



Whole of Society Approach Required to Solve Ghana's Land Governance & Management Problems

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Background/Introduction

Land governance is at the heart of Ghana's socio-economic transformation and environmental sustainability. Land as a factor of production continues to be the lifeline of almost all developing countries, as agriculture production which is the main stay of their economies, housing, investment into industry, or the extractives are heavily dependent on the availability and properly managed land. In Ghana, about 80 per cent of land is held under customary tenure arrangements by traditional leaders like chiefs, family heads, and elders (Akamani, 2014)¹ consistent with historical customary land tenure systems that rely on traditional institutions for managing access to communally owned lands as been the dominant medium for land

allocation in Ghana and most of sub-Saharan Africa (Akamani, 2014: p79).

Even though the argument is made for communal ownership of land, recent development in the country seems to be vindicating the proponent of the concept of “the tragedy of the Commons” which is an economic and environmental phenomenon which occurs when selfish people exhaust a shared, finite resource, ultimately causing the community to collapse.

Communal arrangement is under intense pressure due to rate of urbanization, land commodification, and policy incoherence. Increased cases of land alienation and deals conducted without community approval have also resulted in tenure insecurity and social conflicts (Anafo & Ayamga, 2023;

¹ Akamani, K. (2014). Beyond panaceas in land tenure systems in Ghana: Insights from resilience and adaptive governance of social-ecological systems. In *Selected Themes in*

African Development Studies: Economic Growth, Governance and the Environment (pp. 79-93). Cham: Springer International Publishing.

Hughes et al., 2019). These challenges disproportionately impact women and the youth, who still confront systemic obstacles due to patriarchal traditions, discriminatory inheritance patterns, and limited access to legal recourse mechanisms² (Aboagye, 2024).

Land reforms in Ghana³

Land tenure in Ghana is deeply rooted in customary practices where stools, skins, clans, and families hold land in trust for their people⁴. However, colonial policies significantly disrupted indigenous systems. At the time of independence in 1957, Ghana had a dual land tenure system. In the North, the **Land and Native Rights Ordinance of 1927** vested all lands in the Governor, stripping traditional authorities of their rights. Meanwhile, the South retained stool-based ownership. This dual system created deep regional inequities in land ownership and administration.

At independence in 1957, Ghana inherited this fragmented framework. While repeated attempts were made to unify land policy, discriminatory practices persisted until the **1979 Constitution**, which divested Northern lands from government control and restored them to traditional custodians. This reform, influenced by advocacy from the *Study Group on Northern Ghana*, marked a turning point in harmonizing tenure systems nationwide.

Ghana's case is not an isolated one. Since African countries began to gain independence, land tenure reform has been a development priority of many emerging economies for many years and for multiple reasons. In the views of Holden & Otsuka (2014)⁵ one factor of production that exist in abundance in Africa is land yet the availability of it for farming, which is the main occupation of most of the citizens is becoming a problem as populations grow. Given the increasing scarcity of land and its attendant challenges of increasing youth unemployment, rising rural-urban migration in search of non-existing jobs and rapid increases in food price inflation, discussion about land tenure security has become more important now than it has ever been.

Post-Ghana Independence, several efforts have been made aiming at reforming the land tenure system. Earlier efforts had focused on promoting legal frameworks to cure the myriads of challenges relating to security of tenure. However, trying hard as successive governments did, increasing social inequality and the commodification of land, as well as the intensification of competition over land rights and use created the need for further reforms.

Examples of some reforms that has been embarked upon in Ghana include:

- The 1999 National Land Policy of Ghana was a groundbreaking initiative, as it was the first

² Amoako, J. B. (2024). *Land rights of widows in the matrilineal system of inheritance the case of Badu Community in the Tain District* (Doctoral dissertation, University of Education, Winneba).

³ Peters, P. E. (2009). Challenges in land tenure and land reform in Africa: Anthropological contributions. *World development*, 37(8), 1317-1325.

