UNIVERSITY FOR DEVELOPMENT STUDIES

COLLABORATION IN CUSTOMARY LAND GOVERNANACE IN THE UPPER WEST
REGION OF GHANA: MOTIVATIONS, PROCESSES AND SUSTAINABILITY

IBRAHIM ABDUL-SALAM

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REGION OF GHANA: MOTIVATIONS, PROCESSES AND SUSTAINABILITY

By

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DECLARATION

STUDENT

I Ibrahim Abdul-Salam, hereby declare that this thesis is the product of my effort under the guidance of my supervisor and that to the best of my knowledge, it has not been presented anywhere as a whole or in part for the award of a degree, and it contains no material previously published by another person except where due acknowledgement has been made in the text.

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SUPERVISOR'S

I hereby declare that the preparation and presentation of the thesis was supervised in accordance with the guidelines on supervision of thesis laid down by the University for Development Studies:

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ABSTRACT

This study explored the motivations, processes, sustainability factors and challenges involved in the establishment and operations of Land Management Committees (LMCs) within the framework of collaborative governance in the Upper West Region of Ghana. Using an exploratory multiple case study research design with purposive sampling technique, the study interviewed 28 key informants and conducted four Focus Group Discussions. The data were analyzed thematically. The study found the motivations for the formation of the LMCs to include among others resolving incidence of land disputes, obtaining the benefits of increasing land values and favorable government policy. Also, the study showed that the process involved in the formation of the LMCs was bottom-up with the president of the Traditional Council in each study community playing an instrumental role. The study identified the factors responsible for the sustainability of the LMCs to include among others token payment for activities of the LMCs, public education and government support. The study revealed among others lack of cooperation from some landowning family heads, inadequate finance and combining private work with LMC activities as the key factors affecting the performance of the LMCs. The study concludes that families and other stakeholders joined the LMCs due to their inability to individually deal with the challenges of the land governance and desire to benefit from the group. It further concludes that it is significant not just to reconcile private and collective interests and forge mutually beneficial relationships but also to create mutually supportive incentives for different stakeholders taken into consideration the challenges of collaboration in customary land governance. The study also concludes that the support of the government through regular workshops and the provision of office equipment aided the sustainability of the LMCs. The study therefore recommends that areas without Customary Land Secretariat (CLS) must be educated by the OASL to understand that they cannot deal with the challenge of land governance alone hence the need for them to come together to form the LMC and establish the CLS. Also, the OASL should insist on diversity in the composition of the LMCs and establish a fund to reward LMCs that have been able to sustain their CLS. Moreover, the OASL should organize more workshops for LMC members to help sustain their interest in the activities of the LMCs.

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LIST OF ABBREVIATIONS

ADR	Alternative Disputes Resolution
CLS	Customary Land Secretariat
CPR	Common Property Resource
DA	District Assembly
FGD	Focus Group Discussion
IIED	International Institute for Environment and Development, UK
IAD	Institutional Analysis and Development framework
LC	Lands Commission
LMC	Land Management Committees
LAP	Land Administration Project
LSA	Land Sector agencies
MA	Municipal Assembly
M&E	Monitoring and Evaluation
OASL	Office of the Administrator of Stool Lands
OECD	Organization for Economic Co-operation and Development
PHC	Population and Housing Census
UN DESA	United Nations Department of Economic and Social Affairs
UWR	Upper West Region
UN	United Nations
UN-ECE	United Nations Economic Commission for Europe
UNDP	United Nations Development Programme

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CHAPTER ONE

GENERAL INTRODUCTION

1.1 Background of the Study

The world is experiencing unprecedented upsurge in urban population in history with 55% of the world's population now residing in urban areas (UN DESA, 2018). In Africa, as in other developing regions where the pace of urbanization are among the most noteworthy, incessant urban population growth presents overwhelming challenges to urban governance given the frail institutional, monetary, and infrastructural limits of governments (African Development Bank, 2013; UN DESA, 2015; UN-Habitat, 2014). Access to, command over and the utilization of land in numerous African urban areas are often challenged within the setting of the urban transition. Land governance is thus an essential issue in Africa's urban transition (Akaateba, 2018; Deininger, Selod & Burns, 2011). Protected tenure rights, viable land use and responsible land governance through collaborative efforts are regarded bedrock to attaining sustainable, protected, versatile, and all-encompassing cities within the context of worldwide obligations like the UN Sustainable Development Goals and the New Urban Agenda (Ghazi et al., 2017). Community involvement in land governance and the building of local institutional capacity by devolving land administration systems from public agencies into locally based establishments, assume significant roles in these collaborative efforts (Amanor, 2008).

Over the past two decades, the attention on land governance in many African cities have centered on how best to combine customary and public structures of land governance to manage urban growth efficiently (Akaateba, 2018). Hence, numerous tryouts with land reform policies and community-based systems across Sub-Saharan Africa have been based on

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collaborative initiatives (Benjaminsen, Kaarhus & Sjaastad, 2009; Durand-Lasserve, 2006; IIED, 2006). In Ghana, the multi-donor Land Administration Project (LAP), which reinforces the customary administration of land and institutes Customary Land Secretariats (CLSs) under the supervision of Land Management Committees (LMCs) made up of chiefs, landowners and technocrats, reflects how dominant this strategy has become (Arko-Adjei, 2011).

The LMCs under the LAP have oversight responsibility over the CLSs (Bugri, 2012). This is to ensure that the CLSs remain accountable to the customary land owners and carry out their functions in line with the aspirations of the communities. The membership of the LMCs may include representatives of the land owning community (stool/skin, family, clan etc.), professionals such as Lawyers, Planners, Valuers/Estate Managers and Land Surveyors where available, and other identifiable interest groups including land developers and users (Kakraba-Ampeh, 2008). The LMCs through the CLSs are expected to submit quarterly reports of their activities to the Office of the Administrator of Stool Lands (OASL). This is to further inform policy decisions of the government.

Within this new land governance paradigm, the LMCs are characterized by relationships that are neither exclusively bottom-up nor top down but rather seek to balance both approaches in a multi-level processes of shared decision-making that include an important role for local actors (Vodden, 2015). Consequently, recent scholarship (researchers, practitioners, and students) are working hard to understand how such systems emerge, what makes them work, and whether they are producing their intended effects (Andrews & Entwistle, 2010; Emerson & Nabatchi, 2015). As such, this study contributes to this new area of research and policy development by particularly exploring the motivations, processes, sustainably factors and challenges involved in the establishment and operations of the LMCs.

1.2 Problem Statement

The recognition given to customary land ownership and the latitude for customary owners to manage their lands under the LAP in Ghana naturally required the establishment of local structures for the performance of land management functions locally in the form of LMCs and CLSs (Kakraba-Ampeh, 2008). Studies on these collaborative institutional set ups have largely focused on customary land tenure dynamics and its attendant conflicts as well as the adaption of the land governance to the customary established structure in the face of the dual land governance system in Ghana (Arko-Adjei, et al., 2009; Akrofi & Whittal, 2011; Arko-Adjei, 2011; Biitir, Nara & Ameyaw, 2017; Paaga, 2013). Biitir and Nara (2016) examined the role of CLS in promoting good local land governance in Ghana whilst Akaateba (2018) explored collaborative land delivery practices with chiefs at the helm of affairs. These studies turn to give little attention to how the local institution is created in conjunction with the external institutions and constituted in relation to its context (Agrawal, 2003) and in the context of this study how the LMCs were formed within their cultural and spatial context to facilitate the management of customary lands in conjunction with the state land management institutions. The argument is that without understanding the specific and broader socio-economic setting or context (historically and spatially) in which actors are 'embedded' it is unlikely that we can know the circumstances that affect individual decision-making over resource use (Agrawal, 2003; Johnson, 2004).

Moreover, while there has been significant studies on institutional designs that are conducive for effective collaboration (Doberstein, 2016; Klijn & Koppenjan, 2006; Provan & Kenis, 2008), there has been little research on the inherent motivations of actors who join collaborative governance systems as well as the contexts and processes that are conducive to the success of such collaborative initiatives (Ananda & Proctor, 2013; Choi & Robertson,

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2019; Vodden, 2015). Also, a significant proportion of the collaborative governance literature is made up of largely single-case case studies concentrating on sector-specific governance issues like site-based management of schools, watershed councils, community health partnerships, community policing, collaborative planning and natural resource (irrigation, coastal fisheries, pastures, forests and ground water) co-management (Cheadle et al., 2005; Ishimaru, 2014; Sullivan, Whitea, & Hanemanna, 2019; Ulibarri, 2019). This study therefore seeks to fill the gap by using the multiple case study research design to explore the motivations, processes, sustainability factors and challenges involved in the establishment and in the discharge of the duties of the LMCs in the UWR of Ghana.

1.3 Main Research Question

What are the motivations, processes, sustainability factors and challenges involved in the establishment and in the discharge of the duties of the LMCs?

1.3.1 Specific Research Questions

1. What motivated (contextual factors) the local stakeholders to form the LMCs in the study communities?

2. What were the processes involved in the establishment of the LMCs in the study communities?

3. What were the challenges involved in the establishment of the LMCs?

4. What factors account for the sustainability of the LMCs?

5. What factors affect the LMCs in the performance of their functions?

6. How can the current land administration role of the LMCs be improved for sustainable Customary Land Administration?

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1.4 Main Research Objective

To explore the motivations, processes, sustainability factors and challenges involved in the establishment and in the discharge of the duties of the LMCs.

1.4.1 Specific Research Objectives

1. To explore the motivations (contextual factors) of the local stakeholders for forming the LMCs in the study communities.

2. To ascertain the processes involved in the establishment of the LMCs in the study communities.

3. To determine the challenges involved in the establishment of the LMCs.

4. To ascertain the factors that account for the sustainability of the LMCs.

5. To explore the factors that affects the LMCs in the performance of their functions.

6. To suggest ways of improving the current land administration role of the LMCs for sustainable Customary Land Administration.

1.5 Significance of the Study

The study will allow for a better understanding of the motivations, processes, sustainability factors and challenges involved in the establishment and in the discharge of the duties of the LMCs. This is underscored by the fact that if present institutions are the manifestations of past political orientations, consideration of existing political relations within communities can yield an enhanced appreciation of how present institutions are contested and what future institutions may look like (Saunders, 2014). This will serve as a basis for action oriented strategies and programmes related to the management of customary lands in Ghana by the OASL, Non-Governmental Organizations and District Assemblies. This will be evident in good customary land management practices.

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Moreover, the study will contribute to the reshaping of the LAP 2 by bringing to light the motivations for landowners' participation in the formation of LMCs, the factors that account for the sustainability of the LMCs and the challenges confronting the LMCs.

Also, the study will contribute to augmenting the knowledge base in common property management particularly customary land administration. It will serve as one of many texts on the subject area and hence come in handy for other researchers to help investigate further into this subject area.

1.6 Scope of the Study

Geographically, the study took place in the Upper West Region (UWR) of Ghana, specifically in Wa in the Wa Municipality, Tumu in the Sissala East Municipality as well as Gwollu and Zini in the Sissala West District.

In terms of content, the study explored; the motivations (contextual factors) for local stakeholders' participation in the formation of the LMCs in the study communities; the processes and challenges involved in the establishment of the different LMCs; the factors that account for the sustainability of the LMCs; the factors that affects the LMCs in the performance of their functions. Also, the study suggested ways of improving the current land administration role of the LMCs for sustainable Customary Land Administration in Ghana.

1.7 Organization of the Dissertation

The thesis is organized into five chapters. Chapter one entails the background, statement of the research problem, research questions and objectives, significance of the study, scope of the study and the organization of the study. Chapter two includes the literature review outlining the theoretical framework, conceptual framework and empirical framework of the study. Chapter three encompasses the study context and the research methodology. Chapter

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four captures the results and discussions. Chapter five presents the summary of key findings, conclusions and recommendations.

CHAPTER TWO

COLLABORATION IN CUSTOMARY LAND GOVERNANCE: A CONTEXTUAL

REVIEW

2.1 Introduction

This chapter reviews literature on collaboration in customary land governance. Specifically, it encompasses theoretical framework, conceptual framework and empirical framework. The theoretical framework and conceptual review respectively examines relevant theories and concepts on collaboration in customary land governance resulting in the derivation of a conceptual framework. The empirical framework examines the studies that have been done on collaboration in customary land governance.

2.2 Theoretical Framework

The study made use of two theories: the collaborative governance theory and the theory of collective action. The collaborative governance theory explains how and under what circumstances state and non-state actors can come together to undertake a collective initiative whilst the theory of collective action explains the motivations for the formation of groups and how the characteristics of the group could determine the success or otherwise of the group.

2.2.1 Collaborative Governance Theory

The theory of collaborative governance draws from a wide range of existing theories including group theory, logic of collective action, the model of collaborative problem resolution, the prisoner's dilemma and game theory as well as the extensive Common-Pool Resource literature (Axelrod, 1984; Bentley, 1949; Dawes, 1973; McGuire, 2006; Olson, 1965; Ostrom, 1990).

Collaborative governance theory emerged in response to the failures of top down management regimes: "as knowledge becomes increasingly specialized and distributed and as institutional

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infrastructures become more complex and interdependent, the demand for collaboration increases" (Ansell & Gash, 2008, p 2). The bases for all these factors is aptly put by Gray (1989) as the increasing ''turbulence'' faced by policy makers and managers.

Collaborative governance theory is grounded in the postulation that every stakeholder has something of worth to contribute to final outcomes (Innes & Booher, 2010). This postulation may manifest in situations where stakeholders are comparatively equal (Brisbois & de Loë, 2016).

Central to the collaborative governance theory is the role of non-state stakeholders. Collaborative governance requires that responsibility for policy outcomes be entrusted with non-state actors or stakeholders. Thus, the non-state actors must be directly involved in decision making. Freeman (1997, p 22), for instance, argues that non-state actors participate "in all stages of the decision making process". Though in some instances the public agency (as with regulatory negotiation) may wield ultimate authority, the non-state actors must directly participate in the decision-making process.

Contrary to the free rider problem under the theory of collective action where participants promote their private goals or their constituents, collaborative governance theory states that actors through a course of shared learning can widen their delineation of the situation and engenders obligation to beneficial results that are wider than their private goals (Choi & Robertson, 2019). Put differently, this viewpoint is more positive that stakeholders in collaborative governance, via a process of principled engagement (Emerson, Nabatchi & Balogh, 2012), may find some common ground by exploring their differences constructively that will set the stage for actions that surpasses their limited standpoints on what can or should be done.

This theory underpins this study in the sense that the LMCs under LAP were modeled as collaborative governance regimes with oversight responsibility over the CLS. The LMCs as collaborative governance regimes are largely made up of non-state participants entrusted with real responsibility for policy outcomes. Though the collaborative governance literature acknowledges that the public agency (as with OASL) may wield ultimate authority, the none-state stakeholders (i.e. LMC members) must participate directly in the decision-making process (see Ansell & Gash, 2008).

Moreover, the collaborative governance theory provides the framework for the study to explore the motivations for actors' participation in the collaborative process. The theory stipulates that stakeholders are motivated to participate in the collaborative process if they envisage that their participation will yield noticeable and impactful results (Brown, 2002). However, stakeholders motivation wane if they see their contribution as simply consultative or largely superficial (Futrell, 2003).

However, a key limitation of the collaborative governance theory is the realism of power inequities among participants (Tett, Crowther, & O'Hara, 2003; Warner, 2006). Thus, the collaborative governance process will be susceptible to influence by stakeholders who wield more power, if some participants in the process lack the capacity, organization, status, or resources to partake, or to contribute on the same level with other participants (Ansell & Gash, 2008). Gray (1989) appositely put it that power dissimilarities among stakeholders influence their disposition to participate in the collaborative course.

2.2.2 The Theory of Collective Action

The basic assumption of Olson's (1965) theory of collective action is that individuals are primarily egotistical and subsequently assess their own expenses and advantages when taking part in collective action. Also, the theory assumes that the size of a group and the type of

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interests that describe a group influence their private expenses and advantages (Olson, 1965). Olson divides groups into small (privileged), intermediate and large (latent) groups (Olson, 1965). First, holding other factors constant, the bigger the group and little the average rewards related to participation, the more uncertain a group is to be viable in seeking after common interests. For intermediate and large groups to be effective, Olson (1965) contend that collective action requires putting in place appropriate individual benefits and disciplinary mechanisms referred to as "selective" incentives to encourage individual members. Without selective incentives, participants in large or intermediate groups may not willingly put efforts towards attaining collective ends (Congleton, 2015). On the other hand, the lesser the group and higher average member interests, the almost certain it is to compose and propel its common objectives. In small groups, each member is inclined to pursue the group goals even without a formal organization due to social incentives such as social status, friendship and prestige among others. These social incentives make the members' private advantages to incredibly surpass their private expenses for collective action (Udehn, 1993).

However, Olson's "group size" contention-that collective action commonly flops in bigger groups-has been criticized on the grounds that in certain circumstances the group size impact will be negative, and in others positive (Hardin, 1982; Oliver, 1993). Thus, the effect of group size on the accomplishment of collective action depends on the setting of the collective action. If the theorist assumes that individual benefits decrease or costs rises with group size, there will be a negative "group size" outcome on collective action (Oliver, 1993). If the scholars assumes that the good has high joint-ness of supply to such an extent that expenses and advantages are indifferent with group size, there will either be no "group size" impact, or it will be progressive (Oliver, 1993). Ostrom (1997) summarizes this argument by stating that the effect of group size on collective action is typically impacted by numerous different

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factors including the production technology of the collective good, its level of excludability, joint-ness of supply and the degree of heterogeneity in the group.

Olson (1965) reasoned that if nonparticipants cannot be excluded from benefiting from the collective good, self-seeking participants will be enticed to free ride on others contributions. Consequently, collective action fails, in the event that everybody looks to receive the rewards of others' contribution while avoiding the expense of the collective course (Udehn, 1993). Olson (1965) highlighted that all but small groups encounter the free-rider problem. Every individual's input in small groups influences the group's potential for success, and it is obvious to all participants. Also, in small groups each participant, or at least one of them, has a motivating force to see that the collective good is provided, regardless of the member bearing the full cost of its provision a lone (Udehn, 1993). However, an intermediate group is not large enough to give a free rider a chance to stay unknown. Subsequently, there is the plausibility of acquiring the collective good with some coordination and association (Heckathorn, 1996). Also, in larger groups, the impact of any individual's participation is negligible, so self-intrigued rational people will free ride except if they are limited (Oliver, 1993) through selective incentives (Congleton, 2015; Heckathorn, 1996). The free-rider problem is often illustrated through the Prisoner's Dilemma (Hardin, 1971).

The Prisoners dilemma is named for a monograph wherein two criminal suspects are interrogated independently regarding a wrongdoing. The favored result is unilateral defection, where one is rewarded for admitting wrong doing when the other stays silent; then comes universal cooperation, in which both stay silent and get light sentences; next comes universal defection in which both admit and are seriously rebuffed; and the most noticeably terrible is unilateral cooperation, in which only the other admits so one's very own punishment is generally brutal (Heckathorn, 1996). The challenge here is one of trust. Along these lines, if

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the detainees can confide in each other to follow up on their shared interest for staying calm, they can escape with a light sentence (Heckathorn, 1996). A collective-action system corresponds to a Prisoners Dilemma game if universal cooperation is preferred to universal defection, yet the preferred outcome is unilateral defection (Heckathorn, 1996). This difficulty can be settled in two different ways. In moderate-sized groups, it very well may be settled through vital collaboration, that is, correspondence that says "on the off chance that you cooperate, at that point I also will do same" (Heckathorn, 1996). In larger groups, collective action requires particular motivating forces (incentives), for example, laws or social standards that rebuff deserters or reward cooperators (Heckathorn, 1996; Opp, 1989).

The theory of collective action provides the framework for the study to explore the motivations for the formation of the LMCs, the factors critical for the sustainability of the LMCs and the factors that affect the performance of the LMCs. The theory of collective action emphasizes that the key motivation for actors to engage in collective initiative is self-interest and hence actors will always compare their private benefit with private cost before engaging in collective action. In addition, the theory highlights the factors critical for the sustainability of collective action to include effective institutional arrangement, external environment and the characteristics of the group. Also, the theory highlights the size of the group and selective incentive as the key factors affecting collective action.

2.3 Conceptual Review

2.3.1 Collaborative Governance

Governance is defined as "the structures and processes by which people in societies make decisions and share power, creating the conditions or ordered rule and collective action, or institutions of social coordination" (Schultz, et al., 2015, p 7369). Collaborative governance on the other hand has been defined variously by different scholars. Smith (1998) as well as

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Connick and Innes (2003) explained collaborative governance as an arrangement where key and relevant interest groups are represented. Reilly (1998, p 115) describes collaborative efforts as a type of problem solving that involves the "shared pursuit of government agencies and concerned citizens". Emerson et al. (2012, p 2) explain collaborative governance as "the processes and structures of public policy decision making and management that engage people constructively across the boundaries of public agencies, levels of government, and/or the public, private and civic spheres in order to carry out a public purpose that could not otherwise be accomplished". Ansell and Gash (2008, p 2) explain collaborative governance as "a governing arrangement where one or more public agencies directly engage non-state stakeholders in a collective decision-making process that is formal, consensus-oriented, and deliberative and that aims to make or implement public policy or manage public programs or assets". This definition according to Ansell and Gash (2008) emphasis six important conditions for any governance arrangement to be described as collaborative governance: (1) the collaborative platform is started by statutory agencies or institutions, (2) members on the platform embrace non-state stakeholders, (3) members participate directly in decision making and are not purely ''counseled" by public agencies, (4) the platform is officially composed and meets collectively, (5) the platform seeks to make decisions by accord (regardless of whether accord is accomplished practically), and (6) the motivation of collaboration is on public policy or public management. Stoker (1998) emphasise that collaborative governance focusses on collective decision making: not just one individual making a decision but rather groups of individuals or organizations or systems of organizations making decisions. Operationally, Collaborative governance will be defined as a governing arrangement, initiated by a public agency that directly engage non-state stakeholders in a collective decision-making process that is consensus-oriented and aims to manage a CPR for sustainable outcomes.

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2.3.2 Collective Action

Collective action is defined as a voluntary action taken by a group of individuals (either directly or on its behalf through an organization), who invest time and energy to pursue shared objectives (Markelova et al., 2009). According to Bearman and Hedström (2011) the concept of collective action entails the broad range of social phenomena in which social actors engage in joint activities for providing and/or demanding collective goods. The objective of a collective good can only be achieved through the independent, interdependent, or coordinated contribution of many people since no single individual relying exclusively on his/her own means can attain the collective good (Bearman & Hedström, 2011). Meinzen-Dick, Di Gregorio and McCarthy (2004) identified the key features of collective action to include: the involvement of a group of people, shared interests, common and voluntary actions to pursue those shared interests.

In the context of this study, collective action will be defined as a voluntary action taken by a group of people to pursue their shared interest through their own organization.

The results of collective action much of the time are profoundly subject to the kind of associations required just as the institutional courses of action which are set up at the local level (Vanni, 2014). Collective action can thus be introduced by an organization directly managed by local actors or organized and or reinforced by a regional/national administrative authority.

Following from the above, Davies et al., (2004) identified cooperation and coordination as the two kinds of collective action. Cooperation is a bottom-up or local-to-local collective action and coordination is top-down or state-led collaborative action. Whereas few community driven collaborative endeavors may get state assistance, some might be done devoid of state assistance (Vanni, 2014). Also, while local and/or government may support other collective

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actions initiatives, other state-led collaborative arrangements are upheld by state programmes but without any local backing (OECD, 2013).

Though, collaborative action initiatives are usually implemented by formal institutions, Ostrom (2004) advocate for more consideration regarding informal collaborative arrangements, where community systems or groups establish and facilitate community action envisioned to attain their desired ends.

2.3.3 Benefits of Collective (collaborative) Action

The literature on collaboration governance and collective action has acknowledged a number of possible advantages, comprising enhanced coordination of activities, better utilizing and pooling of assets, augmented social capital, improved conflict controlling, improved information management, better risk-sharing in policy implementation and better policy compliance (Agranoff, 2008; Agranoff & McGuire, 2003; Emerson & Nabatchi, 2015; Leach & Sabatier, 2005). Uetake (2012) in case studies from New Zealand identified scale merits, sharing knowledge and collective capacity and dealing with community problems as the key benefits of collective action and collaborative efforts in the provision of public goods.

