynamic and have responded to the demands of land markets created by population increase, urbanisation, globalisation and technological advancement. Based on these (recent) finding, the study explores how the indigenous/customary land administration system in Ghana can be improved to meet the demands of modern land markets.

Using qualitative data obtained through interviews with guided questionnaires from Akyem Abuakwa, a well established indigenous state in Ghana where a land market has been in existence since the later part of the 19<sup>th</sup> century, the study examined the land tenure system and how it has been administered over the years. It has further been examined how the system has responded to market activities. Viewing the study in the context of formal legislation and institutions on customary lands, an overview of land administration in the country was made.

The results show that there are rigorous land market activities under indigenous land tenure. The land market has been the main source of access to land for residential, agricultural, commercial, industrial and other uses as indigenous/customary landholdings (which is called customary freehold but rather corresponds to customary leasehold) constitute about 80% of

the land in the country. It also shows that the presence of legal pluralism has created contradictions and inconsistencies in the customary land administration which negatively affects the operations of the land market. The weaknesses of the customary land administration such as inadequate capacity in land management, indetermined boundaries leading to numerous land conflicts, low recording of land transactions among others were identified.

Based on the conclusions, recommendations to improve the performance of land markets are made. Part of the recommendations are codification of the customary laws and harmonisation with the statutory laws to eliminate contradictions, decentralization of formal institutions of land management to the district level, developing a simple system of capturing all types of land transactions in the customary sector and fostering good governance in customary land administration by internalising measures for participatory management, accountability and highest and best use principles. A decentralised customary land administration model operating at the district level within the traditional area is proposed.

***Key words:*** Land tenure, land market, customary land tenure systems, (customary) land administration, individualization of land rights, Akyem Abuakwa, Ghana.