

LARGE LAND ACQUISITIONS PHENOMENON IN GHANA: A HISTORICAL OVERVIEW

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The challenges of the twenty-first century are enormous. Ensuring adequate food supply, energy, secure livelihoods, water among a host of essential needs of mankind have remained a daunting challenge of many governments across the world. Land is emerging as the point of attraction to solving the many problems emanating from the increasing population. The scramble for land by both the poor and the rich at the household, local and national levels has in recent times become a topical issue in both local and international political discourses. Ghana has not been insulated from this new paradigm of land scramble and thus far has had its fair share. It is ranked fourth among the top ten countries in the world targeted for mixed deals (agro fuels and other purposes) with 421, 808 ha of agricultural land already under acquisition contract. This paper takes a historical view of large land trade in Ghana from the period of colonial times to the current democratic dispensation. Using secondary data, the study found that the recent large land acquisition is not a new phenomenon in Ghana. It occurred in Ghana during the colonial era. The customary land owners have been the key suppliers of land in this land enterprise during both the colonial era and the period after the independence. There is a greater recognition of customary claims to land by the state through constitutional and policy enactments. This recognition however falls short of regulating the customary authorities in their land dispositions especially rural land which are of much interest to the investors. It has thus created a lacuna in the land control arrangement by the state which has left the customary authorities to engage large land alienations without adequate controls. It is recommended that, efforts be made by government to provide enough structures at the local level to supervise and control land alienations by the customary authorities.

Key words: Large land acquisitions, Historical, Ghana

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Introduction

The challenges of the twenty-first century are enormous. Ensuring adequate food supply, energy, secure livelihoods, water among a host of essential needs of mankind have remained a daunting challenge of many governments across the world. Land is emerging as the point of attraction to solving the many problems emanating from the increasing population. The scramble for land by both the poor and the rich at the household level, local community and national levels has in recent times become a topical issue in both local and international political discourse, among the academic and research community as well as civil society organizations the world over. The phenomenon of 'land grabbing' especially in Africa is believed to be driven by the need to increase food and energy supplies (see Deininger, et al. 2011). The food prices hikes and the financial crisis in 2008 have been cited as partly fuelling the rising interest in land acquisitions in developing countries (FEE, 2011).

Ghana has not been insulated from this new paradigm of investments in land and thus far had had its fair share. It is ranked fourth among the top ten countries in the world targeted for mixed deals (agrofuels and other purposes) with 421,808 ha of agricultural land already under acquisition contract (Nolte et al. 2014). A number of foreign firms since 2006 have trooped into Ghana to acquire land to develop biofuel industries and other agro-businesses. Foreign companies such as Biofuel Africa (Norway), Agroils (Italy), Galten Global Alternative Energy (Israel), Jatropha Africa (UK/Ghana), ScanFuel (Norway), Gold Star Farms (Ghana), and Kimminic Corporation (Canada) have made some investments in jatropha cultivation for biofuel production. These and many other large track acquisitions in recent times have created a concern for the indigenous land owners and the land administration specialist in the country. Given the communal system of land ownership in the country and also the accepted and documented knowledge that the present generation is a trustee of the future generation, what is the implication for this developing transfer of large tracks of land?

Many research works exist on large scale acquisitions and land grabbing in Ghana. For instance, effects of the large land acquisitions and biofuel feedstocks productions on smallholder farmers, livelihoods of local communities and land rights have been analyzed from different perspectives (see Schoneveld et. al. 2014; Acheampong and Campion, 2014; Kidido and Kuusaana, 2014; Asante and Adzi-Tay, 2014; Boamah, 2011; Amanor, 2012). Kuusaana (forthcoming) have also looked at the land acquisitions from the perspective of gainers and losers in Ghana. This paper however takes an overview of the phenomenon in Ghana from a historical perspective from the colonial era to the present times. The study attempts to understand large land acquisitions within the context of Ghana's political history. The study employs an archival based approach to gather the relevant secondary data for analysis and discussion. Research publications, legislations, policy documents and database of Ghana Investment Promotion Centre (GIPC) and Land matrix were relied upon.