With regards to scale merits, collective action has the potential to increase the economy of scale and scope. The studies of Davies et al. (2004) and Mills et al. (2010) showed that since eco-friendly public goods such as biodiversity and scenery are often produced not exclusively by individual farmers, collaborative action permits solving the challenge of public goods delivery at the geologically and biologically suitable level. Also, by organizing local assets harmoniously, collective action may lessen the expenses of public goods delivery and may enhance the co-ordination arrangements for the mutual provision of numerous public goods (Vanni, 2014).

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In addition, collective action could provide the grounds for sharing knowledge and learning for the participants in the collective course (Vanni, 2014). Often, a local collaborative arrangement greatly depends on the indigenous expertise of participants and on the opportunities to assimilate this expertise into arriving at decisions. Consequently, collective action improves the trustworthiness and acceptability of decisions reached whilst allowing the collection and distribution of information at lower costs matched with the individual methods (Vanni, 2014).

Moreover, collective action makes it possible for the tackling of local issues efficiently. Often, central governments encounter difficulties in solving local issues and may not be able identify a worthwhile resolution for local issues (Vanni, 2014). However, via collective action, specific strategies can be implemented and tailor-made to local issues since it permit more flexibility, responsiveness and local significance (Davies et al., 2004).

The realization of the above gains is however, dependent on the existence of some set of stable institutional rules that govern collective actions and that govern the division of the gains themselves while creating conditions that enhances the role of social capital through social systems, trust and mutuality among group participants (Vanni, 2014).

2.3.4 Challenges Involved in Collective (collaborative) Action

The seminal work of Olson (1965) acknowledged free riding to be one of the key limitations of collaborative action. Olson noted that some participants in collective action often incline to not put much effort into the collective course as they profit from other member's contribution. Olson argued that rational individuals are enthused to free ride on the efforts of others, if nonparticipants in the collective course cannot be excluded from benefiting from the collective good. He further contended that this temptation is greater in bigger groups; as the benefits of each member's efforts would have to be shared among lots of participants and

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every participants efforts would unlikely bring about a conspicuous change in the result. Consequently, Olson concluded that, collective action is "irrational" under this circumstance. This challenge is more pronounced, when collective action is geared towards public goods delivery, as the paybacks of public goods, which are non-rival and non-excludable, cannot be restricted to the participants in the collaborative course (Heckathorn, 1996).

Another challenge of collective action is that, the preliminary stage of the execution of collective action may have higher transaction costs when matched with individual private efforts (Davies et al., 2004; Ostrom, 1990). These higher costs are particularly associated with search costs (earned in the search for potentials for reciprocal gains), bargaining costs (related to attaining cooperation) and implementation and monitoring costs (Singleton & Taylor, 1992). This thus has important repercussions when carrying out plans to sustain collaborative efforts for public goods (Vanni, 2014).

In addition to the free rider problem and transaction cost, several other exogenous and endogenous threats have been found in the empirical literature (Bates, 1987; Ostrom 2000; Britt, 2000) as challenges to collective action. These include: 1) endeavors by national governments to force a solitary arrangement of standards on all governance units in a region; 2) fast changes in innovation and in dependence on monetary transactions; 3) transmission failures from one generation to the next of the functioning ethics on which self-organized governance is based; 4) turning to external sources of help too frequently; 5) international aid that disregard indigenous knowledge and institutions; 6) growing corruption and other forms of opportunistic behaviour; and 7) absence of huge scale institutional courses of action that give reasonable and low-cost resolution mechanisms for conflicts that arise among local establishments, educational and extension facilities, and insurance mechanisms to help when natural disasters strike at a local level (Ostrom, 2000).

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While the above extra outlays are unavoidable in the process of attaining an effective collaborative action, often the advantages of collaborative action exceed the costs (Uetake, 2012) due to the economy of scale and scope (Hodge & McNally, 2000; Davies et al., 2004). Albeit, successful collective action must overcome the fundamental limitations to collective action: free rider problem and higher transaction costs (Vanni, 2014).

2.3.5 Contextualizing Collaborative Land Governance in Africa

Institutions for land administration in Africa often require the involvement of diverse groups of stakeholders in order to engender transparency and local acceptability (Burns et al., 2007; UNECA, 2017). However, establishing such a structure that concurrently advances the interests of the state, the community and individuals is a particularly difficult endeavor considering the conflicting nature of these interests (Knight, 2010). The collaborative governance literature acknowledges varied motivations for stakeholders' participation in the collaborative process. These motivations are often abridged as prosocial and self-centered motivations (Choi & Robertson, 2019). In the latter, stakeholders participate in collaborative processes in order to attain private goals - private inclinations are combined into collective choices through self-interested bargaining. For instance, Ubink (2007) noted that traditional leaders particularly chiefs due to their parochial interest often sell land without due regards to the needs of their communities through the manipulation of customary law. Also, Adams et al. (2003) in an analysis of Botswana land boards observed that some stakeholders due to their private interest were reluctant to participate until they could be compensated for their time spent on the activities of the land boards. This self-centered tendency can undermine actor's willingness to act cooperatively or may result in free riding as some actors try to benefit more from the collaborative process than they contribute to it (Choi & Robertson, 2019). Consequently, conflictual situations may emerge particularly if power and resource

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differences exist among the stakeholders (Ansell & Gash 2008; Emerson et al., 2012; Imperial, 2005).

Conversely, rather than free riding, other stakeholders may be motivated by the desire to serve public interest-prosocial motivation (Perry, Hondeghem, & Wise, 2010; Ritz, Brewer, & Neumann, 2016). As collaborative governance processes are often geared toward solving public issues, it is realistic to expect that some participants will be motivated equally or more by their desire to contribute to collective well-being than by the goal of achieving their personal interest (Coursey et al., 2011). Stakeholders thus participate in a mutual learning process which enlarges their characterization of the context and engenders commitment to constructive outcomes that are wider than their individual aspirations. Dissimilar to the free-riders predicted under the pro-self-perspective, prosocial participants are strategic to building and maintaining the collaborative dynamics required to address shared interests effectively (Choi & Robertson, 2019). This public service motivation is often the underlying motive for the participation of public agencies in land administration in Africa. Generally, governments in Africa initiate and encourage participation in land administrative processes to relieve itself of the burden of managing customary lands, improve local institutional capacity and to leverage on indigenous knowledge of local people (Nyarko & Adu-Gyamfi, 2012; Deininger et al., 2011). In certain context, it is difficult to differentiate between the pro-self-motivation from the public interest motivation. For instance, Akaateba (2018) in a study of collaborative land delivery practices in Ghana found that outwardly, non-state actors initiated collaborative land delivery processes due to their desire to serve the public interest by ensuring the orderly development of their communities. However, she observed that implicitly, the traditional authorities were driven by the higher rents that they will obtain from such planning schemes.

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The pro-self and prosocial motivations of participants in the collaborative endeavor depend on stakeholders' expectation of the outcome of the collaborative process. Considering the time, energy and other resources effective collaboration requires, stakeholders will often examine whether the collaborative processes will generate productive outcomes (Schneider et al., 2003; Warner, 2006). Actors are further encouraged if there is an unswerving relationship between their participation and concrete, tangible, definite policy outcomes (Brown, 2002) but discouraged if actors recognize their contribution to be purely superficial, advisory or largely ceremonial (Futrell, 2003). In reality, pro-self and prosocial motivations eventually achieve social and private interest respectively. These motivations are often limited by certain factors as discussed in the ensuing subsection.

2.3.6 Factors affecting collaboration in land administration in Africa

A number of countries on the continent have instituted institutional reforms that encourage joint efforts in land administration with increased involvement of local actors to ensure that local realities are taken into consideration (AUC-ECA-AfDB Consortium, 2011; Burns et al., 2007; Byamugisha, 2013; Cotula, Toulmin, & Hesse, 2004). However, many of these institutions are confronted with a myriad of issues affecting their establishment and productivity. Several scholars have identified institutional fragmentation, inadequate financial and technical capacity as the key factors affecting collaboration in land administration in Africa (Adams et al., 2003; Burns et al., 2007; Kasanga & Kotey, 2001).

Byamugisha (2013) noted that a host of institutions for land administration in African countries are fragmented with little or no coordination. The legal foundations of these institutions generally overlap and are outdated with little efforts to streamline indistinctness resulting from successive legislation. Principally, there appears to be alacrity in the formulation of new laws, compared to the effort required to improve existing laws bringing

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about institutional fragmentation and its attendant bureaucratic red-tape (Burns et al., 2007). For example, in Ethiopia rural and urban lands are administered by different federal and regional government entities, with little coordination among them (Byamugisha, 2013). This according to Burns et al. (2007) increases bureaucracy with little attention to local needs. The foregoing creates room for cronyism, patronage, informal fees, and other forms of corrupt practices that exclude the poor from participating in the formal land market and gaining security of tenure and hence decreasing public confidence in the formal land administration system and a resultant increase in informality (Burns et al., 2007).

Technically, Knight (2010) observed that due to the intricacy and diversity of the task joint land administrations institutions undertake, qualified professionals such as land surveyors, land economists, physical planners, computer technicians, and lawyers who are acquainted with customary and statutory land laws are indispensable for success. However, this is often lacking. For instance in Bostwana, Adams et al. (2003) found that whilst in some instances local actors who understand the customary systems are illiterate-lack understanding of modern land governance-, in other instances, actors who are literate lack understanding of the customary land practices. Notwithstanding, Burns et al. (2007) argued that African governments often have the disposition to rationalize investment in high technology – high accuracy end of the technical spectrum- to the detriment of the basic technical requirements of these institutions.

Fiscally, the literature (Davies et al., 2004; Ostrom, 1990) indicates that the initiation (preliminary stage) and operation of a collaborative system may have higher transaction costs when matched with individual private efforts. These higher costs are particularly associated with search costs (earned in the search for potentials for reciprocal gains), bargaining costs (related to attaining cooperation) and implementation and monitoring costs (Singleton &

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Taylor, 1992). Adams et al. (2003) in an analysis of the Botswana land boards reported that actors on the boards were only willing to participate if they could be compensated at a rate equivalent to the opportunity cost of their time. These novel institutions for land administration are often structured to be self-funded in order to reduce the burden on central government. With limited financial support from the government, they often have to charge fees for their services to the public in which regard they are constrained as high charges may place such institutions above the reach of the poor in society whom they are there to serve. Consequently, states often seek the support of private donors, international organization and NGO's to provide the funds and technical support necessary for successful collaboration in land administration in Africa (Knight, 2010).

Essentially, the above factors limit collaborative process in land administration in Africa which is rapidly evolving in the face of social and economic pressures. While issues of institutional fragmentation make the collaborative processes bureaucratic, the inadequacy of financial and technical capacities limits participation and productivity of the collaborative process as success of collaboration in land administration in Africa is largely dependent on the level of community trust in such systems of land administration and the affordability of participation.

2.3.7 Group Development Stages/Processes

Group development generally refers to a series of phases through which group's progress, or at least some sort of recurring cycle of member attraction based on different factors (Whittaker, 1970). The concept of group development began to develop following Freud (1959) and LeBon (1910) conception of groups engaged in collective action and their attendant dynamics. Subsequently, a host of models illustrating how "groups become groups" have emerged (Benard, et al., 2008).

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The similarity among the models is that they all depict group development in an orderly fashion, evolving through phases or stages (Benard et al., 2008; Whittaker, 1970). However, whilst some of the models portray the stages as linear (occurring gradually in a rectilinear sequence), others portray the stages to be intermittently recurrent (the group may rehash some phases, or manage specific issues, at specific interims or under specific conditions), or a combination of rectilinear and cyclic arrays (Mann, Gibbard & Hartman, 1967).

Though, the number, pattern and designation of stages advanced by the numerous models of group development differ, concurrence can be distinguished (Wheelan, Davidson & Tilin, 2003). The following is a description of five–stage sequence, based on the models of Tuckman (1965), Garland, Jones and Kolodny (1973) and Wheelan et al. (2003).

2.3.7.1 Stage One

This is the polite opening, get acquainted and ice breaking stage of group formation (Cain, 2003). Whilst Tuckman (1965) refers to the first stage as "forming", Garland et al. (1973) refers to it as "pre-affiliation" stage and Wheelan et al., (2003) refers to it as a stage where the focus is on "dependency and inclusion". At this stage, members of the group attempts to become oriented to the tasks, identify who's who and possibly where they fit into the plan of the group. Group deliberations focus on characterizing the extent of the assignment and how to approach it. This stage entails forming an atmosphere of safety and acceptance, avoiding controversy, and is filled with guidance and direction from the group leader or manager (Cain, 2003). The leader must be seen to be open with information and ready to answer the many questions that will come his or her way; boundaries, strengths and weaknesses will be tested, including those of the leader (Wilson, 2010). Purposefully, the leader permits the regulation of relational separation and also offers trust, helps the individuals to recognize individual objectives, and distinguishes shared objectives between the members (Bernard et al., 2008).

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This makes the group interaction more organized and predictable (Bernard et al., 2008). To grow from this stage to the next, each member must relinquish the comfort of non-threatening topics and risk the possibility of conflict.

2.3.7.2 Stage Two

The second stage is called a stage of "counter-dependency and flight" (Wheelan et al., 2003), or "storming" (Tuckman, 1965) defined by struggles around the issues of "power and control" (Garland et al., 1973). This stage is "characterized by conflict and polarization around interpersonal issues, with concomitant emotional responding in the task sphere" (Tuckman 1965: p. 78). Group members are increasingly worried about the impression they are making than the task in hand; needing to be regarded, doing combating with sentiments of deficiency, pondering who will bolster or undermine them, or above all demonstrating to the leader their worth to the group (Wilson, 2010). All of a sudden those things which didn't appear to make a difference start to be an issue, and conflicts emerge (Cain, 2003). Subdivisions may develop within the group as members endeavour to establish an eminence hierarchy (Bernard et al., 2008). Questions will arise about who is going to be responsible for what, what the rules are, what the reward system is, and what criteria for evaluation are. These reflect conflicts over leadership, structure, power, and authority. In order to progress to the next stage, group members must move from a "testing and proving" mentality to a problem-solving mentality.

2.3.7.3 Stage Three

This is a stage of "norming" (Tuckman, 1965) or "intimacy" (Garland et al., 1973) were the group begins to demonstrate "trust and structure" (Wheelan, 2005). In-group feeling and cohesiveness develop, new standards, trust, creativity and skill acquisition evolve and new roles are adopted freeing people up to concentrate on exercising the talents that got them into the group in the first place (Cain, 2003; Tuckman, 1965). This is the stage where the big

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decisions can be made and implemented, new ideas turned into reality, risks taken and failure seen as simply another step along the pathway to success (Wilson, 2010). Group members are prepared to change their preconceived ideas or opinions on the basis of facts presented by other members, and they actively ask questions of one another. When members begin to know and identify with one another, the level of trust in their personal relations contributes to the development of group cohesion (Wilson, 2010). Leadership roles become pooled by the members; the leader is able to assume a more marginal and less active role by aiding the working process concerning feedback, promoting insight, and promoting problem solving incessantly (Bernard et al., 2008). It is during this stage of development (assuming the group gets this far) that people begin to experience a sense of group belonging and a feeling of relief as a result of resolving interpersonal conflicts.

2.3.7.4 Stage Four

This is the stage of "performing" (Tuckman, 1965), "differentiation" (Garland et al., 1973), or "work" (Wheelan et al., 2003). It is the most highly productive stage which provides a feeling of unity, group identity, interdependence and independence (Cain, 2003). The stage is marked by a clear acknowledgment among the members, of the group's strong point and limitation as well as overt expression and acceptance of interdependence and differences between individuals (Bernard et al., 2008). In this stage, roles become flexible and functional, and group energy is channeled into the task. "Structural issues have been resolved and structure can now become supportive of task performance" (Tuckman, 1965, p 78). Successes almost seem to create themselves as the leader and team members have learned to give their very best (Wilson, 2010).

2.3.7.5 Stage Five

This is the stage of "adjourning" (Tuckman, 1965) or "separation" (Garland et al., 1973). This stage involves dissolution. It is about bringing a sense of closure to the task of a group. It entails the termination of roles, the completion of tasks and reduction of dependency (Forsyth, 2006). On the off chance that the group effectively managed the initial four phases, there might be some connections among individuals and a feeling of misfortune at disbanding those connections. Individuals will think back to the start, seeing how far they have come and estimating what their commitment has been to the group (Wilson, 2010). This stage allows the group to regroup, thank the participants and move on at the completion of the task. This stage is marked by the group leader expressing appreciation for members participation and achievement and an opportunity for members to say personal goodbyes. The leader expedites an organized review and evaluation of the group's progress, encourages planning for the post–group period, and facilitates involvement in the process of saying goodbye (Bernard et al., 2008).

2.3.7.6 Summary of the Five Stages and How It Relates to Common Property Resource Management Groups

The five stages are summarized in Table 2.1 based on three issues which determine how well a group performs: content, process and feelings (Nestor, 2013; Tuckman, 1965). Content relates to what the team does whilst process relates to how the team works towards its objectives and feelings applies to how team members relate to one another (Nestor, 2013). These five stages applies to the development CPR management Groups as Ostrom (1990, p 34) argues that "natural resource institutions evolve through social learning processes". This view joints parts of rational choice with communicative planning theories and suggests a type of unfurling and deliberately positive adjustment through experimentation to progressively more effective and productive institutions – hence portraying a process of "self-organizing"

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(Saunders, 2014). It likewise holds that after some time, the rehashed advantages of collaboration encouraged with implementation will get rid of 'discerning egomaniacs', in this way bringing about a transformative projection of aggregate activity and hence expanding effectiveness of institutional courses of action (Ostrom, 2000).

Tuckman and Jensen (1977) identified four key preconditions of successful group activity based on the above stages of group development. These are: the capacity to shape a firm social unit; the capacity to deal with the conflict that happens during the storming phase; the capacity to set up worthy standards of conduct and to set objectives for the group based on fruitful conflict resolution; and the capacity to take care of issues, settle on choices and make a move that yields fruitful outcomes. Shaw and Barrett-Power (1998) differentiate between group behavioural integration, which is the capacity of the group to settle on choices and take part in collective action (the initial three stages) and performing which comprises activities oriented towards task achievement. However, Eeden (2005) argued that behavioural integration is a necessary but not sufficient condition for successful performance.

The stage model is especially important in giving a structure to explaining group functioning for example, demonstrating the early period in a group's existence as essential, since this is when basic norms develop (Eeden, 2005). However, the model (stages) has been questioned on the grounds that the developmental patterns of groups may differ generally and it might be unseemly at times to talk about group development, since this presupposes an orderly development. Thus, this inflexible stage movement is far-fetched in all cases since groups rarely experience surprising changes, as may happen on account of an unforeseen flight or passing of a member (Bernard et al., 2008).

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Table 2.1: Stages of Group Development

Stage	Name	General Observation	Content Issues	Process Issues	Feelings Issues
One	Forming (Tuckman,1965) Pre-affiliation (Garland et al., 1973) Dependency and inclusion (Wheelan et al., 2003)	Uncertainty about roles, looking outside for guidance.	Some attempt to define the job to be done.	Group members look outside for guidance and direction.	People feel anxious and are unsure of their roles. Most look to a leader or coordinator for guidance.
Two	Storming(Tuckman,1965) Counter-dependency and flight (Garland et al., 1973) Power and control (Wheelan et al., 2003)	Growing confidence in team, rejecting outside authority	group members resist the task demands	group members deny the task and look for the reasons not to do it.	People still feel uncertain and try to express their individuality. Concerns arise about the team hierarchy.
Three	Norming(Tuckman,1965) Trust and structure (Garland et al., 1973) Intimacy (Wheelan et al., 2003)	Concern about being different, wanting to be part of group	There is an open exchange of views about the group's problems	The group starts to set up the procedures to deal with the task	People ignore individual differences and group members are more accepting of one another.
Four	Performing (Tuckman,1965) Differentiation(Garland et al., 1973) Work (Wheelan et al., 2003)	Concern with getting the job done	Resources are allocated efficiently; processes are in place to ensure that the final objective is achieved.	The group is able to solve problems.	People share a common focus, communicate effectively and become more efficient and flexible as a result.
Five	Adjourning (Tuckman,1965) Separation(Garland et al., 1973)	Bringing a sense of closure to the task of a group	Termination of roles, the completion of tasks and reduction of dependency	Allows the group to regroup, thank the participants and move on at the completion of the task	A sense of loss/ apprehension at disbanding existing relationships

Source: Adapted from Nestor, 2013.

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Hence, development may tend in specific groups to be sporadic as opposed to graduated and steady. Also, as shown in Table 2.1, the model posit a period of crisis or conflict during the life of a group, variably defined as "storming" (Tuckman, 1965) or "Counter-dependency and flight" (Garland et al., 1973) or "Power and control (Wheelan et al., 2003): in the second stage. But, Schiller (1995) acknowledges that for groups entirely made up of women, conflict develops considerably well ahead and only after ample security and trust has been developed.

2.3.8 Critical Enabling Conditions for the Success or Sustainability of Collective Action

Some scholars (Baland & Platteau, 1996; Ostrom, 1990; Wade, 1994) have identified the fundamental factors that are necessary for the sustainability or success of collective action especially in relation to CPRs. Agrawal (2003) reviewed the works of Baland and Platteau (1996), Ostrom (1990) as well as Wade (1994) and brings to the fore some concurrence in their conclusions. Agrawal (2003) observed that they each contend that small local groups can institute institutional structures to sustainably administer local resources. Agrawal (2003) further identified a set of conditions that have a positive relation with local self-management of resources. Agrawal (2001) grouped these factors in a set of four basic classifications. Although most scholars of commons consider these factors as the most vital for accomplishing institutional success on the commons, they neither represent a comprehensive set, nor is there a possibility that a clear extensive arrangement of factors can ever be generated (Agrawal, 2003).

2.3.8.1 Resource System Characteristics

The first two conditions for the success of collective action under the variable resource system characteristics are small size and well-defined boundaries (Agrawal, 2003). According to Wade (1994), comparatively small-sized resource schemes are likely to be managed better under common property arrangements. According to both Ostrom (1990) and Wade (1994),

resources that have well-defined boundaries are likely to be better managed as common property. But, it is possible in principle, and perhaps more defensible, to think of the effects of resource size or boundary definition as dependent on the state of one or more other variables (Agrawal, 2003). Agrawal (2003) noted that, highly mobile assets and problems of storing make organization more demanding for users due to challenge related with dependability and costs of information. Naughton-Treves and Sanderson (1995) also noted that volatility unfavorably impacts the capacity of users to share existing resources or execute actions that supplement supply. According to Vanni (2014) the predictability or otherwise of the resource depends on the existing knowledge system. The kind of knowledge typically comprises both indigenous knowledge and technical proficiency and an effective assimilation of both in most instances is essential to empower groups to sustainably use CPRs (Agrawal, 2001; Pretty, 2003).

2.3.8.2 Group Characteristics

For a successful collective action on commons, the group involved ought to have suitable size and uniformity and, most importantly, it should make it possible for an increase in social relationships among participants in the collective course (Vanni, 2014). These social relationships often christened as 'social capital' incorporates trust, standards, correspondence, commitments, mutuality and dispositions, values and attitudes, beliefs, community groups, rules and prohibitions (Davies et al., 2004). Baland and Platteau (1996), in their comprehensive analysis of empirical studies of the commons, accentuate small size of a user group, a location close to the resource, homogeneity among participants, effective enforcement machineries, and past encounters of participation as some of the fundamental components for community oriented activity in the administration of local resources. According to Ostrom (1997) the effect of group size on collaborative action is often facilitated

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by several factors including the creation capability of the collective good, its level of excludability, joint-ness of supply, and degree of heterogeneity in the group.

2.3.8.3 Institutional Arrangements

The institutional arrangements for collective action should involve locally devised and simple rules as well as effective monitoring and sanction systems (Ostrom, 1990; Wade, 1994). "When the users of a resource design their own rules that are enforced by local users or accountable to them using graduated sanctions that define who has rights to withdraw from the resource and that effectively assign costs proportionate to benefits, collective action and monitoring problems are solved in a reinforcing manner" (Agrawal, 1999 cited in Ostrom, 2000, p 151). Aside the rules enforced, the sustainability of indigenous stratagems in addition relates to the 'thickness' of community organization, which can possibly engender public objectives from economic activities (Vanni, 2014). In any given arrangement, 'Institutional thickness' is associated with a mixture of social wealth, human resources and political investments (Mantino, 2010).

