

Formalizing Customary Land Rights in Ghana: A Novel Governance Framework for Sub-Saharan Africa

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ABSTRACT: In Sub-Saharan Africa, insecure land tenure systems pose significant challenges to agricultural productivity and community stability. These systems often leave communities without clear land rights, resulting in vulnerability and limited capacity for investment. The Ghana Customary Land Secretariat (GCLS) established to address these issues, formalize customary land rights, to enhance tenure security, particularly for marginalized groups. This research investigates the Secretariat's role in land governance, community engagement, and the integration of customary rights into formal legal frameworks.

The review sought to address the issue of tenure insecurity which negatively impacts agricultural productivity and community stability. The objectives include exploring the role of the GCLS in formalizing customary land rights, assessing its functions, identifying challenges faced, and evaluating the overall impact on land governance and community engagement in Sub-Saharan Africa.

The methodology employed a PRISMA approach in the literature review across various electronic databases. This approach facilitated the gathering of relevant peer-reviewed articles and reports focused on customary land rights and governance in Sub-Saharan Africa. The structured process ensured examination of existing literature, allowing for an accurate assessment of the GCLS's functions and its implications for community engagement.

The findings revealed that integrating customary land rights into formal legal frameworks significantly enhances tenure security and empowers communities to actively participate in land management. However, challenges such as inadequate documentation, persistent land disputes, and the marginalization of traditional authorities within formal frameworks were identified as significant barriers. While prior studies have examined customary land rights in Sub-Saharan Africa, this paper provides the first review of Ghana's Customary Land Secretariat (GCLS), introducing a six-pillar conceptual framework to assess its governance impact. The study recommended that policymakers prioritize the recognition and incorporation of customary practices, and improve documentation processes to mitigate conflicts. This collaboration could promote equitable access to land resources, contributing to sustainable development and social justice in Sub-Saharan Africa.

KEYWORDS: Customary Land Rights, Land Governance, Land Secretariat, Marginalized Groups, Sub-Saharan Africa.

1. INTRODUCTION

Land tenure systems are among the most important elements in national socio-economic development, impacting agricultural productivity, investment, and social stability. Globally, land governance has developed within different frameworks, balancing customary practices with formal legal systems. In most developing countries, especially within Sub-Saharan Africa, where customary land tenure prevails, about 80% of the land is under customary systems of governance (Deininger, 2003). These systems are embedded in cultural traditions and the structures of local governance, providing people with a sense of identity and promoting community cohesion. However, lacking formal recognition and documentation of these rights can lead to conflict, insecurity, and exploitation (Amanor, 2008). In Sub-Saharan Africa, land governance issues are compounded by rapid urbanization, growing populations, and the effects of climate change. These factors contribute to increased competition for land, often resulting in conflicts and high tensions within the community (Yaro, 2013). Pressure to effectively manage land and to formally recognize land rights has become increasingly urgent as government bodies seek to strengthen tenure security and promote sustainable development (World Bank, 2016). Historical inequity, colonial inheritance, and an ongoing struggle for fair access to land resources further compound land tenure matters in this region. In Ghana, similar to most Sub-Saharan African countries, the land is mainly

Formalizing Customary Land Rights in Ghana: A Novel Governance Framework for Sub-Saharan Africa

owned communally along ethno-tribal and family lines, with designated traditional authorities responsible for its management in their capacity as trustees (Yeboah & Shaw, 2013).

In Ghana, land administration consists of a hybrid system of customary authorities and state institutions (Amanor, 2009). Land ownership is vested in chiefs and families who control over 80% of the land area. Over the years, chiefs and families have controlled access to and managed customary lands according to their respective customs and rules (Biitir & Nara, 2014). Although many rural communities benefit much from these customary land rights regarding social protection, the absence of official documentation leaves these areas open to exploitation, competing claims, and confiscation (Amanor, 2008). The government of Ghana has acknowledged the need to formalize customary land rights to advance land management practices and bolster security for landholders. This recognition has led to several initiatives to integrate the traditional practices within the official legal system and hence create a more inclusive approach to land governance.

Recognizing the urgent need to formalize customary land rights, the Ghanaian government has launched initiatives aimed at integrating traditional practices within the official legal framework. The Ghana Customary Land Secretariat serves as a pivotal institution in this process, designed to reconcile the differences between customary norms and statutory land governance. This secretariat seeks to enhance the interaction between traditional authorities and statutory entities, addressing the inefficiencies that arise from unclear land rights and persistent disputes (Biitir & Nara, 2016). A number of Sub-Saharan African countries face similar challenges regarding land tenure, with customary systems often leading to conflicts due to a lack of formal recognition. Ghana's efforts to formalize these rights through the Customary Land Secretariat can provide valuable insights for other nations in the region grappling with comparable issues.