Historical Context of Ghana's Political Governance System and Land Issues

Upon gaining independence in 1957, the first president Dr. Nkrumah presided over the passage of many land laws towards enhancing tenure security of land holders and facilitating land acquisition by government to execute his socialist oriented policies. Prominent among these land laws included the State Lands Act, 1962 (Act, 125)², a legislation which empowered the president to compulsorily acquire any private land for public purpose or interest. This legislation has since remained key land legislation in Ghana. Large tracks of land have and continued to be acquired by Government under the Act. Other important land legislations such as the Administration of Lands Act, 1962, (Act, 123), Survey Act, 1962 (Act, 127), The Land Development (Protection of Purchasers) Act, 1960 (Act 2) and the Farm Lands (Protection) Act, 1962 (Act 107) among others were passed.

After the overthrow of Nkrumah's government in 1966, the country experienced military rule under the National Liberation Council (NLC) until 1969 when the second republican constitution was drawn and multi-party elections held. Dr. Kofi Abrefa Busia took over the administration of Ghana as the prime minister. This administration did not stay for long and was ousted from power in 1972 by General I. K. Acheampong. The period between 1972 and 1979, the country remained under military rule. Some land legislations were enacted under these military regimes. For instance, Conveyancing Decree, 1973 (NRCD, 175) and Mortgages Decree, 1972 (NRCD, 96) were enacted.

Democratic rule was again restored in 1979 under the third republican Constitution. Dr. Hill Linman became the president and his government was over thrown by Lt. J.J. Rawlings in 1981. It is important to state that, the 1979 Constitution brought an important land mark in the ownership of land in Ghana. Hitherto, all lands in northern Ghana were vested in the state. The 1979 Constitution divested state ownership of lands in the North and returned same to the customary owners (Tonah, 2008; Kasanga, 1992)

Between 1981 and 1992, the country again remained under the military rule of the Provisional National Defense Council (PNDC) led by the then Chairman J.J. Rawlings. Many more land legislations were passed by the regime. Prominent among these legislations is the Land Title Registration Law, 1986 (PNDCL 152) which is currently being implemented on pilot basis in the cities of Kumasi and Accra for systematic title registration. Indeed, a number of economic reforms also occurred within this period. The country undertook a structural adjustment and economic liberation programme. The government then took measures to reform and liberalise the economy towards attracting foreign direct investments, privatize state-owned enterprises and promote external trade through reduction in import tariffs (Konadu-Agyemang, 2002; Ayitey and Pitcher, 2013). According to Konadu-Agyemang, (2001) the structural adjustment programme sponsored by the IMF and the World Bank was effort towards integrating the develop-

2. Amended by NLCD 234, 1968 to include Stool Lands

ing nations into the global economy. Ghana has since this structural adjustment programme opened its economy to the private sector and foreign investor participation. It laid the foundation for the current liberal economic policies being pursued in Ghana.

The 1992 Constitution which is currently in place has made significance interventions in land ownership and transfer in Ghana. The Constitution reinforced the divesting of all lands in the north to the original owners under article 257. Again, the constitution vests all stool lands in the appropriate stool and skins and charged the managers of these lands to be accountable to the owners (beneficiaries) (Article 36[8]), of the 1992 Constitution of Ghana. The constitution bars the creation of freehold interest in any stool land in Ghana. Foreigners in Ghana cannot hold land lease for more than 50 years at a time and all foreigners who had freehold interest and land lease exceeding 50 years before the twenty-second day of August, 1969 were converted into 50 years leasehold commencing from the twenty-second day of August, 1969. The chiefs are barred from creating freehold interests from their stool lands and cannot also lease out land exceeding 50 years to foreigners. This constitutional provision makes it impossible for outright sale of portions of stool lands either to the locals or foreigners. Since the constitution is silent on family lands, some chiefs have converted stool lands into family lands in order to carryout freehold alienations and outright disposals in some parts of the country. In the rural areas where the state land management machinery is lacking coupled with lack of education on the land laws, the chiefs and other land owners dispose of land to foreign investors sometimes for durations exceeding the constitutional requirement.