2.3.8.4 External Environment

To a large extent, the external environment in the form of external forces and establishments has an impact on collective action. This can be understood as a combination of financial and non-financial wherewithal (Vanni, 2014). Financial wherewithal is principally vital at the beginning of the collaborative action, as it usually entails higher transaction costs when equated to individual actions (Mills et al., 2010). Non-financial wherewithal on the other hand describe the pro-active role of the government in setting basic rights, guidelines, rules and public objectives which could promote collaborative action (Ayer, 1997).

To conclude, as the level of influence of some factors may be contingent on the condition of other factors, any systematic examination of the sustenance or success of collection action for

the management of CPRs must integrate collaboration effects among factors. "As soon as we concede the possibility that somewhere between 30 and 40 variables affect the management of common pool resources, and that some of these variables may have important interactional effects, we confront tremendous analytical problems" (Agrawal, 2003, p 254).

2.3.9 Land Management

Land management generally comprises "the formulation of land policy, the legal framework, resource management, land administration arrangements and land information management" (Bugri & Yuonayel, 2015, p 71). Simplistically, land management is the process by which the resources of land are put to good effect (UN-ECE, 1996). According to Karikari (2006) land management involves the process of regulating the use and development of land resources in a sustainable way. Enemark (2009) noted that land management encompasses all activities associated with the management of land and natural resources that are required to achieve sustainable development. Similarly, UN-ECE (1996) emphasized that land management covers all activities concerned with the management of land as a resource both from an environmental and from an economic perspective. Thus, land management, and especially the central land administration component, seeks to deliver efficient land markets and effective management of the use of land in support of economic, social, and environmental sustainability (Enemark, 2009). This implies that land management includes the management of not just the natural resource but also the build environment and must support economic, social, and environmental sustainability.

From an institutional perspective, land management involves both government and private initiatives (Bugri & Yuonayel, 2015). Consequently, the organizational structures for land management must contain these two entities in such a way that it reflects their local cultural and judicial settings (Enemark, 2005).

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Operationally, land management will be defined as the regulation of the natural and build environment for sustainable outcomes through both private/community and public initiatives.

2.3.10 Land Governance

Land governance entails the rules, processes and organizations through which decisions are made about access to land and its use, the manner in which these decisions are implemented and the ways that competing interests in land are managed (Bugri, 2012; Palmer, Fricska & Wehrmann, 2009). Land governance includes both the formal and informal rules which determine who gets to use which land resources, when, for how long and under what conditions (UNDP, 2008). Biitir and Nara, (2016: p 528) defined customary land governance "as the rules, processes and traditional structures that spell out the source of power and the right to make decisions regarding access to and use of land resources, the manner in which these decisions are implemented within the communities where these institutions preside over, and the way that competing interests in land are managed including how land disputes are resolved". This study will adapt Biitir and Nara (2016) definition of land governance. It is noteworthy that land governance implies a process of governance – not just rules, but how these rules are created and enforced. Land governance, therefore, covers themes of land ownership and tenure, as well as those of land administration, conflict resolution and (re)distribution. It is concerned both with the process of allocating and securing rights to land, and with the results -- the modes and patterns of ownership, as well as access and use, which are of critical economic and cultural importance to the people involved (UNDP, 2008).

2.3.11 Customary Land Administration in Ghana

The customary land sector in Ghana accounts for about 80% of all undeveloped lands (Bugri, 2013; Ubink, 2009). Different customary groups in Ghana have different interpretations or definitions of what constitute customary land. Customary land in large parts of southern

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Ghana is referred to as stool land. This is in reference to the carved wooden stool which is a traditional symbol of chieftainship and is believed to contain the souls of the ancestors (Ubink & Quan, 2008). In the northern region of Ghana, where the chiefs sit on a skin, customary land is defined as skin lands (Kuusaana & Eledi, 2015; Ubink & Quan, 2008;). In other areas, such as the Upper West region, Volta Region and Greater Accra, customary land refers to family lands as family heads have jurisdiction over land in these areas (Kasanga, 1996; Ubink & Quan, 2008). Customary land in Ghana is therefore communally held in trust for the ethnic group or clan or family and administered by chiefs, "Tendamba" or heads of these socio-political entities.

Customary land in Ghana is managed within a dual setting, with public and customary institutions, traditional values and corporate rules functioning concurrently (Kasanga & Kotey, 2001; Biitir & Kuusaana, 2019). According to Kasanga and Kotey (2001) these two arrangements are not well integrated and progressively cause problems of contradiction and conflict. They observed that public and vested lands are managed by public institutions whiles customary land tenure structures and management mechanisms remain robust, dynamic and evolutionary under the control of traditional land owners.

The 1992 Constitution of Ghana further gives credence to the plurality of customary land administration. The Constitution recognizes the customary land administration systems and makes specific provisions on stool and skin lands under Article 267. Clause 1 provides that "All stool lands in Ghana shall vest in the appropriate stool on behalf of and in trust for the subjects of the stool in accordance with customary law and usage". Article 5 further provides that "… no interest in or right over, any stool land in Ghana shall be created which vests in any person or body of persons a freehold interest howsoever described". Conversely, the public management comes into play under Article 3 which provides that "There shall be no

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disposition or development of any stool land unless the Regional Lands Commission of the region in which the land is situated has certified that the disposition or development is consistent with the development plan drawn up or approved by the planning authority for the area concerned". Also, Section 8 (1) of the Administration of Lands Act, 1962, makes it obligatory for all grants of stool lands to non-members of the stool to be approved by the Lands Commission. Concurrently, under the Lands Commission Act, 1994 (Act 483), the Lands Commission is given the mandate to verify that the grant or development of stool land is in accordance with development plans sanctioned by the local planning authority.

According to Arko-Adjei, (2011) indigenous institutions have been affected by the imposition of statutory land administration agencies on customary institutions, rendering customary institutions less functional in urban and peri-urban communities compared to rural communities. Subsequently, customary arrangements have not advanced to a level that they can deal with the intricacies of modern land administration problems in Ghana (Kasanga & Kotey, 2001).

Moreover, the silence of the Constitution on how customary lands should be managed by traditional authorities (Ubink & Quan, 2008) gives customary land managers the freedom to administer customary lands based on customary law which are often redefined to serve their interest as land values increases (Ubink, 2007). According to Yeboah and Shaw (2013) customary landowners in reaction to high demand for land are modifying the existing few land use plans in order to make room for non-existent 'sellable' spaces. Abudulai (2002: p 81) describes a further example in peri-urban Tamale where "there are apparent sales of plots to wealthier people who can put up a building the next day". As a result, the principle of collective ownership with elders and chiefs entrusted with the lands of their families and communities is under siege (Yaro, 2010) as customary land dealings have turned into a

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business with unpredictable prerogatives from chiefs, family heads and private actors. These, among other things are some of the glitches in customary land administration that the Ghana Land Administration Project (LAP) was expected to give solution to.

2.3.12 Ghana's Land Administration Project

The Land Administration Project (LAP) was a multi-donor assisted project that sought to implement the policy actions recommended in the National Land Policy document launched in June 1999 (Ministry of Lands and Natural Resources, 2011). The LAP had two phases. The first phase was implemented from 2003 to 2010 and the implementation of the second phase began in 2011 and has been scheduled to be completed in 2021(See World Bank, 2018).

The first phase of the LAP had four main components (World Bank, 2003). The first component entailed institutional reforms under which all the land sector agencies (LSAs) would work under one umbrella body called the New Lands Commission. The second component involved the harmonization of land policies. The third component focused on constant monitoring and evaluation; and the fourth component entailed the divestiture of government from the management of stool lands and generally makes the Lands Commission market-focused (Karikari, 2006).

The second phase (LAP-2) intended to consolidate the gains made under Phase 1 by deepening the reforms, enabling the land sector agencies to be more responsive to clients, cutting down the cost and time of doing business and providing an enabling environment to reflect the objective of an efficient and transparent service delivery (Ministry of Lands And Natural Resources, 2011). It focused on removing business process bottlenecks through process reengineering and automation of processes, and support to the judiciary to improve adjudication of land cases (Ministry of Lands And Natural Resources, 2011).

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The New Lands Commission, the Customary Land Secretariat (CLS) and Land Management Committees (LMC) are the three key institutional reorganizations that occurred under the LAP (Arko-Adjei, 2011). According to Kakraba-Ampeh (2008) the functions of the LMCs include: Exercising general oversight responsibility over the operations of the CLS; Offer policy direction to the CLS; Hire all categories of staff of the CLS and to fire any such personnel where necessary; Determine salaries and allowances for CLS staff; Provide the CLS with details of all persons with capacity to execute instruments affecting land within the CLS area; Offer guidelines for determination of '*drink money*'[1] and ground rent; Review performance of the CLS and determine new direction for effectiveness and growth; Resolve land related disputes through ADR; Perform any other functions to be determined from time to time by the customary land owning group.

The CLS are to aid customary establishments to enhance local and community-level land management. In the long-run, the CLS is to "provide effective land management harmonized with government land agencies and district assemblies, so as to establish unified, decentralized public record of land availability, use and transactions" (Ubink & Quan, 2008, p 205).

The LAP, which established CLSs and LMCs, seems to support the objective of decentralizing customary land administration to the local level. However, the various policies and institutional arrangements that prevent the customary institutions from independently carrying out Land Administration (LA) activities have not been modified (Arko-Adjei, 2011). Furthermore, the LAP did not give much consideration to analyzing the institutional capability of customary land authorities to effectually administer land.

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[1] 'Drink Money' is the local term for capital payments made by a tenant which may be equivalent to premium.

2.3.13 Community Management of Common Property Resources

It is often suggested that CPR are best managed under community-based systems (Adams, et al., 2001). Studies have shown that state management of natural resources is typically inefficient, unresponsive to local needs, increases social inequality, destroys local natural resource management knowledge, and decreases flexibility in resource use (Lee, 2002; Zuka, 2013). The participatory management paradigm further emphasizes states' inability to manage CPRs, because of partly inadequate financial and human resources, and hence encourages a reduction in the size of government (Meinzen-Dick, Gulati & Gulati, 2000; Restrepo, Vermillion & Munoz, 2007).

Preference for community management of CPRs over state bureaucracies and market based solutions is anchored on the expectation that local actors have the ability to administer their jointly held local assets proficiently, sustainably and equitably through social capital (Katz, 2002; Ostrom, 2000). Undeniably, recent studies on common property have started drawing on the enormous literature on social capital (Agrawal, 2003; Putnam, 1993). Locally, social capital denotes the characteristics of communal group such as networks, norms and social belief that enable organization and collaboration for shared benefit (Putnam, 1993). Social capital is particularly understood to make it possible for individuals, groups and communities to deal with local challenges (Portes, 1998; Putnam, 1993) by encouraging obedience to collectively appropriate conduct (Gillinson, 2004). Contrary to involuntary collaboration attained by public agencies via policing, social capital is believed to engender voluntary collaboration (Zuka, 2013).

Consequently, there is growing accord that local social capital forestalls offensive conduct that may otherwise destroy common property (Meinzen-Dick et al., 2000; Pretty & Ward, 2001). For example, Katz (2002, p 115) established that the "existence of historically and

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ethnically based social capital can, in certain circumstances, substitute for well-defined legal property rights in both private and common property resource tenure regimes". Katz (2002) additionally maintained that local social capital offers the grounds for resource use rules, monitoring, and enforcement, which are fundamental for effectual local management of common property. Ostrom (2000) also noted that instead of free-riding, community groups would certainly make important their community issues and develop resource monitoring systems due to resource users' veneration of community-made decisions and institutions.

Notwithstanding the widely acknowledged benefits of social capital in community management of common property, various researchers caution against seeing social capital as just a positive open asset. Practically, negative outcomes can emerge from social capital. For example, the activities of cliques or other dominant communal subgroups that limits anybody external to the group from getting significant assets or markets (Gillinson, 2004). Under these circumstances, social capital may involve social chains of importance or supremacy arrangements that make preferences and drawbacks for people inside those networks (Kilpatrick, Field & Falk, 2001). In this manner, the prospect of social capital to local management of CPRs, not excluding land, should be evaluated on the reality that local groups are seldom homogeneous, but structured according to social and financial control (Zuka, 2013).

Accordingly, instead of sole community management, a number of scholars advocates for co-management or collaborative governance. Co-management refers to "the sharing of power and responsibility between the government and the local resource users is a hybrid regime combining centralized and decentralized state and community institutions" (Berkes, 2009, p 1692). According to Singleton (2002), co-management presents both efficacy and acceptability advantages. The efficacy returns relates to the accessibility of advanced and cost

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effective information, since in collaborative systems community knowledge is often pooled with technical knowledge shaped by public researchers. The assimilation of both knowledge systems may lead to the creation of a more comprehensive, all-inclusive set of information. Concurrently, monitoring and enforcement can be more effective as the local people in the collective course will be involved in the entire process. Equally, the acceptability of the organization is improved by virtue of the active participation of user-groups and local people, which may bring about individuals being additionally eager to go along willfully with the particular prerequisites set up (Vanni, 2014).

2.3.14 Conceptual Framework for the Development of a Collaborative Governance Regime

Conceptual framework identifies the elements and general relationships among these elements that one needs to consider for institutional analysis and they organize analytic and prescriptive inquiry (Ostrom, 2011). The conceptual framework for this study is adapted from Ostrom (2005) Institutional Analysis and Development framework (IAD). The IAD framework is a general language for analyzing and testing hypotheses about behaviour in diverse situations at multiple levels of analysis (Ostrom, 2005). The framework is a multi-tier conceptual map that shows how actors' self-centered and prosocial motivations affect the structure of action situation, the incentives that individuals face, and the resulting outcomes (Ostrom, 2011).

The conceptual framework contains three levels of analysis or arenas of choice (McGinnis, 2011). The first level entails constitutional Choice: the processes through which collective choice procedures are defined, including legitimizing and constituting all relevant collective entities involved in collective or operational choice processes (McGinnis, 2011). Ansell and Gash (2008) refers to the constitutional choice as institutional design where the basic protocols and ground rules for collaboration, which are vital for the procedural legitimacy of

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the collaborative process are defined. The second level involves collective Choice: the processes through which institutions are constructed and policy decisions made, by those actors authorized to participate in the collective decisions as a consequence of constitutional choice processes, according to the procedures as established by constitutional choice processes (McGinnis, 2011). The third level encompasses operational Choice: the implementation of practical decisions by those individuals who have been authorized (or allowed) to take these actions as a consequence of collective choice processes (McGinnis, 2011).

The drivers of change including urbanization, economic incentives and state policies bring about changes in the contextual factors including prosocial and self-centered impetuses. In the latter, stakeholders participate in collaborative processes in order to attain private goals. Hence, private inclinations are combined into collective choices through self-interested bargaining. On the contrary, other actors will be inspired similarly or more by their craving to enhance collective well-being (prosocial) than by the objective of achieving their personal interest (Coursey et al., 2011). The context factors provide the background or motivation for collaboration and the subsequent activation of the action situation (McGinnis, 2011).

At the core of the framework is the 'action situation'. The action situation is the "black box" where policy choices are made (McGinnis, 2011). According to Ostrom (2011) action situations are the social spaces where individuals or actors interact, exchange goods and services, solve common problems, dominate one another, or fight (among the many things that individuals do in action situations). In the action situation individuals (acting on their own or as agents of organizations) observe information, select actions, engage in patterns of interaction, and realize outcomes from their interaction (McGinnis, 2011). The actors are

those who participate in the action situation (Nigussie et al., 2018; Ostrom, 2007; Ostrom et al., 1994).
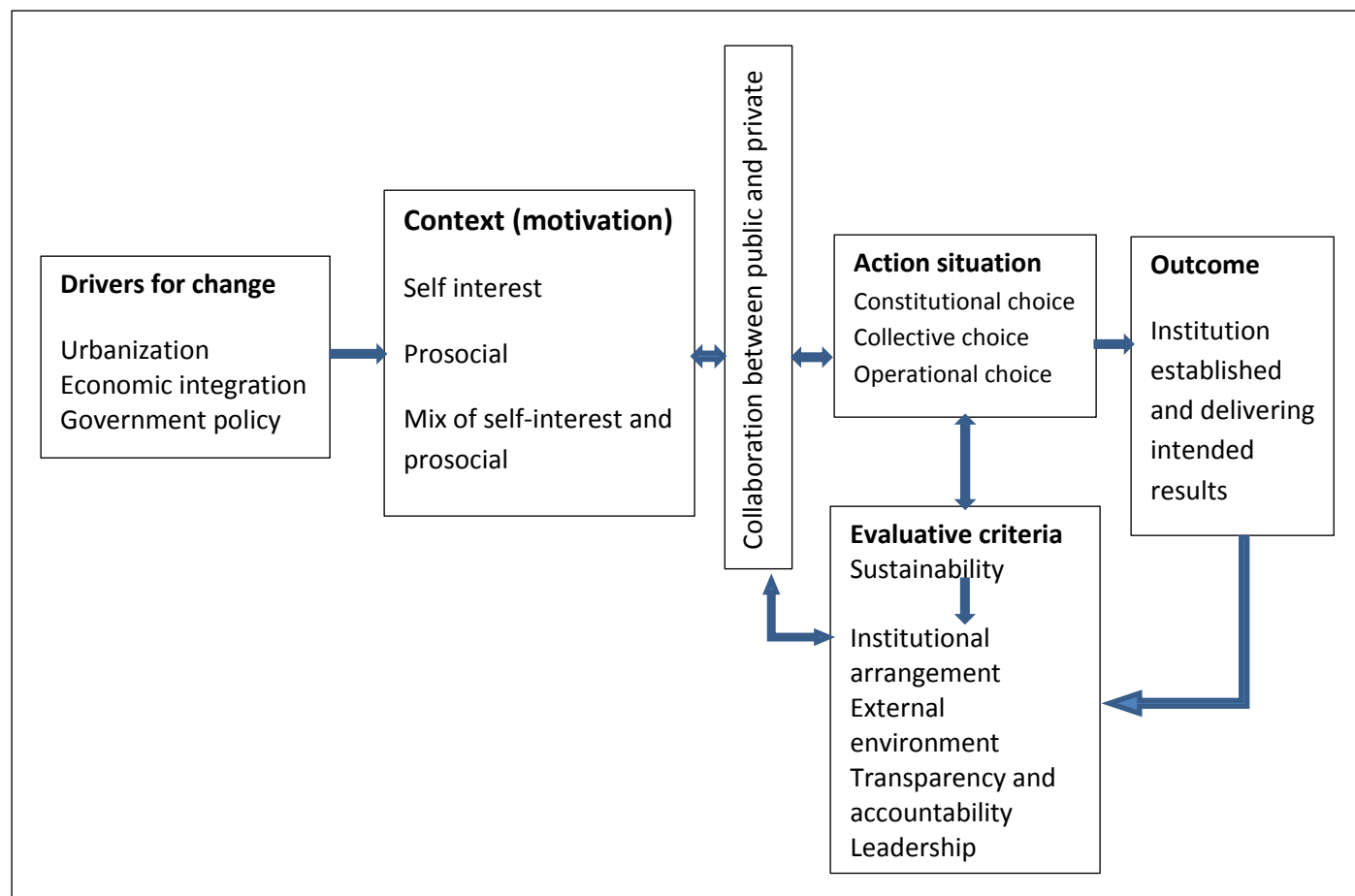
Figure 2.1: Conceptual framework for the development of a collaborative governance regime

Source: Adapted from Ostrom (2005, p 15).

Outcomes are shaped by the outputs of the action situation (McGinnis, 2011). These outcomes are then evaluated to determine its sustainability or otherwise based on defined criteria. These criteria include institutional arrangement in terms of rules and the enforcement of those rules, external environment in the form of external forces and establishments that has an impact on collaborative action, transparency and accountability with regards the openness and responsiveness of the collaborative institution and leadership particularly facilitative

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leadership focused on getting actors organized and inspiring them to engage each other in a collaborative spirit (Ansell & Gash, 2008; Reilly, 2001; Vanni, 2014).

Feedback and learning processes are triggered by actors' evaluation of actions and outcomes, based on the information they are able to observe and process. Feedback may impact any component of the IAD framework, and different levels of learning loops may be used to distinguish more extensive processes of reconsideration (McGinnis, 2011).

2.4 Empirical Review

Various studies have been done on collaborative governance and institutions for the management of Common Property Resources. One of such studies had been carried out by Ostrom (1990) on the evolution of institutions for collaborative action. Ostrom's (1990) work challenges the conceptualization of the free rider problem and other difficulties associated with collaborative action. Where previous studies had limited the possible responses to the collaborative action dilemma to either control by a strong central government or regulation through a system of private property rights (Dasgupta & Beard, 2007), Ostrom presented a third option. According to Ostrom (1990) individuals can craft their own agreements, institutions and systems of management with the potential to evolve over time and prevent tragic outcomes. Through a series of case studies of small-scale CPRs, Ostrom explores how in various contexts a "group of principals who are in an interdependent situation can organize and govern themselves to obtain continuing joint benefits when all face temptations to free-ride, shirk, or otherwise act opportunistically" (Ostrom, 1990, p 29).

Also, Wade (1994) in a study of jointly managed irrigation schemes explores how collaborative establishments develop in these rural communities as well as what determines their success in solving communal problems. Wade (1994) highlighted the significance of fourteen (14) enabling conditions for successful management of CPRs. Wade maintained that,

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viable standards of limitation on access and use are not prone to endure when there are numerous users of the resource, when the limits of the asset are indistinguishable, when user groups live in dispersed settlements, and when there is difficulty in uncovering rule-breakers (See also Agrawal, 2003; Ostrom et al., 1994). Some of Wade's (1994) enabling conditions corroborate Ostrom's (1990) design principles based on her (Ostrom's) analysis of fourteen cases. As in Wade, Ostrom (1990) also underscores small group size, well-characterized limits on assets and user groups, and simplicity in monitoring and enforcement. Similar with Wade, a large portion of the design principles are oversimplifications about communal structures and connections (Agrawal, 2003).

Moreover, various groups of scholars have found varied factors that impact the prospects for collaborative action in the management of CPRs: social and monetary heterogeneity, group size, the presence of non-straight relations and an enabling role provided by institutions (Agrawal & Gibson, 1999; Baland & Platteau, 1996; Campbell & Shackleton, 2001; Poteete & Ostrom, 2004; Vedeld, 2000). Researchers and specialists examining local-level collaborative action have turned out to be continuously mindful of how connections dependent on trust, equal trade and interpersonal organizations— social capital — impact results (Carpenter, Daniere & Takahashi, 2004; Daniere, Takahashi & Naranong, 2002). However, the conceptualization together with the definitive function of social capital to development is still an argumentative issue in social science (Fine, 2001; Portes, 1998) and in public policy (Dasgupta & Beard, 2007; Mayer, 2003; Mayer & Rankin, 2002).

Furthermore, academics have acknowledged numerous principal conditions in the context of any given system that may influence the nature and prospects of a collaborative governance regime for collective action. These includes resource conditions requiring improvement or limiting (Ostrom, 1990); policy and statutory structures, comprising administrative,

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regulatory, or judicial (Bingham, 2008); failure of previous attempts to solve the problems via conformist networks and establishments (Bryson & Crosby, 2008); political crescendos and influences locally and across levels of government (Ansell & Gash, 2008); level of interaction within and across existing set-ups (Selin & Chavez, 1995); significant degree of conflict among known actors and the emerging degree of trust and influence on functional relations (Ansell & Gash, 2008; Radin, 1996; Thomson & Perry, 2006); and socioeconomic and cultural health and diversity (Sabatier et al., 2005).

With regards to the motivations for engaging in collaborative initiatives, studies (Esteve et al., 2016; Hu & Liden, 2015) acknowledge that actors in collaborative governance arrangements can equally be encouraged by a longing to be a "good citizen" by putting efforts towards the sustainability of the collective endeavor (Coursey et al., 2011). For example, Esteve, van Witteloostuijn, and Boyne (2015) in a trial utilizing three dissimilar prisoner's dilemma games established that actors' public service motivation was associated with larger amounts of joint effort, both as a first mover and because of partners' uncooperative conduct. In a one-shot public goods game, subjects more often than not contribute about 40%−60% of their resources for a common pool (Bowles & Gintis, 2011), and more prosocial conduct has been observed to be emphatically identified with higher levels of public service motivation (Esteve et al., 2016). The prosocial actions established in particular experimentations have manifested in a wide range of societies (Henrich et al., 2006; Kocher et al., 2008), signifying that it is a genuinely unavoidable human inclination.