⁴ Bening, R. B. (2025). Opinion piece on land reforms in Ghana. *Ghana Journal of Geography*, 17(1), 41–42. <https://doi.org/10.4314/gjg.v17i1.6>

⁵ Holden, S. T., & Otsuka, K. (2014). The roles of land tenure reforms and land markets in the context of population growth and land use intensification in Africa. *Food Policy*, 48, 88-97.

comprehensive land policy in the annals of the country. Its primary objective was to establish a unified and transparent framework for land management and administration, which had been previously fragmented by antiquated laws and customary practices.

- The Land Administration Project (LAP) in Ghana is a long-term, multi-phase initiative (LAP I: 2003–2011, LAP II: 2011–2019) - aimed at reforming and modernizing the country's land sector. It was launched in response to challenges like unclear land ownership, inefficient registration systems, and frequent disputes.
- Article 257 of the 1992 Constitution of Ghana reaffirmed customary ownership, particularly in the Northern regions, ensuring lands vested in government before 1992 reverted to their original custodians.
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- The Lands Commission Act 2008 (Act 767), passed to integrate and consolidate the operations of institutions responsible for public land to ensure efficient land administration. The Act restructured land administration in Ghana, and it was based on Article 258 of the 1992 Constitution.
- The **Land Act, 2020 (Act 1036)** is a landmark legislative overhaul designed to unify and modernize Ghana's land laws. Its objective is to revise, harmonise, and consolidate existing land laws for sustainable administration and efficient tenure systems.

With the various reforms and their relatively little degree of successes, the pursuit for more reforms continue to occupy a place in the conversations for reform. The new types of land transfers, the role of claims of indigeneity or autochthony in land conflicts are critical conversations that needs to be had but not a conversation reserved for selected few but one that requires the “whole of society” approach hence the Transparency International Land and Corruption Africa Project

The Land and Corruption in Africa Project

The Land and Corruption in Africa (LCA) Project has the long-term development objective of improving the livelihoods of men and women adversely affected by corrupt practices in land administration and land transactions. It seeks to achieve this by promoting security of tenure and ensuring equitable and fair access to land across rural, peri-urban, and urban areas. Through advocacy, policy engagement, and multi-stakeholder dialogue, the project addresses systemic governance challenges in the land sector while empowering citizens, particularly women, youth, and marginalized groups, to claim and defend their land rights.



The Land and Corruption: Multi-stakeholders' Perspective

In the spirit of promoting the “Whole of Society” approach in reforming Ghana’s land administration, Transparency International Ghana organised a series of workshops in Ashanti, Bono East and Greater Accra Regions were held between 11th and 27th August 2025. The LCA Multistakeholder Advocacy Workshops brought together state and district officials, traditional authorities, civil society actors, land experts from academia, and community representatives to deliberate on pressing challenges in Ghana’s land sector. The panel discussion explored ownership, land use conflicts, acquisition, political will, and accountability in implementing the Land Act 2020 (Act 1036). A reflection from key stakeholders is synthesised and

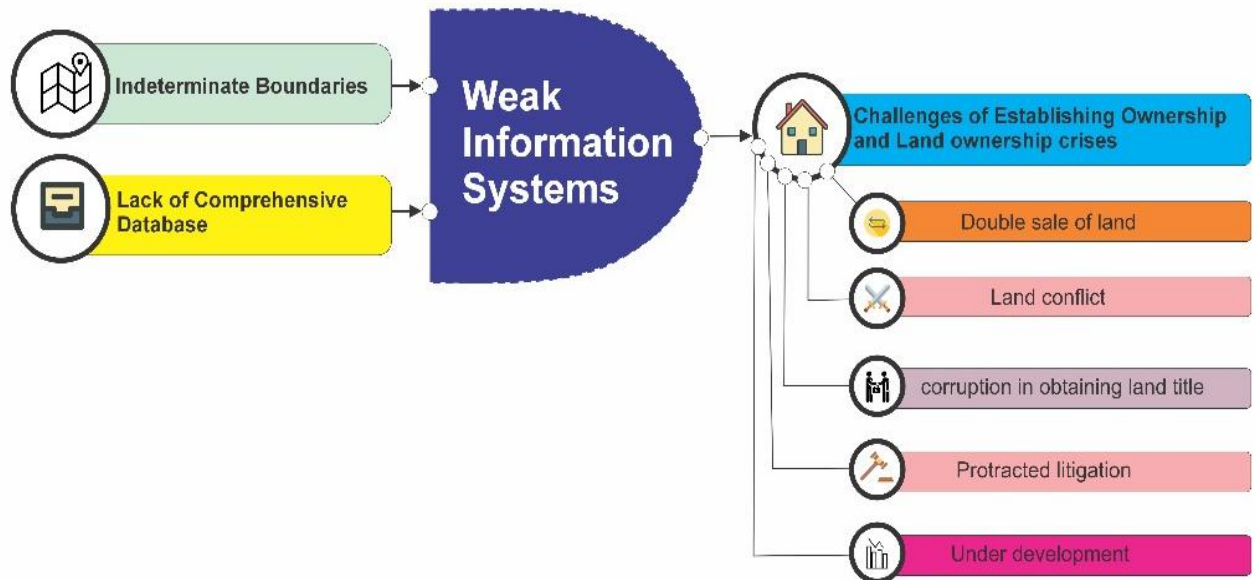
shared below in a schema as the problems with land management in Ghana. The discussions led into actionable recommendations for policymakers, practitioners, and stakeholders.