Land Tenorial System and Alienation in Ghana

Land tenure systems provide the superstructure or the framework within which rights and interests are exercised or left dormant in the use, development and transfer of land (Kasanga, 1988; 1999). The Ghanaian statutory and customary land law spells out the types of interests and rights that can be held within the jurisdiction of Ghana.

The various types of interests which can exist in Ghana are broadly categorized under the Ghana's Land Policy, (1999) as allodial title (the highest interest held by stools, skins or communities), freehold interest which may be customary freehold or common law freehold, leasehold; and lesser interests created by virtue of any right under contractual or share-cropping arrangement under customary tenancy system e.g. abunu and abusa tenancies. The Land Title Registration Law, 1986 (PNDCL 152) under section 19 also catalogues the various interest registrable under the law as; allodial interest, customary law freehold, leasehold interest and the lesser interest. Abusa and abunu system of customary agricultural share tenancies fall rightly under the lesser interest though the law is not express on that. Categorization of interests and rights over land in Ghana under the PNDCL 152 is largely in line with those captured under the Land Policy document of 1999 and also espoused by authorities in customary land law in Ghana such as Ollenu (1962); Bentsi-Enchill, (1965); Kasanga, (1988; 1999); Da Rocha and Lodoh, (1999).

In Ghana, customary principle generally regards land as inalienable³ because it belongs to vast family of whom some are living, some are dead and the countless other are yet unborn (Ollennu 1962 Aidoo, 1995, Asiama, 2008) and as ancestral property, which cannot be “sold” Gildea (1964: 102). For instance, Asantehene in 1971 declared that “the lands in Ashanti are not for sale. It is against tradition and custom to sell any land in Ashanti” (Woodman 1996). The concept of inalienability of customary land according to Asiama, (2008) is anchored on the traditional philosophy of land being the sacred trust of the ancestors. Danquah (1928) cited in Asiama (2008: 78) notes; “...an absolute sale of land by an Akan was, therefore, not simply a question of alienating realty; notoriously, it was a case of selling a spiritual heritage for a mess of pottage, a veritable betrayal of ancestral trust, an undoing of the hope of posterity...”

As an ancestral heritage, it is believed, ancestors would not permit any outright alienation of land which might deprive the future generations and also sever the links between the dead, the living and the generation yet unborn and, ancestors might visit their wrath on offenders (Agbosu, 2000). The notion of inalienability of land in Ghana has more to do with religious conception (Busia, 1951; Kludze, 1973; Asante, 1975; and Allot, 1966).

The inalienability of land under customary system in Ghana, as opined by Aidoo (1995), has to do with the alienation of allodial title. Outright alienation of allodial title is rare and the customary system discourages the practice and even where the transfer has been possible, it is not transferable to another individual (Woodman, 1996). The allodial title is more or less state owned and not individually owned and cannot be transferred onto an individual or a group of few individuals to constitute themselves an ‘island’ of a state within a state (Aidoo, 1995). Under the current 1992 Constitution of Ghana, creation of freehold interest over stool lands is prohibited which in effect means that freehold (outright alienation) of stool lands is now impossible.

However, under customary system, transfer of interest in land in Ghana has been possible since time immemorial (Woodman, 1996). Interest in land in Ghana can be transferred by sale, gift, pledge or mortgage, loan, inheritance (Sarbah 1968) and granting of licenses and tenancies. Customary law permitted alienation of land, for instance, if there is public liability and the community decides to sell a portion of its land to defray the debt (Hill, 1970; Sarbah, 1968).

Woodman (1996) observed that, effectiveness of the religious prohibition on the alienation of land has declined and the economic forces are now largely favouring land market. The rights to dispose of land under the indigenous system in Ghana are vested in chiefs (Feder and Noronha, 1987, Berry 1993) and other landholding authorities such as clan and family heads.