To conclude, the issue of how to sustain collaborative behaviour in a collaborative governance environment may be influenced particularly by the prosocial impetus of some of the stakeholders than on their capacity to discipline actors who are too self-centered (Choi & Robertson, 2019). Theory on collaborative governance and collective action should not

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entirely assume that participants are egocentric (or prosocial), but should mirror the possibility of a synthesis of social drives among participants in a collaborative governance arrangement. Also, scholars of the commons give little attention to the processes and context of the development of CPRs management institutions. However, Ostrom (2000) noted that contextual variables are essential for understanding the initial growth and sustainability of collaborative action as well as the challenges that long-surviving, self-organized regimes must try to overcome.

CHAPTER THREE

METHODOLOGY

3.1 Introduction

This chapter outlines how the study was carried out. The chapter begins with a succinct presentation of the study context. This is followed by the cases of study - LMCs, the philosophical underpinning of the study, the research design, study population and sampling, types and sources of data, data collection tools and methods, methods of data analysis and presentation, ethical considerations in the study as well as the limitation of the study.

3.2 Research Area/ Study Context

3.2.1 Location
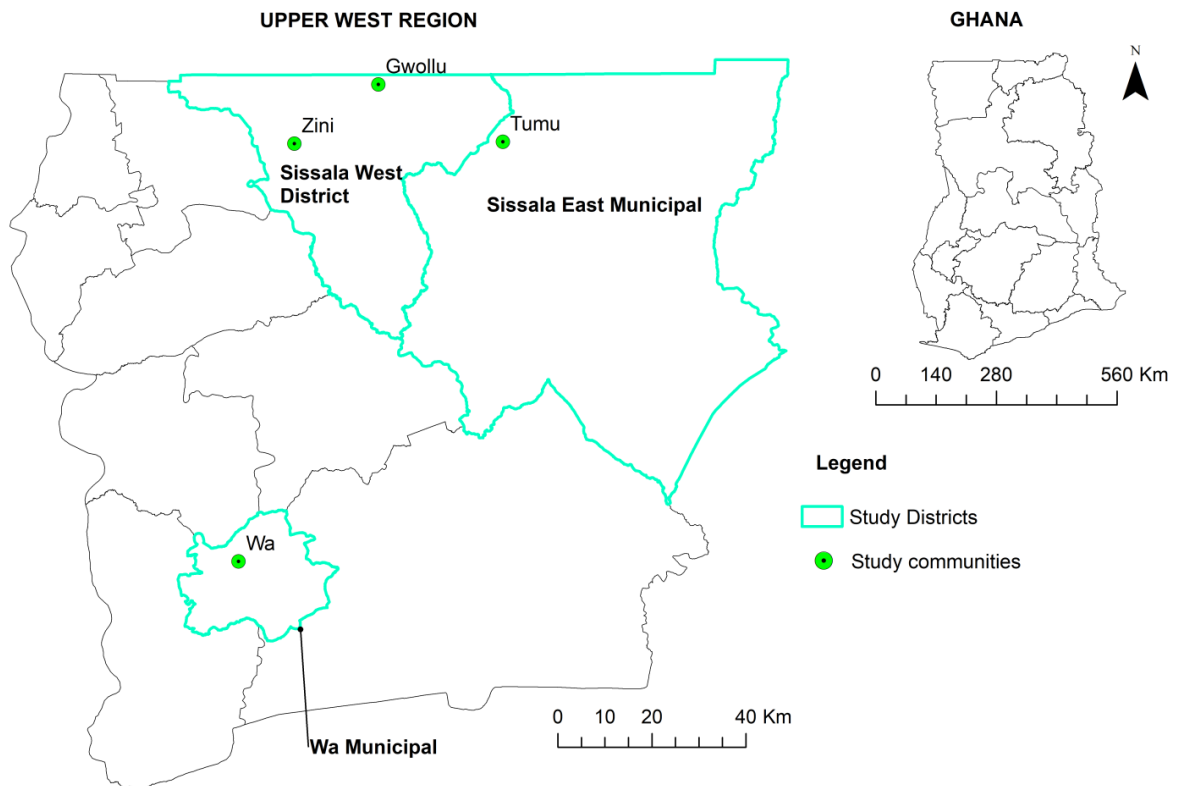
Figure 3.1: Map of Upper West Region showing study communities

Source: Author's Construct, 2020.

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The study context is the Upper West Region (UWR) of Ghana. The Region is located in the extreme North West of Ghana (Blench, 2006), bordered to the South by the Savannah Region, to the North and West by Burkina Faso, to the East by the Upper East Region and North East Region. It lies between Longitude 1° 25'' W and 2° 45'' and Latitudes 9° 30'' N and 11° N. It covers a geographical area of 18,476km^2, which constitute 12.7 percent of the total land area of Ghana (Ghana Health Service, 2005).

3.2.2 Political Administration and Population

At the apex of the Political/administrative structure of the Region is the Regional Coordinating Council (RCC) whose basic role is to co-ordinate, harmonize, monitor and evaluate the activities of District Assemblies as well as government departments in the region (Ghana Health Service, 2005). Wa has been the capital of the UWR, since its creation in 1983. The Region is divided into eleven (11) administrative districts including Nandom DA, Wa West DA, Wa MA, Wa East DA, Sissala East MA, Nadowli-Kaleo DA, Jirapa MA, Sissala West DA, Lumbussie DA, Lawra MA and Dafiama Issa Busie DA.

The population of the Region according to the 2010 Population and Housing Census (PHC) is 702,110 (Ghana Statistical Service, 2013). Males constituted 48.6 percent (341,182) and females constituted 51.4 percent (360,928) of the total population of the region (Ghana Statistical Service, 2013). The Regional population density in 2010 was 38.0 persons per square kilometer, an increase from 31.2 persons per square kilometer in 2000 (Ghana Statistical Service, 2013). In terms of urban-rural split, in 2010 only a small percentage of the population (16.3%) lived in the urban areas vis-à-vis the share (83.7%) of the population in rural areas (Ghana Statistical Service, 2013).

3.2.3 Social Structure

UWR is highly diverse ethnolinguistically, with at least eight languages spoken in the region (Barker, 1986). The Mole-Dagbani is the largest ethnic group in the Region (Ghana Statistical Service, 2013). The widely spoken languages in the Region include Dagaare, Sissali, Wale and Lobi. The patrilineal system of inheritance dominates among the various ethnic groups with the exception of the Lobi tribe. The Lobis' as with the Akan in southern Ghana have a matrilineal inheritance system. Marriage is generally polygamous, with the extended family system sharing resources. Male hegemony and a fairly low status for women are pervasive in the Region (Ghana Statistical Service, 2013). In terms of religious distribution of the population, Christianity dominates with 44.5 percent, next is Islam (35.6%) and then followed by African traditional religions (13.9%) according to the 2010 PHC. Traditional life and beliefs, as in other areas in Ghana, are more prominent in the rural areas (Ghana Statistical Service, 2013).

Prior to colonialism, the social structure of the UWR was predominantly acephalous. The Tendamba or earth-priests who were the family or clan heads wielded power and hence serves as the guardians of the land, 'landlords' in Ghanaian parlance (Blench, 2006). Wa, and the Wale (the people of Wa) constituted something of an exception, since they have had a centralized monarchy since the 19th century (Blench, 2006; Wilks, 1989). With the establishment of the state-systems, chiefs were appointed in parallel with the Tendamba creating a system of dual authority (Lentz, 2003). In the acephalous areas, there were many more landlords, many more shrines and the spiritual authority of any individual was more diffuse (Lentz, 2000; Lentz & Sturm, 2001; Lentz & Kuba, 2002). The chiefs were much less able to exercise authority, partly because of the dispersed settlement patterns and because there were no traditions of respecting such individuals in these areas. Though a colonial

creation, chieftaincy has become an esteemed institution and a key avenue for community mobilization in the Region.

Consequently, land ownership and management rest entirely in the hands of family heads exclusive of chiefs. The head of these families have been entrusted with allodial title to manage the land on behalf of the whole family. The family heads are fiduciaries tasked with the responsibility to execute their functions for the benefit of the family concerned and are accountable as fiduciaries in this regard. The position of every allodial titleholder of land in Ghana is that of a titular holder, holding the land in trust for the whole community. Under customary law, a disposition that is made by the family head acting devoid of the accord of his elders or principal members is null and void (Kasanga & Kotey, 2001). The individuals of the landowning family wield 'customary freehold' – denoting the near maximal interest in land (Bentsi-Enchill, 1964). This principle is valid for all parts of Ghana, where the allodial title is vested in the entire community (Kasanga & Kotey, 2001). These families in collaboration with the chiefs of their communities have also organized themselves into LMCs to effectively manage the land in their respective communities.

3.2.4 Land Ownership and Management

Customarily, lands in the UWR are family lands. Thus, land belongs to families and clans, and the heads of these families and clans often called the Tendamba hold the land in trust for all members (Yaro, 2010). Accordingly, the whole family or clan is expected to enjoy the benefits accruing from the alienation of such land, but the management rests with the family head and elders (Kuusaana & Eledi, 2015). The Tendana who holds allodial title to land is usually a progeny of the first settler but in some instances is selected by an oracle (Kasanga & Kotey, 2001; Yaro, 2010). Consequently, an outsider who covets a particular land typically sees the chief who thusly guides that person to the family head. The family head would only

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give out the land if it has not been given to anybody previously. He may recommend the outsider to a landowning group or to an individual holding property right over the land and willing to assign a part of the land to the stranger (Yaro, 2010). When the land is allotted by the lineage head to families, they take all decisions about what to do with it and only inform the lineage head of their intentions. Henceforth, control is a collective responsibility between head of family and lineage (Yaro, 2010).

Conversely, in recent times some chiefs now claim land property rights and management functions. According to Kasanga and Kotey (2001), some chiefs in the UWR, contrary to customary land law, are claiming that they are the allodial title holders to land, rather than the Tendamba. Nevertheless, these claims of property right over land by chiefs are fairly modern developments and lacks grounds in indigenous systems and practices (Kotey, 1995). The Tendamba possess the right of control and alienation of land and not the Chiefs. Chiefs in the UWR have limited authority over land except over their own family land. Chiefs are considered the traditional administrative authorities with the responsibility to maintain social balance in the community, advance development and promote peaceful co-existence, and not to manage land (Kuusaanaa & Eledi, 2015). This, by implication, reduces land management in the Region to families.

Hitherto, land was in abundance and those seeking land had free access (Kasanga & Kotey, 2001). With subsistence agriculture, little economic value was put on land, which had an opportunity cost of essentially zero. Yet, the lack of written records and basic data concerning transactions, the lack of permanent boundary indicators and the demand for "drink money" by some landowners have led to land disputes, litigation and related problems in some parts of the Region. Moreover, current land administration and acquisition practices, originating from principally legislative interventions, the introduction of commercial agriculture, population

growth and pressure in some localities, urbanization, among others have profoundly affected customary land tenure systems (Kasanga & Kotey, 2001). In order to improve the customary land management practices in the Region, the various landowning groups have organized themselves through the LAP into Land Management Committees (LMCs) to administer customary lands through their respective CLSs. According to the records of the Lands Commission, there are a total of seven (7) CLS in seven (7) customary areas in the UWR. The areas include; Wa-Central, Wa-Sungmali, Zeni, Gwollu, Tumu, Tabiasi and Lambussei.

3.3 Case studies

The study purposively selected four cases - Wa-Central LMC, Tumu LMC, Gwollu LMC and Zini LMC- based on their active operations. Though there are seven CLSs and hence seven LMCs according to the records of the Lands Commission in the UWR, only the four cases selected were functional and hence readily accessible and possessed information needed to answer the research questions. Also, LMC members in the selected communities were enthusiastic to share their experiences with me and make available germane information needed to answer the research questions. In addition, they were ready to help me interact with key actors that participated in the process of forming the LMCs which is very relevant to the study. The other three CLSs from my pilot study were all closed down and had non-functional LMCs. Thus, Wa central CLS, Tumu CLS, Gwollu CLS and Zini CLS had functional LMCs from which information was collected to address the research objectives. These four LMCs therefore constituted the social workshops where the actions, drives and exchanges of the various actors in land governance were explored in real-life setting.

3.4 Philosophical underpinning

The study is based on the social constructivist world view. The constructivist paradigm assumes a relativist ontology (there are multiple realities), a subjectivist epistemology

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(knower and respondent co-create understandings), and a naturalistic (in the natural world) set of methodological procedures (Denzin & Lincoln, 2005, p 24). Schwandt (2003) adds to these assumptions in a methodological sense by noting that a constructivist attempts to reach an understanding of meaning from the perspective of the persons who have the experiences. Constructivists in the world of research recognize that because the researcher is the instrument, the researcher needs to make a careful inventory of their own values and how those values color their perceptions in the research context (Mertens, 2015). The constructivist paradigm underlies this study because the goal of the research is to rely as much as possible on the research participants' views of the motivations, processes, sustainability factors and factors that affect the performance of the LMCs in order to understand the specific contexts in which LMC members live and work. Hence, the research questions were broad and general so that the participants can construct their own meaning of the situation, typically forged in discussions or interactions with other persons.

3.5 Research Design

The study used the exploratory multiple case study research design. Exploratory case studies are conducted when a new topical area of interest is being examined or when the topic area is relatively new and unstudied or when the objective is to test the feasibility of undertaking a more careful study (Rubin & Babbie, 1997; Ahiedeke, 2008). This study is thus exploratory because the group formation processes, sustainability factors and challenges involved in the establishment and in the discharge of the duties of the LMCs is a nascent area which much is not known. Also, the study used case study because, it is apt for exploratory research where the objective is to explore the features, context and processes of a specific occurrence (Yin, 2003). Moreover, the case study design made it possible for the collection of a multiplicity of data using a range of data collection methods including interviews, focus group discussions,

observations, and document analysis in achieving the research objectives. This flexibility in the selection of methods enabled the study to explore the research objective in detail. Gerring (2007) argues that the variety of methods case studies countenance is a fascinating attribute of case-study research that gives the study its distinctive flexibility. The study took the form of a multiple-case study on the grounds that it involved four LMCs in the UWR of Ghana. In each case, the motivations, group formation processes, sustainability factors, challenges involved in the establishment of the LMCs and factors that affect the LMCs in the performance of their functions constituted distinct variables for data collection from the units of analysis. The multiple case studies allowed for the analyses of the data within each situation and across different situations. This made evident the similarities and differences between the cases and therefore provided the literature with important influences from its differences and similarities.

3.6 Study Population and Sampling

3.6.1 Target Population

The Regional Lands Officer, members of the LMCs (including representative of land owning families and technocrats) of the CLSs and coordinators of the CLSs constituted the target population for this study. These groups of people provided relevant information that helped addressed the research questions.

3.6.2 Sample Size

A sample of 28 respondents was purposively selected for the study. This comprised seven (7) LMC members each in Tumu, Wa central and Zini, five LMC members and the registrar of Gwollu traditional council in Gwollu as well as the Regional Lands Officer. The LMC in Tumu, Wa and Zini includes the coordinators of the CLS.

3.6.3 Sampling Techniques

The study used the purposive sampling technique. This is because according to Agrawal (2003) the necessities of a probability or representative selection of cases are usually very difficult to fulfill with CPRs. The purposive sampling technique was chosen for two main reasons. First, it is simpler to actualize than an attempt to choose a representative sample and secondly it entails an unambiguous attention to theoretically significant variables (Bennett & George, 2003). The purposive sampling technique was used to select the Regional lands Officer, the coordinator of each of the CLSs (with the exception of Gwollu CLS), the chairman and the secretary of each of the LMCs as well as one technocrat each on the LMC (with the exception of Zini LMC).

3.7 Types/Sources of Data

The study collected primary and secondary data from primary and secondary sources respectively. The primary data was collected from the Regional Lands Officer, the coordinator of each of the CLSs, the chairman and the secretary of each of the LMCs as well as one technocrat each on the LMCs and representatives of landowning families on the LMCs. The data was collected in line with the study objectives. The variables the study explored included the motivations, processes, sustainability factors and challenges involved in the establishment of the LMCs. Also, factors that affect the LMCs in the performance of their functions were explored with particular reference to their shared norms, social capital, locally devised access and management rules, ease in enforcement of rules as well as the relationship between the LMCs and the state land management institutions.

The secondary data was collected from the records of the CLSs of the respective LMCs, the traditional councils in each of the study communities and the Lands Commission. This enhanced the validity and reliability of primary data gathered from the field. In addition,

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literature on the research topic was obtained from books, journals, articles and government publications. This enhanced the researchers understanding of issues related to collaborative customary land governance.

3.8 Data Collection Methods and Instruments

Due to the malleability of the case study design with regards to the choice of methods, the study used four data collection methods: key informant interviews, FGDs, document analysis, and observations. The study used Interview Guide, Focus Group Discussion (FGD) Guide, checklist and data extraction sheets to collect information through Key Informant Interviews, FGDs, observation and document analysis respectively. Key Informant Interviews were conducted with members of the LMCs, coordinator of each of the CLSs and the Regional Lands Officer. Though, observation was not a main method used on its own to collect data, a checklist was used to guide the observation of happenings at the offices of the each of the CLS as well as proceedings at the meetings of the LMCs. Documents obtained from the Lands Commission, Traditional Councils and the CLSs were analyzed using data extraction sheets. The FGDs brought together key members of each of the four LMCs and heads of landowning families for a further discussion of the key issues that emerged during the Key Informant Interviews. The amalgamation of the methods enabled me to obtain wide-ranging viewpoints of the motivations, group formation processes, sustainability factors, challenges involved in the formation of the LMCs and factors that affect the performance of the LMCs in order to facilitate an in-depth understanding of the collaborative governance processes inherent in the local management of land. The triangulation of data collection methods also provided the grounds for the validation of the findings of the study as data collected from interviews was corroborated and illuminated during FGDs and observation.

3.9 Methods of Data Analysis and Presentation

The data analysis in this study was an iterative and reflexive process. As in other qualitative studies, data collection and analysis were undertaken concurrently in this study. Immediately following each interview, the fields notes were typed and at the end of the entire data collection process the interviews were transcribed verbatim from the audio tapes by the researcher. The transcribed interviews were then analyzed for themes (See Creswell, 2003). Data from the secondary sources was integrated with the data from the primary sources.

The transcripts in each case were arranged in a logical (thus chronological) order for within case thematic analysis and cross case thematic analysis. Thematic analysis is often described as "a method for identifying, analyzing and reporting patterns (themes) within data" (Braun & Clarke, 2006, p 79). The process involved a careful reading and re-reading of the transcripts. The transcripts were closely scrutinized to ensure that clustered themes were representative of the initial data analysis. The emerging themes constituted a coherent integration of the disparate pieces of data that constitute the findings. The theme generated captures something important about data in relation to the research question, and represents some level of response pattern or meaning within the data set. The within-case analysis was followed by a thematic analysis across the cases, referred to as cross-case analysis or cross-case synthesis (see Creswell, 1998; Yin, 2003). Using the themes established in the within-case analysis, inductive analysis was utilized for cross-case analysis. The emergent themes from all cases suggested categories that formed broader concepts for consideration and were the beginning of the synthesis. Integration of the data involved expanding, collapsing, merging and creating themes that best represented initial interpretations of meaning (See Miles & Huberman, 1994). The study deemed it appropriate to retain themes that cut across cases, rather than standalone themes. Respondents' insights were then incorporated throughout the results

section of the thesis to support key arguments. The analyzed data was presented in line with the study objectives.

3.10 Ethical Considerations

In order to win the confidence and trust of respondents, they were made to understand the purpose of the research and the reasons why they are vital to the achievement of the research objectives. Research participants were given the opportunity to voluntarily participate or opt-out of the research. They were assured of confidentiality of any personal information that they may willingly or involuntarily give out. The Interview guide was designed with a cover letter explaining the aims and objectives of the study to respondents. It further assured them of their confidentiality and anonymity (See Creswell, 2005). Respondents were duly informed and their permission sought before their voices were recorded during interviews. This was to give the participants the confidence to give information without fear. Furthermore, anonymity of respondents was considered by omitting names of respondents and their exact locations from verbatim quotations in the results. Moreover, in order to avoid any form of plagiarism, the researcher duly acknowledged all information taken from other sources with in-text and out-text references.

3.11 Limitations of the study

The use of case study research design coupled with purposive sampling and convenient sampling techniques makes analytic or statistical generalization of results of the study difficult. Besides, the small number of interviewees limits generalization on their experience of the motivations, processes, sustainability factors and challenges involved in the formation of the LMCs as well as factors that affect the LMCs in the performance of their functions. Efforts were, however, made to mitigate possible biases and to increase construct validity by triangulating their responses for analysis using FGDs. The use of multiple case studies also

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made it possible for a comparison of results from different cases in order to reach conclusions. This means that while results from this study lacked analytic and scientific generalization, they provided useful induction as to motivations for the formation of the LMCs, processes and challenges involved in their formation, factors responsible for the sustainability of the LMCs as well as factors that affect the LMCs in the performance of their functions in the UWR of Ghana. This would augment the literature and also serve as bases for policy formation in the area of customary land governance and collaborative governance. Moreover, the objective of this study is not to generalize findings from the cases studied beyond the cases, but to optimize an in-depth contextualized appreciation of the concept of collaboration in customary land governance based on the cases studied.

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CHAPTER FOUR

RESULTS AND DISCUSSIONS

4.1 Introduction

This chapter presents the results of the data gathered from the field. Key issues emerging from the results are then discussed. The results and discussions are presented in sub sections based on the objectives of the study. These sections include: a brief profile of respondents; the motivations for the formation of the LMCs; the processes involved in the formation of the LMCs; the challenges involved in the formation of the LMCs; the factors responsible for the sustainability of the LMCs; the factors affecting the LMCs in the performance of their functions and finally a discussion of the results.

4.2 Profile of Respondents

Table 4.1 presents information on the profile of respondents. The Wa central LMC is located in the Wa Municipality in the UWR. Tumu LMC is located in the Sissala East Municipality whilst Gwollu and Zini are located in the Sissala West District all in the UWR of Ghana. As shown in Table 4.1, all the respondents in Tumu and Zini have some level of formal educational qualification but one respondent each in Wa central and Gwollu have no formal educational qualification. In terms of the employment status of respondents, all respondents in the four study communities were gainfully employed and voluntary participating as LMC members. This implies that their memberships of their respective LMCs are secondary to their regular work. Though some of the respondents were on retirement from the Ghana public service, they were engaged in other activities as their source of livelihood. The average age of respondents in Zini is the lowest with 44 years whilst the average age of respondents in Wa central is the highest with 49 years. This implies that the active age groups in these communities are effectively engaged in the management of their families land.

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Table 4.1: Profile of Respondents

LMC	Location	Total Number of respondents	Average age of respondents	Educational status of respondents	Employment status of respondents
Wa central	Wa Municipality	7	49	2 First degree 1 Diploma certificate 2 Senior High School certificate 1 Law degree 1 Not been to school	All are employed
Tumu	Sissala East Municipality	7	47	2 Master degree 2 First degree 2 Diploma certificate 1 Senior High School certificate	All are employed
Zini	Sissala West District	7	44	1 law Degree 2 Masters Certificate 3 Diploma certificate 1 Junior High School Certificate	All are employed
Gwollu	Sissala West District	6	46	1 law Degree 3 First Degree 1 Junior High School 1 Not been to school	All are employed
Lands commission	Wa Municipality	1	47	Master's degree certificate	Employed

Source: Field Survey, 2018-2019.

Though there are female representation on the LMC in Tumu, Zini and Gwollu, all the respondents in these three study communities were male due to the fact that females were not available for interviews. For Wa central, all the LMC members were males and consequently all respondents were male as females are not involved in land issues in the area due to its patriarchal nature.

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4.3 Motivations (contextual factors) for the Formation of the LMCs

Given the largely voluntary nature of participation in the formation of the LMCs, the study explored the contextual factors that motivated stakeholders to engage in that collaborative effort. The results are first summarized in Table 4.2 and presented in detail thematically.