Stakeholders were guided to identify the actual problems that the Land sector is facing from the perspective of the media, the private sector and law enforcement, academia and the Land Commission. The workshop mapped the various perspectives of what the problems are and arrived at three major problems with one main root cause and several effects of the problems. The primary problem is largely weak information systems however the problem of information is borne out of the poor or indeterminate boundaries and the lack of a comprehensive database Below is a schema which illustrates the problem at a glance.



Key Problem(s) with land Management in Ghana

fig 1: Key Problems with Land Management in Ghana



Source: TI Land And Corruption project Workshop (2025)

Key Recommendations and Action Points

1. Land Ownership and Conflicts Controls

- Develop clear land ownership databases to minimize disputes.
- Ensure land use decisions (e.g., siting of industrial projects) are subject to community consultation to reduce resistance.
- Integrate land use planning with acquisition processes to avoid overlapping claims.

2. Acquisition and Compensation

- Establish transparent community engagement

mechanisms before any land acquisition.

- Strengthen guidelines for fair and timely compensation to affected landowners, balancing national development priorities with community rights.
- Differentiate clearly between projects that merit compensation and those deemed to be in the national interest.

3. Integrity of Land Information Systems

- Invest in digitized and secure land databases to

preserve ownership and land use records.

- Create mechanisms for regular audits of land information to prevent manipulation and corruption.

4. Political Will and Leadership

- Strengthen political commitment to enforce land laws through cross-party consensus and long-term reform strategies.
- Include land governance reforms in party manifestos and campaign promises to ensure continuity across political transitions.
- Establish an independent oversight mechanism to monitor government action on land governance.

5. Role of Civil Society Organizations (CSOs)

- Expand CSO engagement in monitoring land law enforcement and holding duty-bearers accountable.
- Support CSOs to lead public awareness campaigns on land rights and responsibilities.
- Build coalitions between CSOs, traditional authorities, and government to advocate for stronger enforcement.

6. Enforcement of Land Laws

- Prioritize the implementation of the Land Act 2020 with clear sanctions for non-compliance.
- Train and resource local government institutions to enforce land regulations effectively.
- Strengthen collaboration between statutory and customary land institutions to close enforcement gaps.

Conclusion

The Land Act of 2020 (Act 1036) is a key step forward in Ghana's land reform process. It provides legislative clarity, prescribes the use of state of the arts technology, and strengthens protections for people's rights. To ensure the current Land Act contribute to an effective land reform, it needs to be put into action in a coordinated way, with input from all stakeholders, and with strong oversight. It is obvious that Ghana's land governance challenges are not rooted in the absence of laws, but in weak enforcement and inadequate political will to see through. Moving forward, success will depend on strong leadership, robust information systems, transparent processes, and active civil society engagement. By translating stakeholder discussions into clear action points, this report provides a roadmap for advancing accountable, inclusive, and effective land governance in Ghana.