3. Alienation in this context refers to outright and permanent disposal of land.

Land Policies and Large Land Acquisitions in Ghana

During the colonial era, two distinct land policies were pursued by the colonial government in Ghana (Kasanga 1997: 9). In the Southern part of the colony, the policy was generally *laissez faire* while in the Northern territories, the policy led to the vesting of lands (Kasanga, 1997). In the South, the land essentially remained with customary holders after failed attempts to nationalise lands in the colony (Djokoto and Opoku, 2010).

In the Northern part of the Gold Coast, legislations were passed which vested all native lands in the Governor (Djokoto and Opoku, 2010: 7; Kasanga, 1992: 10). For instance, the Land and Native Rights Ordinance, 1927 (Ordinance No. 1), declared all lands in the Northern territory "Public Land" and the management of those land came under the control of the governor (Tonah, 2008). The ordinance further empowered the colonial government to appropriate any part of land for development without paying any compensation to the original land owners (*ibid*) and no occupation of the land was lawful without the consent of the Governor (Kasanga, 1992). The government could also grant leases to people and charge rent thereof (Agbosu, 1978, Konings, 1986). The vesting of lands in northern Ghana by the colonial government was only reversed to the customary owners under the 1979 Constitution (Tonah, 2008; Kasanga, 1992) and reinforced by the current 1992 Constitution of Ghana. Kasanga (1992) however notes that these policies and laws did not pose any detrimental effects on the communities in the north of Ghana since no large tracts of land were acquired.

The major land policy in Ghana since independence came into being in 1999 following the launching of the National Land Policy document. The Land Policy among other things seeks to minimize and where possible, eliminate sources of land disputes; harmonise statutory laws and customary practices to facilitate equitable access to land and enhance security of tenure through systematic title registrations; instill order and discipline in the land market to curb incidence of land speculation, illegal land sales among others (GoG, 2011). The full implementation of the recommended policy actions led to the initiation of Ghana Land Administration Project in the early 2003. The Project is being implemented under a long term Land Administration Programme (LAP) in two phases with multi-donor funding arrangements.

The implementation of the first phase started in 2003 and ended in 2011. It laid the foundation for a long term land reform programme in Ghana. This phase led to the streamlining of land administration institutions through the merger of four land sector agencies, decentralization of deed registries, establishment of 38 customary land secretaries across the country (GoG, 2011). The second phase which is currently in its third year of implementation has four key components namely, strengthening the policy, legal and regulatory framework for land administration; decentralization and improving business and service delivery processes; improved maps and spatial data for land administration; and human resource development.

As far as land trade is concerned, this land policy programme has not yet had any meaningful impact. The programme is essentially ongoing and the mechanisms to

facilitate large land acquisitions for commercial agriculture as part of its objectives are yet to be in place. The customary land secretaries established for the traditional authorities are primarily to collect and maintain land records at the local level. What is worthy of note, is the policy's recognition and maintenance of customary land ownership. The Policy declares the state intention to "Collaborate with traditional authorities and other stakeholders to review, harmonise and streamline customary practices, usages and other legislations to govern land holding, land acquisition, land use and land disposal" (GoG, 1999).

The implementation of this policy and the numerous land legislations with some dating back to the colonial era have not in either subtle or express terms abolished customary claims to land in Ghana. The maintenance of customary claim to land under the land policies and legislations, though not desirable given the confusion and disputes in the Ghanaian land market which are largely attributable to the behaviour of some of the customary authorities, the state has limited options in this matter. Any attempt to curtail the powers of customary authorities over land in Ghana would be fiercely resisted by the chiefs who wield enormous influence over their people. Governments over the years lack the courage to temper with the customary claim to land due to the potential political and social repercussions that could arise. Rather, customary claim to land continues to be safeguarded to maintain peace in the land ownership front between the state and customary land owners. The current Constitution under article 267(1) vests all lands in Ghana in the appropriate stool to be held in trust for the subjects of the stool in accordance with customary law and usage reinforcing customary claim to land.