Avoidance of land disputes: The study revealed that, there was an increasing incidence of land disputes in the four study communities. This was as a result of the increasing economic value of the land in these communities due to urbanization. Since no one land owner or chief could find a lasting solution to the disputes, the land owners together with the chiefs opted to come together to form the LMCs. As illustrated by the following expressions in Tumu and Wa central, most LMC members joined in order to help deal with the increasing rate of land disputes in their communities:

The incidence of people claiming ownership of lands which in actual fact does not belong to them is on the ascendency. This result in a number of land disputes in this community. So my section wanted to be part of efforts aimed at solving those disputes. That is why they selected me to be part of the committee (key informant interview, LMC member, Tumu, 16.09.2018).

Lack of clear boundary demarcations resulted in some people jumping into others lands to sell. Our family particularly experienced that, where one family finished selling their land and crossed into our lands to sell. This was a serious contention between the two families. Our family had no money so we couldn't get a good lawyer to represent us but they (the other family) had money to hire lawyers to defend them. Our family was lucky that some lawyer friends came to our aid. So when the issue of ADR came up through the LMC our family saw that, it will be a good avenue to properly deal with land disputes since they will solely rely on local traditions to

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resolve cases and not rely on who has money to pay lawyers to steal people lands for

them (key informant interview, LMC member, Wa Central, 08.11.2018).

Table 4.2: Motivations (contextual factors) for the formation of the LMCs

LMC	MOTIVATING FACTORS
GWOLLU	✓ Land owners want to be part of the process of land disputes resolution ✓ Secure land titles through proper documentation. ✓ Create strong bargaining power ✓ Conducive policy environment
ZINI	✓ Avoid future land conflicts ✓ Create strong bargaining power ✓ Secure land titles through proper documentation. ✓ Conducive policy environment
TUMU	✓ Avoidance and resolution land conflicts ✓ Create strong bargaining power ✓ Facilitate proper documentation of land transactions ✓ Protect the interest of settlers ✓ Conducive policy environment
WA CENTRAL	✓ Avoidance and resolution of land conflicts ✓ Create strong bargaining power ✓ Facilitate proper documentation of land transactions ✓ Protect the interest of settlers ✓ Conducive policy environment

Source: Field Survey, 2018-2019.

Land disputes resolution did not play a key role in motivating people to be part of the LMC in Gwollu and Zini. Though the study recorded some few incidences of land disputes in these areas, with some cases filed at the law court in Wa, it did not have an influence on the decision of families to join the LMC. This factor was rather seen as a precautionary one in Zini and Gwollu. A LMC member in Zini made the point that:

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We have seen how the increasing cases of land disputes in the land market in Wa and other bigger cities in Ghana look like. So we don't want to experience that situation here that is why we thought it wise to be part of this committee to help forestall any future occurrence of such disputes (key informant interview, LMC member, Zini, 01.01.2019).

In Gwollu, LMC member explained that:

The few land disputes we have here are usually settled by our chief. But the problem is that the chief doesn't have control over all the lands here in the traditional area but his family land only. We therefore wanted to have control over the resolution of disputes regarding our lands instead of the chief exercising that control. The concept of LMC under the LAP was seen as good opportunity to exercise such a control through the ADR (key informant interview, LMC member, Gwollu, 27.01.2019).

The issue of families wanting to have control over all land issues in their jurisdiction resonated in all the study communities with the exception of Zini. In Zini the landlords did not think it is a big deal for the chiefs to be involved in the resolution of land disputes in their community. They rather welcomed that and praised the role of the chief in the resolution of the few land disputes in the area.

Obtaining the benefits of increasing land values: Before the inception of the LAP, families in the four customary areas were managing their lands independently. There was no coordination of land management issues in these areas. This resulted in some families not getting good value for their lands. This was especially the case in Wa and Tumu where land values are relatively high compared to Zini and Gwollu. LMC members in Tumu and Wa central expressed that:

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Because the value of land here is now increasing, there is a rush by some companies and individual for the lands. So if you don't collaborate with other families, your family may end up selling your land at a lower price than the prevailing market price. Such people often come with a lot of lofty words to convince you to sell the land to them at a lower cost. But with cooperation with other members of the LMC you can easily verify any claim made by them (Key informant interview, LMC member, Tumu, 16.09.2018).

The value of land here increases every day. So if you are not abreast with happenings in the land market, your family will lose. And as you know you can be up to date with happenings in the land market if you have some interactions with other land owners in the Municipality. So when we were informed about the LMC my community did not hesitate to select me to represent their interest on the LMC (key informant interview, LMC member, Wa central, 29.01.2019).

This motivation echoed in Gwollu and Zini as presented in the following views.

The Sissala West District is a rural district and hence lands here are gradually appreciating in value. So we saw the LMC as a good avenue for us to have a good value for our lands. Though we have met only Six times since our inauguration we shared some ideas among ourselves on how to reap the benefits of our lands (key informant interview, LMC member, Gwollu, 27.01.2019).

We use to give our lands here out for free. When the idea of the LMC came up our chief informed us that, we can get some monitory value for our land. As you know when you are giving something out for free and now there is an opportunity to get some money from that, off course you will work towards obtaining that money given

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the low financial status of most of the landowning families here. This financial incentive encouraged us to organize a meeting to select someone to represent our section on the LMC (FGD with LMC members, Zini, 09.02.2019).

Continuity in families with regards to land transactions: As stated earlier in Section 3.2.4, land in the study areas belongs to families. The study recorded some succession challenges where due to lack of proper documentation, when a family head dies the one who succeeds him may be engaged in reselling the lands already sold by his predecessor. The LMC through the CLS keeping the records of all land owners and their transactions was seen as a better way of dealing with the challenge of double sale of same piece of land by succeeding family heads. This was a key motivating factor for the initiators of the formation of the LMC in Tumu, Gwollu and Wa central. As explained in the following views, these people wanted the good for their communities and hence initiated the formation of the LMC:

We didn't have proper documentations of land transactions in this community. We had several cases of a succeeding family heads selling the lands already sold by his predecessor. So with the inception of the LMC through the CLS, we keep records of all land transactions here. And succeeding family heads are updated on the transactions went into by the previous family head. This brings about continuity in land transactions and prevents land disputes associated with such double sales (Key informant interview, LMC member, Tumu, 28.01.2019).

A family head who was seen to be using his family land as if it is his personal property died. The one who succeeded him then decided to put up for sale all the lands that were already sold by his predecessor. This resulted in a huge misunderstanding between those who bought the lands from the Tindana who died and the current Tindana. Our chief played a major role in trying to resolve those issues. Some of those

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cases are still at the law court. So when the idea of LAP came up, our chief saw that it will a great opportunity to ensure proper record keeping when all the landlords agree to come together to form the LMC and establish the CLS (key informant interview, LMC member, Wa central, 05.11.2018).

In Gwollu and Zini, this issue did not play out as they did not have cases where succeeding family heads were selling lands already sold by their predecessors. In Zini and Gwollu, this was seen as a way of securing the land rights of the families through the documentation of every land owner and the size of their lands:

There was an incident where an existing family head authority over land was undermined. A grandson of the family went to cut a portion of the family land as his own. Strangers even came and he cut more portion of the family land without recourse to the family head. This created a dispute between the family head and the grandson who was doing all of that in the name of his father. Our family was particularly motivated to join the process of forming the LMC as we were educated that this dispute that I just narrated could have been avoided if all our family land was documented in the name of the family head. And in that case no grandson of the family could have misbehaved in the manner the guy did (key informant interview, LMC member, Gwollu, 02.04.2019).

In one of the workshops facilitated by the OASL before the formation of the LMC, we were made to understand that through the LMC and the CLS the titles of our family lands will be secured with proper documentation. So that in the future no one can claim ownership of our lands. This encouraged us to be part of the LMC (FGD with LMC members, Zini, 09.02.2019).

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Protecting the interest of settlers: Part of the requirement to ensure an effective LMC was for the landowning families to get technocrats to be part of the LMCs to assist them in resolving technical issues that may be referred to them in the course of their work. The study showed that these technocrats had other motivating factors apart from their technical knowledge. Some of them joined in order to make sure their perspective is not neglected or to secure legitimacy for their position or to fulfill a legal obligation on the LMC and for others the key issue was the protection of the interest of settler families or communities. Settler communities in the study areas due to their status often fall victims to landlessness. These settlers who once lived peacefully with their indigenous friends are now been victimized due to the increasing economic value of land. This factor particularly motivated the technocrats (professionals) members of the LMC in Wa Central and Tumu to be part of their respective LMCs. A LMC member who is a technocrat in Wa central LMC recounted that:

I am not originally from Wa. But how some of the indigenes are treating the settlers here leaves much to be desired. There was an incident where a Tindana gave land to a settler in the 1980s. Due to the higher land value now, the children of that Tindana sold the land to other people though the family of the guy who was gifted the land are still on the land. You see this is not fair. Where there is fairness at least they should be given the first choice to buy the land and then if they decline then the land can then be sold out. When issues like this are going to be dealt with locally, the settlers will definitely loose. So when I was selected to represent my profession on the LMC, I saw it as an opportunity to equally serve the interest of innocent settlers who are now tagged as foreigners who equally contribute greatly to the development of Wa (key informant interview, LMC member, Wa central, 29.01.2019).

A LMC member who is a technocrat in Tumu also narrated an incident were a settler was rubbed of his legally acquired land just because he is not from there:

This settler acquired the land from one of the sons of the landlord. He even went to register the land at the Lands Commission in Wa……. only to be told later that the landlord son did not have the authorization of his father to grant the land to the settler. So the LMC was seen as an avenue for me to champion the interest of these kinds of people and educate them on the need to always come to the CLS to enquire of original landowners any time they want to buy land. This is to ensure that they acquire the land from the original landowner because the CLS has a database of all the landlords in Tumu (Key informant interview, LMC member, Tumu, 16.09.2018).

This factor was irrelevant in Zini due to the lack of technocrats on the LMC. Also, settlers are not allowed to be part of the LMC in Zini. For Gwollu, the technocrat on the LMC was only on the committee to serve the interest of his profession and the Assembly.

Favorable government policy: The existing government policy motivated the formation of the LMC in all the four customary areas. Since LAP was an initiative of the government of Ghana, a substantial amount of money was devoted to support communities that met the requirements for the establishment of a CLS. The conducive policy environment encouraged the communities to come together to form the LMC and establish the CLS. LMC members in Tumu, Wa central, Gwollu and Zini disclosed that:

We were told by the president of the Traditional Council of the existing government policy, LAP and the benefits we stand to gain from the government if we come together. This increased our interest in coming together to form the LMC and establish the CLS. We were specifically told that the government will furnish our office with all the necessary office equipment such as printers, scanners, photocopier

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machines, office cabinet and air conditioners among others (FGD with LMC members, Tumu, 28.01.2019).

When we heard about LAP from the news and the support that communities stand to gain from the government, we were further motivated to form the LMC. We saw it as a way of killing two birds with one stone. Thus, it will help solve our local land problems and also enjoy the support of the government (FGD with LMC members, Wa Central, 24.03.2019).

Officials of the stool land came to our divisional area to educate us about the LMC and the CLS. We were made to understand the purpose of the LMC and the CLS. Afterwards we were given a token as transport money. This served as a stimulus for us to want to be part of the LMC (FGD with LMC members, Zini, 09.02.2019).

We had no idea about anything called land management committee or CLS. But because the government provided the framework for us and the incentives attached, we were motivated to benefit from those incentives (key informant interview, LMC member, Gwollu, 27.01.2019).

4.4 Processes Involved in the Formation of the LMCs

As shown in Table 4.3, the processes involved in the formation of the LMCs are presented according to the following themes: initiation of the process; setting up the LMCs; leadership of the LMCs; gender representation on the LMCs; and lastly the inauguration of the LMCs.

Initiation of the process in the communities: After the government through the LAP provided the policy context, different stakeholders then initiated the processes in the study communities. Though chiefs have no absolute control over all the lands within their jurisdiction in the study communities, they played significant roles in the initiation of the

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process of establishing the CLS and the formation of the LMC in their customary areas. In Tumu, Gwollu and Zini, the president of their respective traditional councils initiated the process of forming the LMCs. In Tumu, the Tumu "Kuoro" and the president of the Tumu traditional council contacted the OASL on how they can help establish the CLS in the Tumu traditional area. A representative of the Tumu "Kuoro" on the LMC disclosed that:

There was a joint discussion between the Tumu kuoro and the Office of the Administrator of Stool Lands at Sunyani. The president later shared the information with the traditional council made up of the chiefs. I am also a chief (acting on behalf of my brother). When he shared the idea with us, we all saw the need for it especially looking at the spate of land conflict in this community (key informant interview, Tumu, 16.11.2018).

In Gwollu, a representative of the Gwollu traditional council recounted that:

The paramount chief of Gwollu who is the president of the traditional council initiated the formation of the LMC. He attended a meeting where they were informed of the benefits of the CLS and the formation of the LMC. So he came home and organized his people and informed them about it. They all agreed that it is beneficial and hence they decided to write to the OASL to come and establish it for us. When they came they informed us that we have to get a LMC before we can have a CLS and so the process of forming the LMC began from there (key informant interview, LMC member, Gwollu, 27.01.2019).

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Table 4.3: Processes involved in the formation of the LMCs

Process / LMC	Initiation of the process	Setting up the LMCs	Gender representation on the LMC	Leadership of the LMC	Inauguration of the LMC
WA CENTRAL	Initiated by the head of the Ballon Clan and President of the traditional council	✓ Selection of two people to represent each family on the LMC - Direct representation of families ✓ Inclusion of technocrats on the LMC	No female on the LMC	Leadership includes, chairman, vice chairman, secretary, finance officer, organizer, M&E officer	25th of June 2008
TUMU	Initiated by the President of the traditional council	✓ Families represented on the LMC through their sections ✓ Inclusion of technocrats on the LMC	One female representing a section	Leadership includes a chairman, vice chairman, secretary and assistant secretary as well as finance secretary	16th of December 2016
ZINI	Initiated by the President of the traditional council	✓ Families represented on the LMC through their divisions ✓ No technocrat on the LMC	Two females representing women groups	Leadership includes a chairman, vice chairman, secretary, organizer and treasurer	16th of June 2013
GWOLLU	Initiated by the President of the traditional council	✓ Families represented on the LMC through their sections ✓ Inclusion of technocrats on the LMC	One female representing women groups	Leadership includes chairman, secretary, women's leader, leader of land owners, and Town and country planner	16th of December 2016

Source: Field Survey, 2018 - 2019

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In Zini, a representative of the "Buwa" traditional council in the LMC explained that:

The acting president of the Buwa traditional council had an encounter with the people from the LAP secretariat. He was informed about what exactly the Project entails and how our community stand to gain if we establish the CLS and form the LMC. He then relayed the information to members of the traditional council and some of the landlords in Zini at a meeting that was facilitated by the OASL (key informant interview, LMC member, Zini, 01.01.2019).

In Wa central, though the president of the Waala traditional council played a significant role in the process, the entire process was led by the head of the Balun Clan. The head of the Balun Clan is the chief landlord of Wa from whom all the other families derive their authority to own land in the customary area. A LMC member in Wa Central narrated that:

The head of the Balun clan and the president of the Waala Traditional council had a discussion with the regional LAP Coordinator who doubled as the regional lands officer. The Head of the Balun Clan and the chief were particularly unhappy for the establishment of the first CLS in Tabiasi and not Wa municipality which is the regional capital. The regional LAP coordinator then explained to them the reasons for their action and how they could also get one in Wa. Following from this, the head of the Balun clan then extended invitations to other recognized Tendamba within the Wa Municipality for a discussion on how to constitute the LMC in order to establish the CLS (key informant interview, LMC member, Wa Central, 23.03.2019)

After the processes were initiated in all the customary areas, proposals were then sent by the various land owning groups together with their chiefs to the OASL in Sunyani. When those proposals were approved, next was for them to set up the LMCs in their customary areas.

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Setting up the committee: The LAP secretariat provided preconditions to the various customary areas on how to constitute the LMCs. The LAP Secretariat recognized that the Traditional council/authority/family is the allodial owner of the lands under its jurisdiction and hence should exercise control of how land is managed in their areas. The LAP secretariat therefore recommended the bringing together of all allodial title holders to form the LMC. In Tumu, the setting up of the LMC began with the appointment of the acting coordinator of the CLS. The acting coordinator together with the president and vice president of the Tumu traditional council then held a meeting to discuss how the LMC should be constituted. A LMC member in Tumu explained that:

> *The acting coordinator, the president of the traditional council and his vice and some other chiefs met to decide on how to constitute the LMC. They decided to give six slots to the Landowners. The acting coordinator was then tasked to go round the various landowning communities to inform them on how to select reps to form the LMC (Key informant interview, LMC member, Tumu, 16.11.2018).*

In the Tumu traditional area, different families came together to form sections. Thus three or four families can constitute a section. The LMC members representing the landowners were therefore selected at the level of the sections. These sections were given six slots on the LMC: one from each section. Families within the sections then met to select people to represent them on the LMC. A LMC member in Tumu narrated that:

> *Before you are selected as a member of the LMC, your records in terms of your attitude towards elders and the youth are checked to ensure you are somebody who can be trusted. I was in the farm when I was called to represent the chief and the "Barnaana" section on the LMC. When I was told I have been selected to represent my community, I told them I was still young for such a position. One of the elders told*

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me that leadership is not by age it is by trust and ability and that they knew that there

were people who were older than me and they know that I can do it (key informant

interview, LMC member, Tumu, 17.11.2018).

The issue of sectional representation was the same in Zini and Gwollu as LMC members expressed that:

Each LMC member is coming from a landowning family. You can have two or three

landowning families coming together to select a person to represent them on the LMC.

For example here in Zini, we are only three on the LMC though there are about five

different sections that own land here. When you go to the next village from here only

one person represents them on the LMC. When you go to the far end -Nimoro, the

chief and one other person represent them on the LMC (key informant interview, LMC

member, Zini, 01.01.2019).

The Gwollu traditional council was divided into three sections. Each section was then

to select one person to represent them on the LMC. Each of these sections is made up

of more than six communities (key informant interview, LMC member, Gwollu,

02.04.2019).

On the contrary in Wa central, each landowning family had direct representation on the LMC. Each land owning family was allowed to select two people to represent them on the LMC as a LMC member explained that:

Every land owning family was given direct representation on the LMC, so that none of

them will feel shortchanged by any decision that will later be taken by the committee.

Our family therefore selected someone who understand our traditions as well as have

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some level of education to represent us on the LMC (key informant interview, LMC

member, Wa Central, 04.11.2018).

Chiefs who have no control over land but only perform administrative function were given representation on the LMC in all the four study communities. In Tumu, Wa central, Gwollu and Zini, the traditional council selected two members each to represent them on the LMC.

To help the original land owners and the chiefs to properly make decisions with regards to the land, the LAP recommended the inclusion of technocrats on the LMC. These technocrats may include Lawyers, Planners, Valuers/Estate Managers and Land Surveyors where available, and other identifiable interest groups including land developers and users. The LMCs in Tumu, Wa Central and Gwollu had some of these technocrats on their respective LMCs. In these areas the chiefs together with the representatives of the landowners wrote to the various institutions they think could help them execute their functions effectively.

The Professionals on the Tumu LMC include; a police officer, a representative of TCPD (Town and Country Planning Department), manager of Radford FM (PRO of the LMC), and a representative from CHRAJ. In Wa central, the technocrats on the LMC include two (2) from the court, an independent lawyer and a police officer. In Gwollu, the professionals on the LMC include a representative from the TCPD and the District Assembly. Zini had no such designation as technocrats being members of the LMC. The only member of the Zini LMC considered a technocrat is the chairman of the LMC. The chairman of the LMC is a lawyer and a chief. When asked why they did not have technocrats coming from other fields, a LMC member in Zini expressed that:

It has been difficult getting such people on board because lands do not have so much

economic value here. Also, we don't have such institutions here in Zini. Getting them

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from the district or regional capital will be extra cost to the LMC and the CLS (FGD

with LMC members, Zini, 09.02.2019).

In terms of the total number of LMC members, the LMC in Wa is made up of 35 members with 31 representing families and 4 members serving as technocrats on the committee. The families include; Suuriyiri/ Wodaanayiri, Puohuyiri, Sokpayiri, Kpaguri, Fongu, Nayiri (Gates), Tagranaasualayiri, Limanyiri, Dondoli, Dokpong, Dobile, Mangu, Arhiyor, Cheria, Kambalipaani, Guli, Chegali, Nyagali, Bamahu, Biihee, Sing, Boli, Loggu, Tanina, Siiruu, Kpongo, Nakori, Wa-Sombo, Tuomuni, Jonga, and Busah family.

In Tumu, the LMC is made up of thirteen (13) members with six (6) members representing landowning families (sections), two (2) members representing chiefs and four (4) members representing technocrats as well as the Coordinator of the CLS. The sections include; KuoroJan, Tokrojan, Ballenjan, Beinjan, Nyafajan and Napulajan.

In Gwollu, the LMC is made up of seven (7) members with two (2) technocrats, two (2) chiefs and three (3) representatives of landowning families.

In Zini, the LMC is made up of eleven (11) members. Each of them represent a community were land is owned by families. There are five divisional areas in the Zini (Buwa) traditional council. Each of these areas has two representatives on the LMC with the exception of the Zini division which has three representatives on the LMC. The other four divisions include, Puzini, Nimoro, Niator and Fatcho division. In each of these divisions there are different sections each of which is made up more than two landowning families.

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Gender representation on the LMC: The Wa central LMC had no female representation. A LMC member gave the reason as follows:

> *When it comes to land issues in the Waala tradition women are not included. Woman cannot offer sacrifices to the gods. In the olden days even if women wanted land to farm they could not come forward unless through a man. So women are not given a priority when it comes to land issues here (key informant interview, LMC member, Wa Central, 08.11.2018).*

Tumu LMC has one female who represent one of the sections in the community. A LMC member explained that:

> *There is a lady on the committee. She is not a family head or landlord but she was selected by her section to represent them on the committee. She can read and write. Also, she has ever been an assembly member. So that is how she became a member of the committee (Key informant interview, LMC member, Tumu, 16.11.2018).*

In Zini, there are two ladies on the LMC. Each of these ladies is a leader of women groups and was selected to represent their sections on the LMC. In Gwollu, there is only one lady on the LMC selected by the women groups in Gwollu.

Selection of the leadership of the LMC: In all the four customary areas, the leadership of the LMC was selected through elections. People were nominated and elections were then held to select the leaders. In Wa, the leadership includes, Chairman, vice chairman, Secretary, Finance officer, Organizer and M&E officer. In Tumu, the leadership includes a chairman, vice chairman, secretary and assistant secretary as well as finance secretary. The coordinator serves as the organizer of the LMC in Tumu. In Zini, the leadership includes a Chairman, vice chairman, secretary, organizer and treasurer. In Gwollu, the leadership includes the chairman,

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secretary, women's leader, leader of land owners, and Town and Country Planner in the district.

Inauguration of the Committee: All the LMC members in the four customary areas were sworn in on the inauguration day of their respective CLSs. The LMC in Tumu and Gwollu were sworn in on the 16th of December 2016. The LMC in Zini was sworn in on 16th of June 2013. The Wa central LMC was sworn in on 25th of June 2008.

4.5 Challenges Involved in the Formation of the LMCs

The study explored the challenges that were encountered in the process of forming the LMCs. Table 4.4 presents a summary of the key challenges encountered in the process of forming the LMC in the study communities.

Inadequate finance: The study showed that the four customary areas encountered a challenge of inadequate finance in the process of forming the LMCs. The arrangement each of the customary areas had with the OASL required that the traditional authority or landowning families bear the initial cost of organizing the families. However, the problem of inadequacy of finance affected some of the activities that needed to be carried out to bring all the landowning families onboard. In Tumu, the LMC membership which was supposed to include all the sections within the traditional area had to be limited to only the sections within the Tumu Township. A LMC member in Tumu who was part of the formative stage of the LMC expressed that:

> *I had to travel around to educate the various families on why they should be part of the committee. This required some amount of money but getting that was not easy (FGD with LMC members, Tumu, 17.11.2018).*

A LMC member during a FGD in Tumu further explained that:

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Because of the inadequacy of finance, the LMC did not include other areas within the traditional council that are outside the Tumu Township. So we decided that if later we get enough funds we will extend the coverage of the LMC and the CLS to the remaining areas within the traditional area (FGD with LMC members, Tumu, 28.01.2019).

Table 4.4: Challenges involved in the formation of the LMCs

LMC	Challenges Involved in the Formation of the LMCs
WA CENTRAL	✓ Inadequate finance ✓ Difficulty in getting an office accommodation ✓ Reluctance of some landowning families to support the process at the initial stage
TUMU	✓ Inadequate finance limiting the coverage of the LMC ✓ Difficulty in getting an office accommodation ✓ Reluctance of some landowning families to support the process at the initial stage
ZINI	✓ Inadequate finance ✓ Difficulty in getting an office accommodation ✓ No challenge with landowning families supporting the process at the initial stage
GWOLLU	✓ Inadequate finance ✓ Difficulty in getting an office accommodation ✓ Reluctance of some landowning families to support the process at the initial stage

Source: Field Survey, 2018-2019.

Also, in Gwollu, Zini and Wa central LMC members expressed that:

The president of the traditional council had to bear the cost of the formation of the LMC. Since he brought up the idea, he had to take care of all initial cost of bringing the families together. The landowning families were unwilling to contribute anything

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to the process of forming the LMC and this was not an easy task for our chief (key informant interview, LMC member, Gwollu, 27.01.2019).

Traveling to the various sections and organizing meeting with the families in those sections needed a certain amount of money. When we had meeting with the families, we could not just allow them to come and sit the whole day without giving them refreshment (FGD with LMC members, Zini, 09.02.2019).

Finance at the initial stage of forming the LMC was a great challenge and so most of us who were leading the process had to sacrifice for the sake of our families and the community. Some people we started the process with, had to leave us half way through the formation process due to inadequacy of finance. For example the secretary of the CLS, we started the process with him and later on when he saw that there is no immediate money in it he had to withdraw (FGD with LMC members, Wa central 24.03.2019).

Getting an office accommodation: The study showed that the coordinators of the CLSs coordinate the activities of the LMCs. The CLSs serves as the administrative wing of the LMCs. The study found that the process of getting an office accommodation to house this administrative wing of the LMC was a challenge to all the LMCs in the four study areas. A LMC member in Wa central recounted that:

Since the acquisition of an office for the CLS was at the initiation stage of the LMC, bearing the cost of the office was difficult. Though, it was obvious that the families were to bear that cost, convincing them to contribute to rent the office, when we told them that the CLS was there to help them was difficult. So only some few families contributed to us getting the office accommodation. As our activities began to expand

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we wrote to the regional coordinating council to give as an additional office at the RCC which they responded in the affirmative and so now we have two offices (key informant interview, LMC member, Wa Central, 08.11.2018).

This challenge was the same in Tumu, Zini and Gwollu. These three LMCs had to rely on the support of their district assemblies to get office accommodation for their CLS. A LMC member in Gwollu remarked that:

The office for the CLS was originally a building for the Ghana Tourism Authority. The paramount chief of Gwollu together with the assembly worked together to renovate the building to be used as our CLS office. The process of convincing the district assembly to buy into our idea was difficult. It is only recently we have been able to get electricity into the building (FGD with LMC members, Gwollu, 26.03.2019).

The study showed that though the Gwollu CLS was inaugurated in 2016, the office accommodation for the CLS was completed in 2019.

A LMC member in Zini explained that:

Here, the economic value of land is not sufficient to be able to convince the landowners to contribute to build an office for the CLS. So the traditional council discussed with the District Assembly to use the revenue that was supposed to be allocated to the traditional council to renovate the Zini area council to be used as the CLS office for the LMC. The district assembly could not do that immediately and so the traditional council mobilized their own revenue to renovate the structure and was later repaid by the assembly. So the renovated area council is our CLS office. The DA later came and built a new area council for Zini (key informant interview, LMC member, Zini, 01.01.2019).

In Tumu, a LMC member expressed that:

The land owners were not willing to bear the cost of building an office accommodation for the CLS. So the traditional council had a discussion with the assembly to give as an office in Tumu town council which was unused at the time (FGD with LMC members, Tumu, 28.01.2019).

Difficulty in getting the support of some landowning families: The four study communities had the challenge of winning the support of some landowning families. The issue of the landowning families coming together to collectively manage their family lands was seen as a relatively new concept in the study communities. Some families initially resisted that idea due to their own misconceptions about the whole process. A LMC member in Tumu recounted that:

When the idea of the formation of the LMC first came up, some of our families were skeptical about that. There were even rumors that the president of the traditional council wanted to take over their lands. My family categorically stated that they will not be part of anything like that. It had to take the efforts of some families within our section to convince our family head to agree to be part of the process (Key informant interview, LMC member, Tumu, 17.11.2018).

This situation was the same in Wa central and Gwollu as LMC members expressed that:

My family head viewed the formation of the LMC as a plan by the government to organize the landowners for tax collection. And so it was not easy getting them to appreciate the importance of the LMC and the CLS (key informant interview, LMC member, Wa Central, 05.11.2018).

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When the idea of the formation of the LMC came up, some of the families did not like to hear about it. I don't know what their thinking was. Probably it was because the idea came from our chief (key informant interview, LMC member, Gwollu, 26.03.2019).

However, getting the support of the families in Zini was not a challenge in the process of forming their LMC. This is largely as a result of the low economic value of land in that area and the respect and trust for the president of the traditional council as a LMC member in Zini indicated that:

When the president of the traditional council discussed the formation of the LMC with the chiefs and landowners here, there was no objection. All the families expressed their willingness to be part of the process. My family was particularly happy to be part of the process because we saw that there was nothing to lose for the membership of the LMC. Rather we saw it as an opportunity to properly secure our land title (key informant interview, LMC member, Zini, 01.01.2019).

4.6 Sustainability of the LMCs

After the formation of the LMCs, the study explored the factors that have kept the LMCs running up to now. The results are summarized in Table 4.5.

Shared traditional values (social capital): The uniformity in the traditional values of the chiefs and landowning families in the four customary areas contributed to the sustainability of the LMCs. This was especially the case in Tumu, Zini, Wa central and Gwollu. In Tumu, Zini and Gwollu all the chiefs and landowners in the LMCs are from the Sissaala ethnic group whilst in Wa central, all the LMC members but the technocrats belongs to the Waala ethnic group.

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Table 4.5: Factors responsible for the sustainability of the LMCs

LMC	Sustainability factors
WA CENTRAL	✓ Shared traditional values ✓ Shared economic interest ✓ Local arrangement for token payment by clients ✓ Respect for and enforcement of collectively agreed rules ✓ Recognition of land title holders through documentation ✓ Public education ✓ Transparency and accountability ✓ Government support in the form of office equipment and workshops
TUMU	✓ Shared economic interest ✓ Shared traditional values ✓ Local arrangement for token payment by clients ✓ Respect for and enforcement of collectively agreed rules ✓ Recognition of land title holders through documentation ✓ Public education ✓ Transparency and accountability ✓ Government support in the form of office equipment and workshops
ZINI	✓ Shared traditional values ✓ Shared economic interest ✓ Local arrangement for token payment by clients ✓ Respect for and enforcement of collectively agreed rules ✓ Recognition of land title holders through documentation ✓ Public education ✓ Transparency and accountability ✓ Government support in the form of office equipment and workshops
GWOLLU	✓ Shared traditional values ✓ Shared economic interest ✓ No arrangement for token payment in Gwollu due to ineffective CLS ✓ Respect for and enforcement of collectively agreed rules ✓ Recognition of land title holders through documentation ✓ Public education ✓ Government support in the form of office equipment and workshops

Source: Field Survey, 2018-2019

They all share similar customary values of trust, norms, reciprocity and respect for chiefs and family heads in their communities. These values are particularly helpful in building trust and confidence among the landowning families in the functioning of the LMCs. A LMC member in Zini asserted that:

> *....because we trust that our chief wouldn't want to do anything that will destroy but develop our community, anytime we are unable to resolve an issue we refer it to our chief to take a final decision. Due to the status of our chief according our traditions the verdict of the chief is always respected and this has been very critical to our success (FGD with LMC members, Zini, 09.02.2019).*

A LMC member in Tumu articulated that:

> *Due to our shared values, anytime a dispute is referred to the LMC, we first of all use our local norms and values to deal with it. Often we are able to resolve such matters amicably as the parties understand the process and the outcome of the process (FGD with LMC members, Tumu, 28.01.2019).*

A LMC member in Gwollu remarked that:

> *There exists a bond of friendship among all the landowning families here. So even though we don't have a functional CLS we still are able to work together as a committee amidst the challenges (FGD with LMC members, Gwollu, 26.03.2019).*

A LMC member in Wa central indicated that:

> *Due to the respect that we have for our Tendamba and chiefs, whenever there is an issue and they speak we all listen. So anytime there is a problem and the leadership*

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takes a decision we all respect that (FGD with LMC members, Wa central 24.03.2019).

These shared values were also relevant in the selection of the leadership of all the LMCs. The leadership of the four study LMCs were all selected base on consensus with no competitive elections held. A LMC member in Zini recounted that:

In our first meeting as LMC, a member suggested that we give the chairmanship to one of the chiefs on the LMC who is also a lawyer. When that suggestion came up we all agreed on consensus and there was no contradictory view (key informant interview, LMC member, Zini, 01.01.2019).

A LMC member in Tumu expressed that:

The chairman of our LMC was nominated by the president of the traditional council even in his absence. So when that name was suggested by our chief we all agreed due to the respect that we have for our chief (FGD with LMC members, Tumu, 28.01.2019).

Shared economic interest: The economic benefit the landowning families stand to gain from the collaboration, made the formation and functioning of the LMCs a success in the four study communities. The individual families had managed their lands for some time and now see its economic value increasing wanted to have a platform were they could engage other landowners in order to have good value for their lands. A LMC member in Wa central opined that:

Every family wants to get the maximum benefits from its lands. This LMC has continued to enjoy the support of most families because it serves the economic interest

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of these families through the provision of information to these families that will enable them to have a good value for their lands (key informant interview, LMC member, Wa Central, 05.11.2018).

A LMC member in Tumu disclosed that:

My family initially rejected the idea of the formation of the LMC and the establishment of the CLS but with time as we began seeing the economic benefits we have since given it our full support (FGD with LMC members, Tumu, 28.01.2019)

In Zini where the economic value of land is the lowest among the four study communities, this factor was also relevant in ensuring the success of the LMC. A LMC member explained that:

Though the price of land in this community is low, the LMC through the CLS has been able to negotiate a bit higher prices for our lands for us any time a buyer comes around. Also, the LMC decided that all settlers here renew their licenses annually and the individual families are given a share of the renewal fees and this has helped to sustain our interest in the LMC. Because you know that annually you will receive something from the LMC through the CLS (key informant interview, LMC member, Zini, 01.01.2019).

In Gwollu, though some research participant made the point that a functional LMC and CLS could promote their shared economic interest in the land, some families are still skeptical about that. Most of the families seem to be comfortable selling their individual family lands without collaborating with other families and this has partly contributed to nun functionality of the Gwollu CLS. A LMC member in Gwollu bemoaned that:

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We all agree that we could benefit more economically from our lands if we as a LMC make the CLS and the LMC more effective. But, some families are enjoying the small monies they are getting from the land sales and so they are not very serious with the idea of making the CLS functional (key informant interview, LMC member, Gwollu, 27.01.2019).

Payment of token to run the activities of the LMCs: The LMCs in Tumu, Wa central and Zini resorted to having a local arrangement where people who wants to buy or register their land pay a token to the CLS. These three LMCs have all developed templates to facilitate these registration process to enable them obtain revenue to carry out their activities. This token is used to run the activities of the LMC and the CLS. A LMC member in Tumu explained that:

Since money is the backbone of any organization, our LMC met to decide on how we can sustain the CLS and the LMC. We initially decided on a fee of GH¢ 55 for anyone who comes to register his land at our CLS. On the basis of this we can use it to run the activities of the LMC. This money was later increased to GH¢ 100 to cater for increasing activities of the LMC. This is our only source of funds and has help sustain our activities since our inauguration (FGD with LMC members, Tumu, 28.01.2019)

In Wa central, LMC members expressed that:

We met and made a decision that any land allocation that comes to our office will pay 1% of the total cost of the land to the CLS. Part of the money will then be used to operate the CLS and organize meetings for the LMC members (FGD with LMC members, Wa central 24.03.2019).

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When people bring their cases to the ADR of the LMC to handle, they are made to pay

a token for the refreshment of the LMC members who will sit on the case. Both the

complainant and the accused will pay before we deliberate on their case. Even

sometimes the courts refer land issues to us to handle at our ADR and so we also get

something from that (FGD with LMC members, Wa central 24.03.2019).

In Zini, though land is not of high economic value compared to the other three study

communities, they also had an arrangement for people to pay some token for the running of

the activities of the LMC and the CLS as illustrated in the following views.

We have not started selling lands seriously here. Our LMC met and decided that all

settlers here come to the CLS and register their land and annually renew their licenses

so that we can have something to run our activities (FGD with LMC members, Zini,

09.02.2019).

The money we get from the registration and renewal of licenses is usually inadequate

to sustain the LMC and the CLS. So what we do to sustain the CLS is that we contact

basic schools when they want to write their terminal exam, we go and collect their

questions and type and photocopy for them. Also, the president of the traditional

council supports us financially in our activities (key informant interview, LMC

member, Zini, 01.01.2019).

In Gwollu, the study found that there is no such payment because the CLS has not been

operational since its inauguration in December 2016. Consequently, the traditional council has

been facilitating the organization of the LMC as a LMC member indicated that:

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The chief of Gwollu has been supporting the activities of the CLS and LMC financially. The few meetings that we have had were all organized by him and at his own cost (key informant interview, LMC member, Gwollu, 27.01.2019).

Respect for and enforcement of collectively agreed rules: The rules governing the operations of the study LMCs with the exception of the Gwollu LMC account for their sustainability since their inception. In Tumu, Zini and Wa central the LMCs operate on rules decided and agreed upon by all members. This makes compliance to those rules tranquil. A LMC member in Zini expressed that:

We collectively agreed on what rules should guide our activities. What punishment should be applied to members who break such rules and the reward for compliance (FGD with LMC members, Zini, 09.02.2019).

A LMC member in Tumu detailed that:

In our LMC no one is above the law. There was an incident were one of the chiefs on our LMC was involved in a dispute. We met and set him aside for investigations to take place. This equality before the rules of the committee ensure that everyone respect our rules and hence the success of our group (Key informant interview, LMC members, Tumu, 17.11.2018).

The result is the same in Wa central as every member complies with the rules set by the committee and hence they have never recorded any disputes among members since its inception. A LMC in Wa central reported that:

After our inauguration, the first day we met we agreed on the rules that should guide our operation as a committee. As you know every human endeavour must be regulated

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in order to yield positive outcome. These rules have been reviewed with time and we

all abide by them (FGD with LMC members, Wa central 24.03.2019).

Though the LMC in Gwollu had set ground rules that should guide their operations, the ineffectiveness of the CLS has not resulted in the manifestation of those rules.

Documentation of all landowning families and their land titles: The registration of the lands and their respective owners within the jurisdiction of the LMCs in Gwollu, Wa central, Tumu and Zini has contributed to the sustainability of the LMCs. Whilst some landowners view the registration as a recognition of their land titles, others view the registration as a form of securing their titles to the lands and hence wining their support for the LMCs activities. A LMC member in Tumu articulated that:

Now we have made them to capture all land owners, their land title and their names. All the family heads currently have been captured. The lands are assigned family names. So if somebody brings a land document and the family head name and signature is not on it then it is not a valid document (Key informant interview, LMC member, Tumu, 17.11.2018)

A LMC member in Zini disclosed that:

The documentation of all the original land owners in this community has contributed to the success of the LMC so far here. In the initial stages of constituting the LMC we went round this community and documented all the land title holders. This helped us to win the support of the land owners as they felt that we recognized them and hence they have been very supportive in our activities (key informant interview, LMC member, Zini, 01.01.2019).

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A LMC member in Wa central remarked that:

> *During the preliminary stages, some of the land owners' thought we were to take over their lands. Later on as we began the processes of documenting all the original land owners they felt we were recognizing their status in this community and hence their support for the LMC activities (key informant interview, LMC member, Wa Central, 08.11.2018).*

A LMC member in Gwollu indicated that:

> *As a committee we took it upon ourselves to document all the landowners in Gwollu and the amount of land each family owns. The landowning families were very supportive in the process. But due to our non-functional CLS that document has been left useless (FGD with LMC members, Gwollu, 26.03.2019).*

Public education: The study revealed that the LMC in Wa central, Gwollu, Tumu and Zini embarked on public education campaigns to win the support of community members and the landowners within their jurisdiction. This has helped to make their LMCs relevant to their communities and hence their sustainability. In Wa central, a LMC member expressed that:

> *At the initial stages of our operations, we were given some time at the radio stations here in Wa to educate people on the need to make use of the ADR of the CLS. The general public was made to understand why they should trust their land disputes to the LMC and for that matter the ADR of the CLS. This helped to increase the number of land disputes reported to the ADR (key informant interview, LMC member, Wa Central, 29.01.2019).*

In Tumu, a LMC enunciated that:

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Our LMC made the manager of the only radio station in this community the Public Relations officer of the LMC. Through their medium we have been educating the public of this community on the need to make use of the LMC and the CLS. You know the concept of the LMC and CLS is new and so we have been making efforts to ensure its acceptability here and the results has been very positive. The number of people who come to register their lands at our CLS has been increasing likewise the number of land issues reported to our ADR (Key informant interview, LMC member, Tumu, 17.11.2018).

In Zini, there is no radio station; the leadership of the LMC has been educating the public through community meetings as a LMC member expressed that:

We educate the people at the divisional chief level. We will inform the chief to inform his people that this day we will be coming to educate your people on the CLS, then he will organize the people and we go and talk to them. We also do the education through the youth groups as one of the leaders of the youth groups is a deputy coordinator of our CLS and he has been be very helpful in that regard. Sometime when the chiefs have meetings we use the opportunity to educate them about the CLS and the LMC. This helps make the LMC and the CLS relevant to the various stakeholders in this community (key informant interview, LMC member, Zini, 01.01.2019)..

In Gwollu, a LMC member recounted that:

The president of our traditional council invited some officials of the OASL to sensitize the traditional council on the concept of the LMC and the CLS. Another programme was organized for the landowning families. This stimulated the interest of the LMC

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members to continuou coming for meetings (FGD with LMC members, Gwollu, 26.03.2019).

Transparency and accountability: Transparency and accountability of the leadership of the LMC to the LMC members as well as the transparency and accountability of the LMC members to their constituents has contributed to the sustainability of LMCs in Tumu, Wa central and Zini. A LMC member in Tumu explained that:

Our LMC has been transparent. We don't allow the coordinator to do what he likes. You know it is money that often brings those conflicts. We ensure that everything is done in accordance with the law. Every transaction is backed with documents (Key informant interview, LMC member, Tumu, 16.11.2018).

A LMC member in Tumu corroborated the above assertion:

Any transaction that is going to commit our LMC to any obligation, we always ensure that the chairman, the secretary, the coordinator and the president of the traditional council signs such a document. This is to ensure that no member does anything that can bring the name of the institution into disrepute (FGD with LMC members, Tumu, 28.01.2019).

A LMC member in Zini asserted that:

Anytime we meet as a committee, I will go to the section that I represent on the LMC and brief the family heads on what happened at the meeting. This is to make them feel that they are controlling the whole process at the LMC and enables me to win their support and trust for me and the committee as a whole (key informant interview, LMC member, Zini, 01.01.2019).

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LMC members in Wa central expressed that:

In our biannual meetings we always give an account of all that happened within the period. This is to enable members get an understanding of what went right and what went wrong. So that measures can be taken to further advance our strengths and deal with our weaknesses (FGD with LMC members, Wa central 24.03.2019).

Because of how transparent and accountable we are even the courts here refer land disputes for us to solve. After the resolution, all the disputing parties will sign an accord. Minutes of the proceedings will then be attached to the accord and sent back to the courts (FGD with LMC members, Wa central 24.03.2019).

In Gwollu, a LMC member explained that:

Our chairman and president of the traditional council have been very transparent to us with regards to the activities of the LMC. Whatever correspondence or engagements he has with the OASL he shares with us (FGD with LMC members, Gwollu, 26.03.2019).

Government support: The study showed that the support that the government of Ghana through the OASL is giving to the LMCs and the CLSs has contributed significantly to the sustainability of the Wa central, Tumu, Gwollu and Zini LMCs. The study revealed that this support is in the form of the office equipment that were used to furnish the various CLSs of the LMCs and the regular workshops that are organized for the coordinators of the CLS and the leadership of the LMCs. This support helps to motivate the members of the LMC to work to ensure the success of their LMCs. LMC members in Wa central expressed that:

When the LMC members came to the CLS during the inauguration day and saw the equipment that the stool lands brought, their interest in the activities of the LMC was further boosted. Members from then committed themselves to ensure that the LMC and the CLS becomes a success (key informant interview, LMC member, Wa Central, 08.11.2018).

The Regional Coordinating Council has given as an additional office accommodation and so now we have two offices. Our lawyer is based in the office at the RCC (FGD with LMC members, Wa central 24.03.2019).

A LMC member in Zini indicated that:

Annually, the stool lands call us for workshops. This is to help improve our skills in customary land administration. Even if you are about losing interest in it, those programmes help to renew our interest in the concept of the LMC and the CLS (FGD with LMC members, Zini, 09.02.2019).

Similarly in Tumu, a LMC member during a FGD recounted that:

The coordinator of this CLS, the chairman and vice chairman of the LMC went for a workshop in Wa. On their return, a meeting was organized for us to discuss what transpired in Wa. They enlightened us on how we could make our LMC and CLS more effective. This enabled us to put up our best for the success of the committee (FGD with LMC members, Tumu, 28.01.2019).

In Gwollu, a LMC member remarked that:

Two members of our LMC attended the workshop that was organized in Wa by the OASL. On their return, they briefed all LMC members on what transpired there.

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During the briefing we were enlightened on measures we can take to make our LMC more effective and make our CLS functional (key informant interview, LMC member, Gwollu, 27.01.2019).

4.7 Factors Affecting the LMCs in the Performance of Their Functions

The following factors affect the performance of the functions of the LMCs as spelt out in section 2.3.12. The results are summarized in Table 4.6.

Not receiving the support of some landowning family heads: The support of the landowning families is required to instill confidence into the activities of the LMCs. In the four study communities, the study showed the reluctance of some family heads to support the activities of the LMCs and hence affecting the LMCs in the performance of their functions. A LMC member in Tumu recounted how a family head undermined a decision that was taken collectively by the LMC:

> *There was an instance were the LMC settled a dispute that had something to do with one of the landlords in this community. We gave a verdict in favor of one of the parties. The party that lost according to our verdict then referred the matter to the landlord that he bought the land from. The landlord then ruled against the party we ruled in favor of. This practice undermines the LMC (Key informant interview, LMC member, Tumu, 17.11.2018).*

Another LMC member in Tumu bemoaned that:

> *Some of the landowners are not helpful. We encourage them to direct people who buy lands from them to the CLS but they seldom do that. I think there is a fear on the part of the landlords that if they don't take charge, the CLS may take over their lands. But that is not so. The role of the secretariat is not to take over their land and sell for*

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them. We are there to provide information to people who need land. We are there to provide the records. You have sold land, where are you going to keep the records? But we can safely keep it. But they still don't know. That is why am thinking that they are probably thinking that if they are not careful the LMC through the secretariat will take over and be in charge but that is not so(Key informant interview, LMC member, Tumu, 16.11.2018).

This result was the same in Wa central as some landlords were reluctant to pay the mandatory one percent of their land sales to the LMC through the CLS to support the LMCs activities. A LMC member complained that:

Getting the landowners to pay the 1% of the price of their land to the LMC through the CLS is sometimes difficult. They are very reluctant to do that. Because of that payment, some of the landowners do not refer their clients to our CLS. This limits the sources of our finance and hence negatively affects our ability to perform our functions well (key informant interview, LMC member, Wa Central, 05.11.2018).