In rural areas where large agricultural lands are acquired by foreign firms and local investors, land remained largely under customary arrangement and land transactions are executed by the owners with little involvement or knowledge of the state institutions. The land deals are mostly negotiated by the local owners themselves. The chiefs especially are the principal beneficiaries of this land business. They directly receive the consideration fees from the land acquirers. For instance, Kuusaana (forthcoming) reported that, the bulk of US\$ 23,000 for the transfer of land to ScanFarm (Gh) Ltd went directly to the Agogo Traditional Council. The people who directly use these lands sometimes do not even hear of these payments being made to their traditional leaders. Kidido and Kuusaana (2014) reported incidences in some parts of Ghana where the local chiefs had effected alienation of land to foreign firms without the knowledge of their subjects and local users of land. They noted in one instance that,

"...All acquisition arrangements were concluded with the paramount stool and traditional council while completely ignoring lesser rights holders who had substantial investments on the land..." (Kidido and Kuusaana, 2014: 170).

Again, in the villages of Dukusen and Afrisire in Agogo areas of Ghana where ScanFarm (Gh) Ltd, had acquired large land area for commercial agriculture, 'transactions were negotiated and completed at the chief's palace (paramount chief) and community chiefs (Odikro) were only informed of the process' (Kuusaana, forthcoming).

This lack of consultation led to massive demonstration against the paramount chief by the youth in the traditional area demanding accountability of the land transaction with ScanFarm (Asiama and Yeboah, 2014). This Agogo example shows how some traditional leaders can intercept and hijack funds due their members.

Large Land Acquisitions, Some Evidence in the Colonial Era

The territory now known as Ghana was occupied by various autonomous polities whose boundaries were rarely clearly defined but each territory had a well-organised government (Agbosu, 2000). All existing petty autonomous polities and tribes were assembled into a country called Gold Coast (Ghana) under the British colonial rule through the Imperial Charter of July 24, 1874. The Charter established a legislative council and full political dominion over the then Gold Coast. The legislative council enacted ordinances to govern the colony.

Prior to the colonial rule, land in Ghana was held by indigenous communities and still remained so under local rules and practices known as customary law (Djokoto and Opoku, 2010; Kasanga, 1997) and the tenure regime was highly decentralised (Kasanga, 1997). Communities were tied together by certain patriarchal and matrilineal traditions and owed allegiance to their tribal government. Each polity or community had its own internal rules and arrangements for the control, management and administration of land within their territories (Agbosu, 2000). Access to land by individuals was based on group membership and strangers also access land with the permission of the group (Feder and Noronha 1987).

The formal abolition of slave trade and the industrial revolution which occurred in England during the latter part of the eighteenth century impacted significantly on land trade and changed the pattern of land development in the Gold Coast. According to Agbosu (1990), the abolition of trans-Atlantic slave trade forced the traders to supplement their business with the supply of precious metals, agricultural goods and forest produce. He further noted that, the industrial revolution which took place in England also increased demand for these goods to feed the industries. West Africa then became a major supply point and Gold Coast (now Ghana) played a key role in the supply of these materials (See also Amanor, 2008).

These developments impacted on the landholding arrangements and changed the attitude of the local people towards agriculture. Land use patterns especially in the areas where the supply of agriculture produce were concentrated where transformed from shifting cultivation system to the acquisition and development of land on permanent basis (Agbosu, 1990). Lands were then acquired for oil palm and cocoa plantations as well as minerals exploitations. European firms also began to acquire mining and timber concessions from the natives (Agbosu, 2000) and this led to massive alienation of land and development of land trade. More than 400 mining companies were established in the Gold Coast with large tracks of concessions in the 1890s (Amanor, 2008; Howard, 1978; Kimble 1963). This concession boom created

opportunities for some literate indigenes to amass wealth through land speculation and trade with the Europeans (Agbosu, 1990). They acted as the intermediaries between the local authorities and European firms and organized themselves into Gold Coast Native Concession Purchasing Company. Agbosu (1990) provided some examples in the following;

“Prince Owuse Ansa, for example, devoted himself to the business of buying and selling concessions on speculative basis. In one transaction, for instance, he managed to obtain a lease of 200 square miles from a Chief of Axim, Kwaku Atta at £100 for a term of 99 years. This was in June 1894. Two years later, in October, 1896, he disposed of his interest to a firm, William Frederick Reagan of London, for £800. Similarly, Dr. J.B. Africanus Horton, who may be regarded as the pioneer of the business in land speculation by people of African descent in the Gold Coast, obtained 23 different concessions between 1878 and 1880 totaling over 200 square miles...”