In Gwollu, a LMC member expressed that:

During LMC meetings the reps of the landowning families will not express a contrary view to decisions taken at the meeting. But afterwards, they will not fulfill their commitments made during the meetings and this has brought us here (key informant interview, LMC member, Gwollu, 27.01.2019)

However in Zini, the LMC has not had the situation of uncooperative family heads as a LMC member expressed that:

Since the swearing in of the LMC, all the members and their family heads have been very supportive to the activities of the LMC. If a stranger comes in here and request for a land to farm, the family head will refer that person to come to the CLS first because they know that our CLS can get them a better deal (key informant interview, LMC member, Zini, 01.01.2019).

Table 4.6: Factors affecting the LMCs in the performance of their Functions

LMC	Factors affecting the LMCs in the performance of their functions
WA CENTRAL	✓ Not receiving the support of some landowning family heads ✓ Inadequate finance ✓ Combining private work with LMC activities ✓ Inadequate logistics ✓ Inadequate skills for certain LMC activities ✓ Unclear relationship between the Lands Commission and the CLSs of the LMCs
TUMU	✓ Not receiving the support of some landowning family heads ✓ Inadequate finance ✓ Combining private work with LMC activities ✓ Inadequate logistics ✓ Inadequate skills for certain LMC activities ✓ Unclear relationship between the Lands Commission and the CLSs of the LMCs
ZINI	✓ Receives the support of all landowning families ✓ Inadequate finance ✓ Combining private work with LMC activities ✓ Inadequate logistics ✓ Selective workshop participants ✓ Unclear relationship between the Lands Commission and the CLSs of the LMCs
GWOLLU	✓ Not receiving the support of some landowning family heads ✓ Inadequate finance ✓ Combining private work with LMC activities not an issue in Gwollu ✓ Existing logistics provided by the government unused due to nonfunctional CLS ✓ Unclear relationship between the Lands Commission and the CLSs of the LMCs

Source: Field Survey, 2018-2019.

Inadequate finance: The study showed that, after the inauguration of the LMCs, they have never received any form of financial support from the government or any NGO. The costs of running the CLSs and the LMCs have been entrusted into the hands of the LMCs which serve as the board of the CLSs and are largely made up of landowning families. All the four LMCs identified inadequate finance as a major factor that affects their operations. In Wa central, a LMC member remarked that:

We have plans to undertake a number of activities but due to the limited funds we are able to execute but a few of our plans. As a LMC we only rely on the 1% of land sales by our members. But that is inadequate to support the amount of work we as LMC members are supposed to be doing. Even the amount of money we charge disputing parties who come to our ADR is very negligible (FGD with LMC members, Wa central 24.03.2019).

The challenge of inadequate finance was as well recorded in Tumu, Zini and Gwollu. In Tumu a LMC member explained that:

As I speak to you now we don't have our own office accommodation due to inadequate finance. We are perching in an office that belongs to the Tumu town council. They can request for their building anytime. If we had enough funds as a LMC we would have constructed our own office. Now we charge a fee of GH¢100 for the registration of people lands at our CLS. This is inadequate given the nature of our activities (FGD with LMC members, Tumu, 28.01.2019).

In Zini, the study showed that the inadequate financial resource is as a result of the low economic value of land there as a LMC member articulated that:

Because of the low economic value of land, people who come here to renew their license pay just a token. In fact some of them when they come to the office they are reluctant to pay. The money we get from the registration and renewal of licenses cannot organize even one meeting. So the traditional council often supports us financially to be able to run our activities. Even with that we are not able to meet our targets financially (key informant interview, LMC member, Zini, 01.01.2019).

This was confirmed by a LMC member in Zini during a FGD:

As you know financial resources is the mainstay of any organization. Our financial situation has forced us to undertake other activities outside of our mandate to get finance to undertake our core activities. We undertake printing and photocopying of examination scripts for the schools here in Zini. Funds from this help us to undertake some of our activities. This absolutely deviates from our core mandate of facilitating the management of customary lands here but we have no option (FGD with LMC members, Zini, 09.02.2019).

In Gwollu, the problem of inadequate finance was identified as the reason for the non-functionally of their CLS.

Part of the requirement for the establishment of the CLS here was for us to get an office accommodation. Due to our week financial standing, we had a discussion with the assembly and they gave us one of the unused buildings that belong to the Ghana Tourism Authority. What was left for us to do was to renovate the place and make it functional. The president of the traditional council did the renovation for us and got electricity into the building. We then met us a committee to discuss how to get a coordinator for the office. We agreed to employ somebody and give that person

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allowance monthly but due to the inadequate finance of the LMC we have not been able to get any person to be our coordinator (key informant interview, LMC member, Gwollu, 27.01.2019).

This was confirmed by a LMC member in a FGD in Gwollu:

The LMC in collaboration with the Sissala West District Assembly have been able to complete the office accommodation for the CLS. But due to inadequate finance we have not been able to employ permanent coordinator and secretary for the CLS and hence it's continuous closure (FGD with LMC members, Gwollu, 26.03.2019).

Combining private work with LMC activities: The study showed that all LMC members in the four study communities had their private work aside their LMC functions. The combination of these two roles was identified as a bane to the activities of the LMCs. This coupled with the lack of any financial incentive for the LMC members further reduce their interest in the LMC activities. A LMC member in Tumu recounted that:

I have been combining my normal work with LMC activities. This has not been easy. I was once at my work when I was called to attend to a LMC meeting. I had to leave my work and attend to the LMC activity (Key informant interview, LMC member, Tumu, 16.11.2018).

This result was the same in Wa central and Zini. A LMC member in Wa central disclosed that:

As a LMC member you have to be acquainted with every land transaction that takes place within your community. So look at how vast this area is and I have to be involved in every land transaction, when I have my personal work that I do to take

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care of my family. So sometimes I just refuse to attend to the calls of the CLS and concentrate on my work. Because if you attend to them, they will send you round and you will have nothing to show for your effort (key informant interview, LMC member, Wa Central, 04.11.2018).

In Gwollu, combining the private work of LMC members with the activities of the LMC was not a major factor that had an impact on its performance. This is as a result of the fact that particular roles has not been assigned to LMC members and the LMC has only met six (6) times since their inauguration.

Inadequate logistics: The study showed that the four customary areas lacked the needed logistics to carry out their work effectively. Research participants in Wa central, Zini and Tumu stated that they lack logistics such as motor bikes, pickups and digital cameras. A LMC member in Tumu bellowed that:

We lack logistics such as motor bikes. Anytime we want to undertake any investigation. We find it difficult to go to the field because we don't have the means (FGD with LMC members, Tumu, 28.01.2019).

A LMC member in Tumu affirmed that:

In our LMC, individual members are tasked to go and do investigations and report back to the committee for decisions to be taken. When there is dispute in any area, the LMC member of that area is supposed to furnish the LMC with information. Undertaking these investigations often requires a means of movement which we don't have (FGD with LMC members, Tumu, 28.01.2019).

This challenge was the same in Zini and Wa central as LMC members expressed that:

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Sometimes our work demands that we move into the field to do independent investigations. Even if you manage to transport yourself there, sometimes you may want to take picture evidence but we don't have digital cameras to be able to take quality pictures. We often use our phones to take these pictures as and when necessary and this is not proper (FGD with LMC members, Wa central 24.03.2019).

You see how vast the Buwa traditional area is and you have to go round and organize the various landowning families just for them to be abreast with happenings at the CLS and the LMC. Definitely, a means of movement will be helpful. Though we were given a motorbike by the OASL, it has broken down due to the pressure on it (FGD with LMC members, Zini 09.02.2019).

In Gwollu, the issue of lack of logistics was not identified as a challenge as the existing logistics provided by the government through the OASL for the CLS was unused. However, research participant made the point that they would need logistics such as motor bikes when the CLS becomes fully functional.

Selective workshop participants: The study showed that most of the LMC members do not have adequate knowledge about customary land management. Consequently, most of them rely on their traditional knowledge when dealing with land issues. Though the OASL annually organize workshops for selected LMC members, this is often not sufficient to get all LMC members updated on contemporary customary land administration strategies as illustrated in the following views:

At the last workshop that was organized by the OASL, only the CLS coordinator and the chairman of the LMC were invited. Though when they came a meeting was organized for us to discuss what transpired there, they could not explain into details

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some of the issues. And so if the workshop was organized for all LMC members here in Zini, we would have all learnt from the experts directly (FGD with LMC members, Zini, 09.02.2019).

Since our representatives returned from the workshop we are yet to meet to discuss what happened in Wa. This problem could have been solved if the workshop had been organized for all LMC members here. You see even if we meet now, the information is going to be diluted (FGD with LMC members, Tumu, 28.01.2019).

You know our number and if a workshop is organized and only two of us are to attend how will these two people get the information to all the over 30 members. Even if these people are to organize a similar workshop here for all of us, it will not be possible because the LMC does not have that financial capacity (FGD with LMC members, Wa central 24.03.2019).

In Gwollu, the challenge of selective representation of the LMC at workshops was not an issue as LMC members were satisfied with the briefing that they get from their representatives at those meetings.

Also, ADR which is part of the key functions of the LMC requires certain conflict resolution skills. However, the study revealed that some LMC members lack these skills:

Anytime a matter is to be dealt with by our ADR we select people among ourselves to execute the ADR task. We often select people we think have deep knowledge of the subject under investigation. As you know the LMC is made up of people from diverse fields. But very few of us understand land dispute resolution issues. I as the chairman of the LMC am a retired engineer of the electricity company of Ghana (Key informant interview, LMC member, Tumu, 16.11.2018).

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Issues that come to the ADR are often very complex such that you require people with some level of expertise to deal with them. That is why we now have a permanent lawyer based in our office at the RCC. But the lawyer alone cannot execute ADR functions. He will need some other people to support him. But how many of our members understand issues of land conflict resolution? All we know is this land belongs to my family. That's all (key informant interview, LMC member, Wa Central, 04.11.2018).

The research participants therefore suggested regular workshops on topics such as land management and conflict resolution for all LMC members in order to make them more productive. In Zini and Gwollu, the ADR committees of the LMCs are not functional because the function of ADR is performed by their respective traditional councils.

Unclear relationship between the Lands Commission and the CLSs of the LMCs: The study showed that, the operations of the Lands Commission affect the performance of the duties of the LMC in Tumu and Wa central. In Wa central, the LMC members were unhappy for the collection of the ground rent by the Lands Commission on behalf of the landowning families. The landowning families see the ground rent as another source of income that could have been used to support the activities of the LMC if they are allowed to collect it. LMC members in a FGD in Wa central bemoaned that:

The CLS is supposed to collect the ground rent on behalf of the LMC which represent the landowning families. When this happens a percentage can be used to support the activities of the LMC and CLS and the individual families can also get a value higher than what the Land Commission has been giving them. But the Lands Commission is very reluctant to relinquish this role (key informant interview, LMC member, Wa Central, 08.11.2018).

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Clients can just go to the Lands Commission and register their lands without coming to the CLS. The Lands Commission will not refer them to us so that we can also get something. Whatever money the CLS gets, it ultimately belongs to the LMC. And so if the CLS is deprived of those sources of funds intentionally by the Lands Commission, in practice it is the LMC that is been stifled (FGD with LMC members, Wa central 24.03.2019)

The Lands Commission has been selling the lands of our families especially unused government acquired lands that should be returned to the families without the families' approval. And when the families later identify that then, the workers at the Commission will give them something small to prevent them from going to court. In fact the Lands Commission doesn't want the growth of our secretariat not to talk of even caring about the LMC (FGD with LMC members, Wa central 24.03.2019).

The LMC in Gwollu and Zini did not have any challenge with the Lands Commission though research participants in these areas admitted that they do not understand what exactly their relationship should be with the Lands Commission. The study showed that among the four LMCs studied only the Wa central LMC and the Tumu LMC had some challenges with the Lands Commission. The Wa central LMC had a challenge with regards to the collection and disbursement of ground rent and the selling of unused government lands whilst the Tumu LMC had a challenge with regards to the selling of unused government lands. A LMC in Tumu complained that:

The Lands Commission is not helpful to the CLS. Even though we have been asking for proper collaboration between us and them, it is not forthcoming from their part. If they come to do any work they don't consult us. The Lands Commission sells unused

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government land here without our notice (Key informant interview, LMC member, Tumu, 17.11.2018).

When the land owners in Tumu, Gwollu and Zini were questioned about whether they have ever taken any ground rent from the Lands Commission. Their answers were in the negative. A LMC member in Zini exclaimed that:

I don't know about any ground rent. My family has never received anything like that from the lands commission. I am hearing that for the first time from you (FGD with LMC members, Zini, 09.02.2019).

This responds resonated in Tumu and Gwollu. All the four LMC admits they don't understand what their relationship should be with the lands commission.

On the part of the Lands Commission, they agreed that the CLS and LMC do not have direct relationship with the Land Commission but the OASL do. A key informant at the Lands Commission expressed that:

Because we don't have OASL here in the region, whatever activity they come here to undertake we are actively involved. So, some of the CLS mistook the OASL for us. With regards to the ground rent, we signed a Memorandum of Understanding with the families and Municipal Assembly to collect and disburse ground rent on behalf of the families. But some of them are not aware of that MOU that is why they are making a lot of noise about the ground rent. The LMC and the CLS are simply record keepers and are not supposed to be involved in the registration of land. All the registrations are supposed to be done formally at the Land Commission (Key informant interview, Regional Lands Officer, Wa, 26.03.2019).

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4.8 Discussion of Results

This section discusses the results of the data gathered from the field. The discussion is presented in line with the study objectives.

4.8.1 Discussion of the Motivations for the Formation of the LMCs

The empirical case studies of the motivations for the formation of the LMCs in the four study communities reveal a variety of motivations among the diverse research participants. These mixed motivations including resolving incidence of land disputes, obtaining the benefits of increasing land values, continuity in families with regards to land transactions, protecting the interest of settlers and favorable government policy corroborates Choi and Robertson (2019) assertion that any given collaborative governance arrangement will likely include members with a blend of motives mirroring personal, institutional, and social or public-oriented goals. Therefore, attempts to comprehend these arrangements, and to enhance their effectiveness, should consider this blend of interest. The collaborative governance scholarship has recognized the significance of dealing with these elements as an imperative to progress (Bryson, Crosby & Stone, 2006; Purdy, 2012; Vangen, Hayes & Conforth, 2015).

The study showed that stakeholders were motivated to participate in the collaborative endeavor in anticipation of the benefits from the process. This is in line with most scholars' assertion that the motivation of actors in collaborative initiatives depend in part upon their anticipations about whether the collaboration will result in meaningful outcomes; particularly considering the time and energy involved in joint action (Schneider et al., 2003; Warner, 2006). This further affirms Brown (2002) argument that incentives to participate in collaborative engagements increases as stakeholders see a direct relationship between their participation and concrete, tangible as well as effectual policy outcomes. Also, Olson (1965) concept of selective incentives holds true for all the study areas. Under the theory of

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collective action, Olson (1965) argues that collective action requires organizing adequate individual rewards and/or punishments to motivate individual members to take part in the collective initiative. The study showed that most of the landowning families were motivated to be part of the LMC only when they became aware of the rewards for their participation in that endeavour. These rewards are referred to as "selective" incentives (Congleton, 2015, p 3). In the absence of selective incentives, members of these groups would not willingly contribute to their group's efforts to advance collective ends.

The study further revealed that, though all LMC members had a proself (self-centered) motivation for participation in the LMC, they were equally concerned about the collective good (prosocial) of their communities. This prosocial motivation had a resilient influence on LMC members that they continued to work toward their shared objectives and common benefits although other participants were negligent of their group role and hence free-riding. Following from the above, the social inspirations of stakeholders in collaborative governance could possibly have a noteworthy impact on their conduct and exchanges, which eventually define the efficacy of the collaborative process and the worth of the results accomplished (Choi & Robertson, 2019).

Furthermore, the study brought to light that the inability of one chief or land owning family to appropriately deal with the challenge of land governance was a major contextual factor that motivated collaboration among the LMC members in all the study communities. This is in line with Thomson and Perry (2006) assertion that when individuals and organizations are incapable of independently achieving a task, it creates a prerequisite for collaborative action. Thus, this is the definitive consequential incentive. This motive is denoted as ''sector failure'' by Bryson et al. (2006) and as ''constraints on participation'' by Ansell and Gash (2008).

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Closely related to the above is the issue of uncertainty in the management of issues related to increasing land values due to incessant urban growth. The issue of double land sales and cross boundary disputes are relatively unusual developments in these areas which some communities did not know where they were heading with those issues. The uncertainty with these developments thus motivated some landowning families to join the LMC in order to benefit from the collective effort. This corroborates Emerson et al. (2012) proposition that uncertainty that cannot be fixed within can motivate groups to collaborate in order to reduce, diffuse and share risk.

Moreover, the study revealed that the favorable policy environment provided by the government was a further in the cup that triggered the local motivations for the formation of the LMCs. The demand driven process championed under LAP 2 coupled with other incentives by the government of Ghana motivated the landowning groups to form the LMCs and establish the CLSs. This affirms Tang and Tang (2014) argument that creating the right incentives for stakeholders to work with each other is crucial for the success of collaborative governance.

4.8.2 Discussion of the Processes Involved in the Formation of the LMCs

The first phase of LAP adopted a supply-driven approach that led to problems of ownership and a perception of the CLSs being the appendage of the public land sector agencies. Moreover, it had the potential of not encouraging ownership and participation (Bugri, 2012). Consequently, the second phase under which all but Wa central LMC fall were demand driven. Where the CLSs were established through a bottom-up process; emanating from the landholding groups. The landholding groups initiated the process by writing proposals to LAP stating their willingness and capacity to establish and manage the CLS. Though the traditional leaders in the four study communities played leading roles in the initiation of the process of

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forming the LMCs, their efforts were based on a policy context provided by the government. The government through the OASL provided the policy and institutional context that guided the formation processes of the LMCs. This corroborates the argument of Gunningham, (2009) and Koontz et al., (2004) that governments play important roles in the initiation of collaboration, the provision of institutional and financial support and implementation of developed policies.

The traditional leadership particularly the presidents of the traditional councils were responsible for setting and maintaining clear ground rules, building trust, facilitating dialogue, and exploring mutual gains in the process of forming the LMCs in the study communities. This affirms the significance of leadership in collaborative governance which is extensively acknowledged (Heikkila & Gerlak, 2005; Vangen & Huxham, 2003). Vangen and Huxham (2003) argue that leadership is important for embracing, empowering, and involving stakeholders and then mobilizing them to move collaboration forward. According to Ansell and Gash (2008) the leadership can engender trust in the course of collaboration by staying above fracas and by preserving the procedural reliability and openness of the collaborative endeavor.

Moreover, the study showed that LMC members were allowed to elect their own leaders to steer their affaires after the presidents of the traditional councils provided the needed leadership at the formative stage of the LMCs. This shows that different leadership skills or roles are relevant at different stages of the collaborative process. While some leadership skills are relevant at the initiation stage, others more vital during moments of discussion or conflict, and others significant in facilitating decision making and the implementation of collaborative decisions (Carlson, 2007). Therefore, it can be said that collaborative governance requires and nurtures many prospects and functions for leadership (Bryson et al., 2006).

In terms of the composition of the LMCs, there is consensus in research and practice that getting the ''right'' actors to participate is essential in collaborative governance (Ansell & Gash, 2008; Carlson, 2007; Carpenter & Kennedy, 2001; Emerson et al., 2009; Susskind, McKearnan, & Thomas-Larmer, 1999). The addition of technocrats, chiefs and landowning families on the LMCs (except the Zini LMC) allowed diversity in their membership. Inclusion and diversity are acknowledged not simply as normative organizing ethics but also for instrumental reasons: they create room for many viewpoints and diverse interests, enabling the emergence of more selfless outcomes that take a wider view of the beneficiaries or losers of an action (Sirianni, 2009). Besides, the comparative and collective influence of the actors can activate or deactivate succeeding bargains or collaborative courses of action (Schlager & Blomquist, 2008).

Also, the inclusion of females on the LMCs of Zini, Tumu and Gwollu allowed for the incorporation their (female) perspectives on the LMCs. However, the absence of females on the Wa central LMC contrary to their Memorandum of Understanding (MOU) with the OASL indicates a manifestation of hegemonic relationship between men and women in the community. It is noteworthy that though the OASL provided preconditions as to the composition of the LMCs in the study communities, in practice the composition of the various LMCs was left to the discretion of the initiator's of the process of forming the LMCs. This could in turn defeat the purpose of such an initiative by the government if proper monitoring measures are not established to ensure that the preconditions provided are adhered to by the various landowning groups before they are given the node to establish the CLS. Otherwise some critical stakeholders who have interest in land would be left out of the process as in the case of Zini and Wa central.

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4.8.3 Discussion of the Challenges Involved in the Formation of the LMCs

In order to be successful and to engender knack for collective action Emerson et al. (2012) advocates that a governance system needs access to stable financial resources. However, none of the study LMCs had stable financial resources at their formative stage. The challenge of inadequate finance in the process of forming the LMC in all the study communities is as a result of the higher transaction cost associated with such collective initiatives. Different scholars (Davies et al., 2004; Mills et al., 2010; Ostrom, 1990) acknowledge that, the early stage of the development of collaborative action may have higher transaction costs vis-à-vis individual actions. This higher costs are principally associated with search costs (earned in the search for potentials for communal benefits), bargaining costs (related to cooperation and agreement) and monitoring and enforcement costs (Singleton & Taylor, 1992). This can therefore serve as a disincentive for important stakeholders to participate in the process.

Also, the study revealed that at the initiation stage, some of the landowning families did not readily lend their support to the LMCs because they did not understand what exactly the LMCs entail though they were sensitized by the OASL. Some of these families only began to pay attention to the LMCs activities when they began seeing its benefits.

Furthermore, the difficulty of the LMCs in getting an office accommodation to house their CLSs is as a result of the inadequacy of finance. The LAP expected the landowning communities to show their commitment to the collaborative process by providing an office accommodation which will then be furnished by the government. However, since the concept of the LMC and the CLS was new, convincing some of the landowning families to contribute towards that was difficult. Though some education was done by the government through the OASL for the landowning families to understand the whole idea of the LMC and the CLS, some of the families were still skeptical about the whole process.

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4.8.4 Discussion of the Sustainability of the LMCs

The study brought to light that the shared traditional values of the people engineered trust among LMC members and hence contributing to the sustainability of the LMCs. The shared traditional values examined within the context of 'social capital', includes trust, norms, reciprocity, obligations and expectations, values and attitudes, culture, information and knowledge (Davies et al., 2004). Trust allows actors to move above individual, institutional, and jurisdictional standpoints toward appreciating other actors' welfare, needs, morals, and limitations (Thomson & Perry, 2006). This provides the grounding for common understanding. Through trust, people are able to see and appreciate differences in others at the individual level. With trust people are willing to open themselves to others with the view that they will be appreciated by others (Daniels & Walker, 2001). This finding contradicts Ansell and Gash, (2008) argument that robust trust and interdependence among subgroups of participants may actually serve as a disincentive to collaboration among a wider set of stakeholders.

The role of the government in the sustainability of the LMCs is also noteworthy. Without the support of the government some of the landowning families could have lost interest in their LMCs. This affirms Ayer (1997) argument that governments have a significant role in providing fundamental guidelines, rules (also with punishments and rewards) and public goals which may enable collaboration among different actors for collective action.

The study showed that leadership of the traditional councils and the LMCs have been very instrumental in the sustainability of the LMCs in the study communities. Leadership is generally seen as a vital element in getting stakeholders to participate and for routing them through the irregular blotches of the collaborative endeavor (Vangen & Huxham, 2003). While ''unassisted'' collaborations may be likely in some cases, the study found that

facilitative leadership is imperative for getting actors organized and inspiring actors to engage each other in a collaborative spirit (Reilly, 2001). The LMC leadership particularly possessed an obligation to collective problem unravelling, a disposition not to sponsor for an individual solution, and demonstrate fairness with regard to the interest of stakeholders (Bryson et al., 2006). In addition, the willingness of the leadership especially the presidents of the traditional councils to bear the high (possibly restraining) transaction costs of commencing the collaborative effort, for instance, by making available staffing, and financial assets helped fortify the collaborative process (Schneider et al., 2003).

Also, the study reveals that respect for and enforcement of collectively agreed rules, transparency and accountability are critical for the sustainability of a collaborative governance regime. This corroborates the literature that proposes that unambiguous ground rules, transparency and accountability are essential collaborative governance design features (Imperial, 2005; Murdock, Wiessner & Sexton, 2005). This can further be appreciated within the context of procedural legitimacy and trust building. The legitimacy of the process is contingent, partly on participants awareness that they have had a ''fair hearing'' (Ansell & Gash, 2008). Clear and consistently applied ground rules comfort participants that the process is fair, equitable and open (Murdock et al., 2005). Process transparency means that participants can be self-confident that the public negotiation is ''real'' and that the collaborative process is not a concealment for secretive individual deals (Ansell & Gash, 2008). The institutional procedure in terms of the rules devised by the LMCs to guide their operations was momentous to their sustainability. This affirms some scholars assertion that "When the users of a resource design their own rules that are enforced by local users or accountable to them using graduated sanctions that define who has rights to withdraw from the resource and that effectively assign costs proportionate to benefits, collective action and

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monitoring problems are solved in a reinforcing manner" (Agrawal, 1999 cited in Ostrom, 2000, p 151)

4.8.5 Discussion of the Factors Affecting the LMCs in the Performance of Their Functions

The study showed that the four study LMCs struggle to find financial resources to sustain their operations. The Zini LMC had to task their CLS to engage in activities outside of their mandate in order to get additional funds to support their activities. This affirms Vodden (2015) findings that local actors struggle to find resources to sustain collaborative governance activities. Consequently, without adequate investment and/or reallocation of locally generated revenues (e.g., natural resource royalties; ground rent) by senior levels of government, collaborative governance can be interpreted as government abandonment and transferring of responsibilities (Vodden, 2015). For a successful collaborative endeavour, Emerson et al. (2012) contend that a governance system needs a steady financial flow. In the absence of strong policy support or stable funding mechanisms, leaders in all the LMCs spend significant amounts of time seeking financing and diverting limited human resources from the pursuit of collective goals.

Also, the reluctance of some LMC members to support the activities of the group due to their personal interest has been described in the words of Vodden, (2015) as their 'unwillingness to share control over decision making and financial resources'. This highlights the free rider problem espoused by Olson (1965). Olson argued that if nonparticipants in collective action cannot be excluded from benefiting from the collective good, rational individuals will be inspired to free ride on the efforts of others by reaping the benefits of others' participation while evading the cost of participation. When free riding becomes a norm within the group, collective action fails (Udehn, 1993). Olson (1965) noted that free-riding is a challenge in all

but the smallest groups. However, the study showed that there is no connection between the size of the LMCs and the tendency of their members to free ride. All the LMCs with the exception of the Zini LMC had some LMC members' free riding.

Moreover, the lack of certain skill set by some LMC members corroborates the assertion of some scholars that a common problem with collaborative governance systems is that some actors may not have the skills and expertise to participate in dialogues on highly technical problems (Gunton & Day, 2003; Lasker & Weiss, 2003; Murdock et al., 2005; Warner, 2006). Also, due to the part time nature of the work of LMC members, it is typical that some participants may not have the wherewithal in terms of time, energy, or freedom to participate in time-consuming collaborative processes (Yaffee & Wondolleck, 2003).

The Lands Commission selling lands belonging to the landowning families without their approval affirms Sivaramakrishnan (1999) and Skaria (1999) argument that state officials can themselves become involved in the privatization of commons as the value of the common property resource increases.

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CHAPTER FIVE

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

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5.1 Introduction

This chapter presents the summary of key findings, conclusions and recommendations of the study. Each of that is presented in line with the study objectives.

5.2 Summary of key findings

5.2.1 Summary of Findings on Motivations for the Formation of the LMCs

✓ The key motivations for the formation of the LMCs include increasing incidence of land disputes, obtaining the benefits of increasing land values, continuity in families with regards to land transactions, protecting the interest of settlers and favorable government policy.

✓ LMC members were motivated to participate in the collaborative process in anticipation of the benefits from the process.

✓ Though most of the research participants were motivated by the private benefits of the collaborative process, they were equally concerned about the collective good of their communities.

✓ The study brought to light that the inability of one chief or land owning family to appropriately deal with the challenge of land governance was a major contextual factor that motivated collaboration among the LMC members in all the study communities

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5.2.2 Summary of Findings on Processes Involved in the Formation of the LMCs

✓ The study showed that the process involved in the formation of the LMC was bottom-up. Thus, it started with the expression of interest by the landowning groups in the form of writing proposals to the LAP Secretariat.

✓ The traditional leadership particularly the chiefs were instrumental in the initiation of the process of forming the LMCs in the study communities. They provided leadership that stimulated the formation of the LMCs.

✓ LMC members in the four study communities were allowed to select their own leaders to run their affairs.

✓ Though there is diversity in the composition of some of the LMCs in accordance with the preconditions provided by the OASL, who to bring on board the LMCs was left to the discretion of the initiator's of the processes in the study communities. This resulted in the exclusion of some interest groups in the LMCs as in the case of Wa central and Zini.

5.2.3 Summary of Findings on Challenges Involved in the Formation of the LMCs

✓ The study identified inadequacy of finance, difficulty in getting an office accommodation for the CLSs of the LMCs and the reluctance of some landowning families to lend their support to the LMCs as the key challenges the study LMCs encountered at their formative stage.

5.2.4 Summary of Findings on Sustainability of the LMCs

✓ The study identified the factors responsible for the sustainability of the LMCs to include shared economic interest, shared traditional values (social capital), payment of token to run the activities of the LMCs, respect for and enforcement of collectively

agreed rules, documentation of all landowning families and their land titles, public education, transparency and accountability as well as government support.

✓ The study revealed that the government via the OASL played an important role in the sustainability of the LMCs through the organization of regular workshops for the leadership of the LMCs and staff of the CLSs.

✓ The study highlighted the significance of traditional values in instilling trust and confidence in the work of the LMCs and hence their sustainability

✓ The leadership of the LMCs demonstrated good leadership qualities including transparency and accountability in steering the affairs of the LMCs.

✓ The institutional set up of the LMCs in terms of the rules and the enforcement of those rules contributed to their sustainability.

5.2.5 Summary of Findings on Factors Affecting the LMCs in the Performance of Their Functions

✓ The study revealed that the LMCs not receiving the support of some landowning family heads, inadequate finance, combining private work with LMC activities, inadequate logistics, and inadequate skills for certain activities of the LMCs, unclear relationship between the Lands Commission and the CLSs of the LMCs are the key factors affecting the performance of the LMCs.

✓ The issues of inadequate financial resources, free rider problem, the burden of combining private work with LMC activities and inadequate skills for certain activities of the LMCs particularly Alternative Dispute Resolution corroborated the challenges within the collaborative governance literature.

✓ The study showed that the problems between some of the LMCs and the Lands Commission is as a results of lack of adequate understanding of the functions of the Commission vis-a-vis CLS or LMC functions.

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5.3 Conclusions

The conclusions reached based on each research objective are presented below:

5.3.1 Conclusion on Motivations for the Formation of the LMCs

The study reveals a mix of motivation for the formation of the LMCs. Families and other stakeholders joined the LMC due to their inability to individually deal with the challenges of the land governance and hence seeking to benefit from the collective. While most of these motivations were largely private, the collective good of the communities were equally paramount. A key lesson is how knowledge of these varied motivations may inform strategies for fostering collaboration. What is significant here is not just to reconcile individual and collective interests and forge mutually beneficial relationships but also to create mutually supportive incentives for different stakeholders.

5.3.2 Conclusion on Processes Involved in the Formation of the LMCs

The study revealed that the traditional leadership particularly the chiefs initiated the formation of the LMCs in the four study communities. The president of the traditional councils in the study communities organized the landowning groups to form the LMCs and to demand the CLS. Contrary to the preconditions given by the OASL through LAP, the composition of the LMCs was left to the discretion of the initiators of the process.

5.3.3 Conclusion on Challenges Involved in the Formation of the LMCs

Inadequacy of finance and reluctance of some landowning families to support the formation of the LMC were the key challenges involved in the formation of the LMC. In all the study communities the third challenge of difficulty in getting an office accommodation for the CLS was attributed to the inadequacy of finance and the unwilling of some land owning families to contribute to the process.

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5.3.4 Conclusion on Sustainability of the LMCs

The traditional values of the people which helped to instill trust among LMC members coupled with the support of the government through regular workshops and the provision of office equipment aided the sustainability of the LMCs. Also, the leadership of the LMCs demonstrated good leadership qualities including transparency and accountability in steering the affairs of the LMCs. The institutional rules and the enforcement of those rules also had an impact on the sustainability of the LMCs.

5.3.5 Conclusion on Factors Affecting the LMCs in the Performance of Their Functions

The study revealed that the factors affecting the performance of the LMCs holds true for all collaborative governance regimes and the problems between some of the LMCs and the Lands Commission emanate from a lack of adequate understanding of the functions of the Lands Commission compared to those of the CLSs or LMCs.

5.3.6 General Conclusion

The study explored collaboration in customary land governance in the UWR of Ghana with a focus on the motivation for local stakeholders joining the collaborative governance regime(thus, the LMCs), the processes and challenges involved in formation of the LMCs, the sustainability of the LMCs as well as the factors affecting the LMCs as collaborative governance institutions. The study concludes that families and other stakeholders joined the LMCs due to their inability to individually deal with the challenges of the land governance and hence seeking to benefit from the collective. It is significant not just to reconcile private and collective interests and forge mutually beneficial relationships but also to create mutually supportive incentives for different stakeholders taken into consideration the challenges of collaboration in customary land governance. The study further concludes that traditional leadership particularly the chiefs initiated the process of forming the LMCs in the four study

communities but contrary to the preconditions provided by the OASL through LAP, the composition of the LMCs was left to the discretion of the initiators of the process. Inadequacy of finance and reluctance of some landowning families to support the formation of the LMCs were the key challenges involved in the formation of the LMCs. The traditional values of the people which helped to instill trust among LMCs members coupled with the support of the government through regular workshop and the provision of office equipment aided the sustainability of the LMCs. The factors affecting the performance of the LMCs holds true for all collaborative governance regimes and the problems between some of the LMCs and the LC emanates from a lack of adequate understanding of the functions of the LC compared to those of the CLSs or LMCs. Consequently, the study has contributed to the development of the collaborative governance theory by showing that it is possible to achieve collaboration among actors with different motivations. Thus, if each actor proves incapable of dealing with the objective for which the collaborative initiative has been instituted. With regards to the theory of collective action, the study has shown that actors who engage in collective initiative are not necessarily driven by their parochial interest but also the interest of the collective can motivate collective action.

5.4 Recommendations

✓   Areas without CLS or whose CLS have been closed down must be educated through public education campaigns by the OASL to understand the reality of their situation. This is to enable them understand that they cannot deal with the challenges of land governance individually within the context of rapid urbanization or they could benefit more from the process if they come together. This is to motivate the landowners in those areas to come together and form LMC and demand the establishment of CLS from the OASL and for areas whose CLS have been closed down to revive their CLS.

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- ✓ Government should absorb at least one staff of the CLS specifically the coordinators of the CLS into governments pay role. Also, LMC members should be given a stipend at least annually to motivate them to devote their efforts to the activities of the CLS and the LMC.

- ✓ Government must acknowledge that families that join the LMCs have mixed motivations or expectation of the process and hence the requirement for the establishment and running of the CLS and LMC must be made flexible in order to accommodate these expectations to keep the LMCs functional and effective.

- ✓ The OASL should insist on diversity in the composition of the LMCs. There should be proper underground checks by the OASL in subsequent LAPs, to ensure that all interest groups are represented on the LMC before their inauguration. This is to ensure that all actors who have interest in land governance in those areas are included in the LMCs of all CLSs in the UWR.

- ✓ The OASL should target the chiefs of areas without CLS or whose CLS are not functioning to encourage them to take up the challenge of organizing the landowning families in their communities to come together to form the LMC and run the CLS. These chiefs should be encouraged to leverage on their status as revered entities in their communities.

- ✓ Government should provide enough funds to support the organization of landowning families in communities that express interest in having a CLS. This will help reduce the financial burden on traditional authorities who initiate such processes. Also, this will ensure that all the relevant stakeholders are brought on board and to make the process more inclusive.

- ✓ OASL should organize more workshops for members of the LMCs and CLSs. This can take the form of two workshops every year: one at the beginning of the year and

the other in the middle of the year. This will help sustain the interest of LMC members in their work and also keeps them updated on modern land governance practices.

✓ The OASL should set up a fund to reward effective CLS and LMCs. This can be done by developing performance criteria or standard that will be used to measure the performance of all the LMCs and CLSs. The criteria can include issues of efficiency, effectiveness, equity and fiscal equivalence, legitimacy, accountability, consistency and sustainability. CLS and LMCs that perform above average can then be supported with more funds. This will help encourage other LMCs and CLSs who are ineffective to up their game.

✓ Government should liaise with NGOs and other international organization to assist the LMCs and the CLS financially and technically. This will help lighten the burden on the government with regards to their commitments to these groups.

✓ Incentive packages in the form of financial resources and logistics should be put in place by the OASL for LMC members who give off their best for the collective course. This incentive could be in the form of financial resources or logistics that is geared towards facilitating the work of the active LMC members.

✓ Regular workshops should be organized by the OASL for the LMC members in order to improve their skill set. The content of the workshop should include among others the relationship between the CLS and the LC this is to help clear any misconception that the LMC members may have about the LC. The content may also include basic land governance and conflict resolution practices to help improve the skill set of LMC members for ADR activities.

5.5 Recommendation for Further Research

Further research should examine the relationship between the CLSs of the LMCs and the Lands Commission: particularly seeking to uncover the friction that exists between the two institutions. It could also explore the reason for the perception of sabotage of the CLS by the Lands Commission. Moreover, further research can explore the implications of the increasing confidence in the ADR of the LMCs in Tumu and Wa central on land conflict management in those communities.

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<center>APPENDICES</center>

Appendix 1: Interview Guide for Members of the Land Management Committees

<center>**DEPARTMENT OF GOVERNANCE AND DEVELOPMENT MANAGEMENT**</center>

<center>**FACULTY OF PLANNING AND LAND MANAGEMENT**</center>

<center>**UNIVERSITY FOR DEVELOPEMENT STUDIES, WA-CAMPUS**</center>

The Researcher is an MPhil. Development Management Student at the Department of Governance and Development Management, UDS. He is carrying out a research on the topic - *"Collaboration in customary land governance in the Upper West Region of Ghana: Motivations, Processes and Sustainability".* The purpose of this interview is to understand the contextual factors that led to the formation of the LMCs; the processes, success factors and challenges involved in the establishment of the different LMCs; factors that affect the LMCs in the performance of their functions. This would help the study make recommendations on how to improve the current land administration role of the LMCs for sustainable Customary Land Administration. Please, be assured that any information provided would be treated with the deserving confidentiality and be used for purely academic purposes. Your responses will be audiotaped to make the interview faster. The interview should take between 40 to 50 minutes.

Part A: Background

1. How was land managed in this community before the formation of the LMC?
   ✓ Original Land Ownership
   ✓ How was land acquired or transferred
   ✓ How were the benefits from land transfer shared among family members?
2. Was there any form of documentation in Land transactions?
3. Before the LAP was there a set of rules that governed the use of land in this community?
4. How different are those rules from the current rules?
5. What was the role of social capital, local norms and values in Land Management?
6. What were the benefits of the land management system before the formation of the LMC?

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7. What were the challenges of the land management system before the formation of the LMC?

8. Are all members of the committee of the same tribe and do they share similar norms?

9. Does the land owned by members of the committee have well defined boundaries?

Part B: What contextual factors led to the formation of the LMCs in the study communities?

1. When was the LMC formed?

2. What necessitated the formation of the LMC?

✓ Issues of urbanization, market incentives and government policies

3. Was it initiated by the government or there was a local demand for its formation?

4. What informed the local demand for the formation of the LMC?

5. Was it a voluntary cooperation or there was any form of coercion or other incentives?

6. What motivated you to be part of the committee?

7. Have you had the history of collaboration before the formation of the LMC?

Part C: What are the processes, success factors and challenges involved in the establishment of the different LMCs?

1. Was there a clear guideline for constituting the LMC?

2. How did you decide on who should constitute or be a member of the committee?

3. What were the challenges in the process?

4. How were the independent members of the committee selected?

5. Was there a requirement for gender equality on the LMC?

6. How many families initially formed the committee?

7. Has there been an increase in membership?

8. Who is the leader of the committee and how was the leader selected?

9. What were the challenges in the process of leadership selection?

10. What is the role of the leadership in the committee?

11. Has the authority of the leadership ever been questioned or challenged?

12. Under what circumstances was it questioned or challenged?

13. Has there ever been a change in the leadership of the committee?

14. What necessitated the change in leadership?

15. What do you think are some of the reasons for the success of the group (LMC) so far?

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Consider Issues of

- ✓ *Resource system characteristics(small size & well defined boundary)*
- ✓ *Group characteristics (small size, homogeneity & social capital)*
- ✓ *Institutional Arrangements(locally devised & simple rules & monitoring and sanction systems)*
- ✓ *External Environment(financial & logistic support from government)*

Part D: What factors affect the LMCs in the performance of their functions?

1. What are the functions of the committee?
2. How does the Committee take decisions?
3. How do issues of social capital, local norms and values affect the functions of the committee?
- ✓ If Yes, What are these specific rules or norms?
- ✓ Are the rules or norms locally devised/ created?
- ✓ Are these norms accepted by all members?
- ✓ Are the rules simple and easy to understand?
5. Are they locally devised land access and management rules?
6. What are the sanctions for breaching these norms or rules?
7. Has there been a change in these norms or rules?
8. If yes, what were the changes and what necessitated the changes?
9. Is there open exchange of views about the committee problems?
10. How do you resolve conflict among committee members?
11. Does the contribution made by individual members toward the attainment of the group objectives easily notice by other member?
12. Are all committee members familiar with each other's background (e.g. amount of land owned by each member and family background)?
13. Do all committee members feel free (trust) in dealing with or working with other members?
14. Were LMC members trained on how to manage the CLS?
15. Do all committee members have specific roles assign to them?
16. Do all committee members understand their roles?
17. Do all members perform their assigned task without reservation?

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18. Have there ever been changes in these task/roles?

19. If yes, what were the changes and what necessitated the changes?

20. Does a particular family status in the community affect its role in the Committee?

21. If yes, how?

22. What is the relationship between the LMC and the Lands commission?

23. What challenges do the LMC encounter in the performance of its functions?

Part E: How can the current land administration role of the LMC be improved for sustainable Customary Land Administration?

1. What do you suggest can be done to improve the land administration role of the LMC for sustainable customary land administration?

2. Is there any other information that you would like to tell me about the formation of the LMC which I have not asked you about?

THANK YOU FOR YOUR TIME AND EFFORT! BARAKA

Appendix 2: Interview Guide for Regional LAP Coordinator, UWR

DEPARTMENT OF GOVERNANCE AND DEVELOPMENT MANAGEMENT
FACULTY OF PLANNING AND LAND MANAGEMENT
UNIVERSITY FOR DEVELOPEMNT STUDIES, WA-CAMPUS

The Researcher is an MPhil. Development Management Student at the Department of Governance and Development Management, UDS. He is carrying out a research on the topic **-** *"Collaboration in customary land governance in the Upper West Region of Ghana: Motivations, Processes and Sustainability".* The purpose of this interview is to understand the contextual factors that led to the formation of the LMCs; the processes, success factors and challenges involved in the establishment of the different LMCs; factors that affect the LMCs in the performance of their functions. This would help the study make recommendations on how to improve the current land administration role of the LMCs for sustainable Customary Land Administration. Please, be assured that any information provided would be treated with the deserving confidentiality and be used for purely academic purposes. Your responses will be audiotaped to make the interview faster. The interview should take between 30 to 40 minutes.

Part A: Background

1. How was land managed in the region before the inception of LAP?
✓ Original Land Ownership
✓ How was land acquired or transferred
✓ How were the benefits from land transfer shared among family members?
2. Was there any form of documentation in Land transactions?
3. Before the LAP was there a set of rules that governed the use of land in these communities?
4. How different are those rules from the current rules?
5. What were the benefits of the land management system before the formation of the LMC under LAP?
6. What were the challenges of the land management system before the formation of the LMCs under LAP?

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Part B: What contextual factors led to the formation of the LMCs in the study communities?

1. What necessitated the formation of the LMCs under LAP?
   ✓ Issues of urbanization, market incentives and government policies
2. Was it initiated by the government or there was a local demand for its formation?
3. What motivated the government to initiate the Concept of LAP?
4. What informed the local demand for the formation of the LMC?
5. Was it a voluntary cooperation or there was any form of coercion or other incentives?

Part C: What are the processes, success factors and challenges involved in the establishment of the different Land Management Committees?

1. Was a meeting organized to educate traditional leaders on how to establish the CLS in their communities?
2. Did you organize public education for communities (land owning families) on how they should constitute the LMC?
3. Was there a clear guideline for constituting the LMCs?
4. How did you decide on who should constitute or be a member of the LMCs?
5. What were the challenges in the process?
6. Was there a requirement for Gender Equality on the LMC?
7. How many families initially formed the LMCs in each customary area?
8. What do you think are some of the reasons for the success of the LMC concept so far?
   a. Consider Issues of
   ✓ *Resource system characteristics(small size & well defined boundary)*
   ✓ *Group characteristics (small size, homogeneity & social capital)*
   ✓ *Institutional Arrangements(locally devised & simple rules & monitoring and sanction systems)*
   ✓ *External Environment(financial & logistic support from government)*

Part D: What factors affect the LMCs in the performance of their functions?

1. Were there specific rules by LAP to guide interaction among committee members?
2. If yes, what were the rules?

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3. If no, was there an opportunity for the committees to be guided by local norms or rules?

4. Are these norms accepted by all members?

5. What is the relationship between the LMC and the Lands commission or Office of the Administrator of Stool Land?

6. What challenges do the LMCs encounter in the performance of their functions?

7. Please what is the breakdown of distribution of ground rent (in terms of percentages)?

Part E: How can the current land administration role of the LMCs be improved for sustainable Customary Land Administration?

1. What do you suggest can be done to improve the land administration role of the LMCs for sustainable customary land administration?

2. Is there any other information that you would like to tell me about the formation of the LMCs which I have not asked you about?

    THANK YOU FOR YOUR TIME AND EFFORT! BARAKA

Appendix 3: Focus Group Discussion Guide For LMC Members

Part A: Background

1. How was land managed in this community before the formation of the LMC?
2. Original Land Ownership
3. How was land acquired or transferred
4. How were the benefits from land transfer shared among family members?
5. Was there any form of documentation in Land transactions?
6. Before the LAP was there a set of rules that governed the use of land in this community?
7. How different are those rules from the current rules?
8. What was the role of social capital, local norms and values in Land Management?
9. What were the benefits of the land management system before the formation of the LMC?
10. What were the challenges of the land management system before the formation of the LMC?

Part B: What contextual factors led to the formation of the LMCs in the study communities?

1. What necessitated the formation of the LMC?
2. Was it initiated by the government or there was a local demand for its formation?
3. What informed the local demand for the formation of the LMC?
4. Have you had the history of collaboration before the formation of the LMC?

Part C: What are the processes, success factors and challenges involved in the establishment of the different LMCs?

1. How did you decide on who should constitute or be a member of the committee?
2. What were the challenges in the process?
3. How were the independent members of the committee selected?
4. Who is the leader of the committee and how was the leader selected?
5. What were the challenges in the process of leadership selection?
6. What is the role of the leadership in the committee?
7. Has the authority of the leadership ever been questioned or challenged?

8. Under what circumstances was it questioned or challenged?

9. How have you been able to sustain the committee?

10. What do you think are some of the reasons for the success of the group (LMC) so far?

Part D: What factors affect the LMCs in the performance of their functions?

1. What are the functions of the committee?

2. How does the Committee take decisions?

3. How do you resolve conflict among committee members?

4. Were LMC members trained on how to manage the CLS?

5. Do all committee members have specific roles assign to them?

6. Do all committee members understand their roles?

7. Does a particular family status in the community affect its role in the Committee?

8. If yes, how?

9. What is the relationship between the LMC and the Lands commission?

10. What challenges do the LMC encounter in the performance of its functions?

Part E: How can the current land administration role of the LMC be improved for sustainable Customary Land Administration?

1. What do you suggest can be done to improve the land administration role of the LMC for sustainable customary land administration?

2. Is there any other information that you would like to tell me about the formation of the LMC which I have not asked you about?

THANK YOU FOR YOUR TIME AND EFFORT! BARAKA