Additionally, J.E. Elis, J.B. Brown and J.E. Biney also acquired 100 square miles mining concession in the Adansi and Bekwai area from the chiefs at £12 and a bottle of rum. They later disposed of their interest to Mr. Cade in 1985 who afterward went to London to invite shares and made a paper profit of £2 million even before the land was put to use (ibid; 108).

These alienations and land trade became a concern to the colonial government as they occur outside the colonial government’s control (Amanor, 2008). Attempts were therefore made to exercise some control in the alienation process by the colonial government. Between 1894 and 1897 several attempts were made by the colonial government to vest the administration of the land in the colony of Gold Coast in the Crown (Djokoto and Opoku, 2010; Agbosu, 1981). The colonial government in 1894 attempted to enact a Crown Lands Ordinance to vest all “vacant and unowned” land in the British Crown (Berry, 2009b) so that colonial government would assume control over the granting of concessions (Amanor, 2008). This bill was vehemently opposed by the chiefs, native educated elites, Aborigines Rights Protection Society (ARPS) and some British merchants (Djokoto and Opoku, 2010; Amanor, 2008). The proposed bill was withdrawn and never passed. Lands Bill, 1897 was subsequently introduced which sought to declare all waste land within the colony to be Crown land. This bill was again opposed by the natives. The opposition was on grounds that all lands in Ghana were already owned by the natives under the jurisdiction of chiefs and that no ‘vacant’ land existed for government to appropriate (Sarbah, 1968: 56). The Lands Bill was also withdrawn.

Foreign Direct Investments (FDI) and Recent Upsurge in Large Land Acquisitions in Ghana

There is a widespread belief among policymakers that foreign direct investment (FDI) enhances the productivity of host countries and promotes development (Antwi and

Zhao, 2013). It has been viewed as a major stimulus to economic growth in developing countries. Its ability to deal with two major obstacles, namely, shortages of financial resources, and technology and skills, has made it the centre of attention for policy makers in low-income countries in particular (Abdulai, 2005).

Since Ghana undertook structural adjustment and economic liberation programme in the early 1980s, the economy has been opened to the private sector and foreign investor participation. This reform laid the foundation for the current liberal economic policies being pursued in Ghana which has also stimulated investment inflows into the economy. These investments have covered areas such as agriculture, real estate, energy and lately, biofuel production. Land has consequently become an object of interest for some of these investors. Ghana is largely an agrarian economy with agriculture accounting for 43% of the GDP and employing about 55% of the labour force (Deininger et al. 2011). FDIs in the agricultural sector are thus vital intervention to propel the growth of the country's economy.

Available data from Ghana Investment Promotion Centre (GIPC) on FDIs for Ghana covering the period 2007- 2014, indicates that over 2,632 foreign investments were registered. In 2009 for example, a total of 256 projects were registered by GIPC. The FDI component of the estimated value of the projects registered was US\$551.30 million a sharp decline from the US\$ 3.19 billion recorded in 2008. The year 2010 however saw a significant increase in FDI projects (385 projects) with a total value of US\$1.110.00 billion compared to the year 2009. The FDIs inflows into Ghana peaked in 2011 with a total value of US\$6.820.00 billion relating to 514 registered projects across the country. The country however recorded some declines in FDI inflows between 2012 and 2014. In the year 2014 for instance, the country witnessed a massive decline in the number of FDIs projects since 2007. The total projects from FDIs dropped from 417 in 2013 to 184 (GIPC, 2014; Table 1.). The fluctuating FDI's inflows could be attributed to the economic instability which started in 2012 and the political uncertainties which surrounded the 2012 general elections. The election results were challenged in court for over eight months by the main opposition party in the country, New Patriotic Party. Investors became uncertain about the outcome of that political stalemate in the country.

Table 1: Foreign Direct Investments in Ghana 2007-2014

Year	Number of Projects	Agriculture related projects	Percentage of Agric. Projects (%)	Total Estimated FDIs (\$)
2007	285	17	5.96	5.29 Billion
2008	286	17	5.94	3.19 Billion
2009	256	13	5.08	551.30 million
2010	385	15	3.90	1.11 billion
2011	514	10	1.95	6.82 billion
2012	305	11	3.61	4.38 billion
2013	417	14	3.35	3,946.41 million
2014	184	7	3.80	3,387.51 million

Source: GIPC Reports (2007-2014)

These FDIs have impacted on land acquisitions in Ghana. Large scale land acquisitions have increased since 2007. The phenomenon gained ascendancy following the 2007/08 food and crude oil prices hikes and the global financial crisis which made investors to re-focus their investments into alternative renewable biofuels and food production. Land became a key investment tool. The development of biofuel feedstock is one such investment activity which can be found in some parts of Ghana especially in the middle and savannah zones of the country. Cultivating jathropha as feedstock for biofuel production requires large land sizes. According to Action Aid (2012), a total of 1,075,000 hectares of land were acquired for jathropha plantation in Ghana as at August 2009. And about 730,000 hectares of the acquired lands were located in the forest savannah transition zone (ibid). Between 2000 and 2012, Ghana recorded about 30 large scale land acquisitions by foreign companies spread across the country (Land matrix, 2014; see also Table). The investors came mainly from the European countries such as UK, Norway, Germany, Netherlands and north and south American countries like U.S.A and Brazil (see Table 4). A study by AMCOW (2014) also shows that Ghana has 6% of its total land under FDIs (Table 2). This percentage could be higher considering the amount of land recorded in Table 3 and 4 below.

Table 2. Land acquired under FDIs in the six countries including Ghana

Country	Zambia	Mali	Ghana	Tanzania	Mozambique	Ethiopia	Others
<i>Land Area (ha)</i>	140,513	163,245	195,963	304,287	387,657	519,858	1,674,730
<i>Percentage</i>	4%	5%	6%	9%	11%	15%	50%

Source: Adapted from AMCOW (2014)

Between 2007 and 2014, a total of 930,809 ha of land were acquired under FDIs in Ghana (Table 3). Comparing the land acquisitions to other neighbouring countries, like Nigeria and Benin, Ghana still experienced more of the land acquisitions under FDIs. Benin had more of its land under FDIs among the three countries and a greater proportion of the acquisitions took place between 2007 and 2014 following the financial crisis.

Table 3. Hectares Acquired in Benin, Ghana and Nigeria

Year	Benin Rep.	Nigeria	Ghana	Total (Ha)
2000-2006	480	12813	10668	13293
2007-2014	951820	567316	930809	1519136
Total (Ha)	952300	580129	941477	1532429

Sources: Modified from Mkpado (forthcoming); Land Matrix (2015)

The acquisitions in Ghana were mostly towards agriculture and agro fuels. As shown in the Table 4 below, the purpose of the acquisitions was largely to produce agro-fuels. It is noted that, government's effort to diversify energy sources and learn more towards renewable energy partly accounted for the surge in FDIs in land in Ghana. According to Nyari (2009), the rush for land in Ghana to grow jathropha for biofuel

was a “direct response” to government’s renewable energy policy. It must be noted that, there were also some other immediate drivers such as the high crude oil and food prices in the world market between 2008 and 2009 as well as the general economic crisis. This created incentives for investors to invest in renewable energy and supply of food. The large land acquisitions were not limited to only Ghana. Other countries with arable lands were equally affected (see Table 3).

Table 4: Large scale land acquisitions in the agriculture sector in Ghana

Year	No. of deals	Area acquired (Ha)	Purpose of acquisition	Name of Investor	Origin of Investor
2000-2003	3	10,668	Biofuels, Food crops For carbon, sequestration/REDD, For wood and fibre	Jatropha Africa, Prairie Texas Compagnie fruitière	UK, France, South Africa, Norway
2004-2007	5	24,700	Biofuels, Food crops	Symbol AG, Kimminic Corp, Form Int., DOS Palm Oil Production Limited (UK)	Germany, Netherlands, Canada, UK and Northern Ireland
2008	3	67,546	Biofuels, Food crops	Natural African Diesel Gh. Ltd., Solar Harvest AS, Agroils	Italy, Norway, South Africa
2009	7	434,055	Biofuels, Food crops, livestock, Renewable energy, wood and fibre	Bionic group, Scanfuel Ltd., Viram Plantation Ltd., African Atlantic Holdings Ltd., Miro forestry company, Brazil Agro-Business Group	USA, India, Norway, UAE, Brazil
2010-2011	4	143,073	Food crops, For wood and fibre, Renewable Energy, Biofuels	Global Environment Fund, Gadeo Enterprise PLC, Hazel Mercantile Ltd, Akate Farms Ltd	USA, India
2012	3	9,493	Food crops	VP Group Hulstein Warren Co Ltd Agricon Global Corporation	USA, Kenya
Unknown	4	83,531	For carbon sequestration/REDD, For wood and fibre	J. García-Carrión, African Plantation for Sustainable Development Ghana Ltd	Spain, South Africa, Germany and Ghana
Total	30	773,066			

Source: Land matrix, 2014

Discussions and Conclusion

Large land acquisition is an age old phenomenon in Ghana. It occurred during the colonial era and in recent times, the recorded cases has been more. The acquisitions during the colonial era were largely driven by the growing demand for agricultural raw materials and minerals at the time of industrial revolutions in Europe. The inte-

gration of the local economy of Gold Coast with the rest of the world under the colonial rule transformed communal landholding system into a more private or capitalist landholding regime especially in areas with intense land demand. This facilitated land transfer on commercial basis to both indigenes and foreigners.

The period between 2008 and 2012 witnessed a tremendous rush for agricultural land in Ghana largely by foreign investors. The period recorded over 20 large land deals out of the 30 recorded between 2000 and 2012. The year 2009 alone recorded 7 deals covering about 434,055 ha of land (see Table 4). This was largely influenced by the global economic downturn which occurred between 2008 and 2009. Food and crude oil prices soared to one of the worse levels in the world history. This drove investors into food supply and alternative renewable energy provision from biomass of plants. Climate change concerns propagated in recent times by world leaders also generated interest in land investments. Governments including China, India, Brazil, the US and the EU have set targets to use biofuel in the transport sector (Cotula et al. 2008), and have introduced incentives and subsidies for biofuel production. Investors responded to these new investment opportunities where they could invest their capital at the hub of the financial crisis.

These occurrences at the world stage and the government policy of attracting foreign direct investments as impetus for economic growth in Ghana operated together to create a conducive political and economic environment for the recent massive land alienations by the customary owners to both local and foreign investors. Ghana's current political system based on constitutional democracy coupled with the free-market economy which is integrated with the global economy provides the fertile ground for these large land acquisitions.

The customary land owners have been the key suppliers of land in this enterprise. There is a greater recognition of customary claims to land by the state through constitutional and policy enactments. This recognition however falls short of regulating the customary authorities in their land dispositions especially rural land which are of much interest to the investors. The constitution vests all customary lands in appropriate stool, skin, families or clan and further imposes some limitations on the disposition and management of stool lands. In the case of family or clan lands, no limitations are imposed. Families have the right to do whatever they wish with their lands. Even with the stool lands, state mechanisms to carry through the constitutional controls have been lacking especially in the rural areas. The state land machineries are not present in the rural areas and the chiefs in these areas have unlimited freedom to trade with their lands. This has often led to exploitation of the local communities who lack capacity to negotiate appropriate deals with the more resourceful investors who end up acquiring land at minimal considerations. Accountability of the proceeds received by the local traditional leaders (chiefs) in the dispositions of land as enshrined in the constitution is also lacking. It is recommended that, efforts should be made by government to provide enough structures at the local level to supervise and control land alienations by the customary authorities to bring sanity into the land market.

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