Unlike previous works, the paper contends that while the integration of customary and statutory land governance systems has been extensively examined in Sub-Saharan Africa (Wily, 2011; Cousins, 2008), existing literature predominantly focuses on theoretical frameworks or broad policy analyses, with limited investigation into specific institutional mechanisms designed to operationalize this integration. Notably, Ghana's Customary Land Secretariat (GCLS), a pioneering institution established to bridge customary and statutory systems has been gaining traction and its potential to serve as a replicable model for the region. This study bridges this critical gap by: (1) providing the first systematic analysis of the GCLS's structure, functions, and real-world impacts; (2) introducing a six-pillar conceptual framework (land governance, stakeholder participation, legal harmonization, gender equity, accountability, and sociocultural context) to evaluate such hybrid institutions; and (3) offering evidence-based insights into how formalization efforts can be tailored to address persistent challenges like documentation gaps and the marginalization of traditional authorities.

This paper employs a systematic review to explore the role of the Ghana Customary Land Secretariat in the formalization of traditional land rights. The objectives of the paper are as follows: (i) to assess the functions and responsibilities of the Ghana Customary Land Secretariat in the formalization process; (ii) to identify the challenges faced by the secretariat in this endeavor; and (iii) to evaluate the impact on land governance and community engagement across Ghana. By addressing these objectives, this paper aims to contribute to the discourse on land governance in Ghana, highlighting how customary institutions can enhance tenure security and promote sustainable development, which could be applicable to Sub-Saharan Africa.

2. OVERVIEW OF LITERATURE

The formalization of customary land rights through land secretariat mechanisms represents a crucial intersection of traditional practices and modern governance in Sub-Saharan Africa. As countries in this region navigate the challenges posed by population growth, rapid urbanization, and environmental changes, the need for secure land tenure has become increasingly urgent. Customary land tenure systems, which govern the use and management of land for the majority of rural populations, are deeply rooted in local cultures and social structures. However, these systems often lack formal recognition, leading to conflicts, insecurity, and exploitation. In response to these challenges, many African governments have established land secretariats aimed at integrating customary practices with statutory legal frameworks. These institutions strive to formalize land rights, enhance governance, and promote sustainable land management. The role of land secretariats is vital as they serve as intermediaries between traditional authorities and formal government institutions, working to reconcile differing land tenure systems.

This literature review examines the existing body of knowledge on the formalization of customary land rights, organized around five key themes. Through a systematic review of the existing knowledge, this Paper highlights the complexities and nuances of formalizing customary land rights and contributes to the ongoing discourse on effective land governance in Sub-Saharan Africa. By understanding the successes and challenges faced by land secretariats, we can better appreciate their potential to enhance land tenure security and promote sustainable development in the region. The five thematic areas have been identified and treated herein: i) Integration of Customary and Statutory Systems; ii) Impact on Tenure Security and Community Empowerment; iii)

Formalizing Customary Land Rights in Ghana: A Novel Governance Framework for Sub-Saharan Africa

Challenges in Documentation and Conflict Resolution; iv) Role of Traditional Authorities in Governance; and v) Socio-Economic Implications of Formalization.

2.1 Integration of customary and statutory systems

The integration of customary land rights into formal legal frameworks is crucial for effective land governance in Sub-Saharan Africa. Customary land tenure systems, which govern the use and management of land, are deeply rooted in local cultures and social structures. These systems reflect the historical relationships between communities and their land, often embodying the values, norms, and practices that have developed over generations. According to Wily Alden (2011), customary rights are frequently overlooked in formal legal systems, leading to significant conflicts and insecurity regarding land ownership. This neglect often results in a lack of clarity concerning land tenure, making communities vulnerable to external pressures such as land grabbing, speculation, and environmental degradation. The formal legal frameworks in many African countries were inherited from colonial systems that disregarded customary practices, thereby creating a legal dichotomy that complicates land tenure. Deininger (2003) argues that successful land policies must recognize and incorporate these customary practices to enhance tenure security. He posits that formal recognition of customary rights provides a legal basis for communities to defend their land against encroachments, thereby fostering a sense of security and stability. However, integrating customary and statutory systems is not without its challenges. Cousins (2008) notes that the coexistence of these systems can create confusion and ambiguity, particularly when rights are not clearly defined or documented. The effectiveness of land governance is often contingent on the capacity of authorities to harmonize these systems, ensuring that local customs are respected while adhering to national legal frameworks. Toulmin (2008) emphasizes the importance of collaborative approaches that engage both customary leaders and government officials in the land management process. Such collaboration can help to build trust and facilitate communication between different stakeholders, ultimately leading to more effective governance. The growing competition for land resources, exacerbated by rapid urbanization, highlights the urgency for effective integration of these systems. As cities expand, rural areas face increasing pressure to convert agricultural land for urban development, creating tensions between customary land users and formal land developers. This intersection of interests calls for innovative solutions that respect traditional land rights while accommodating modern demands for land use.

2.2 Tenure security and community empowerment

The formalization of customary land rights has profound implications for tenure security and community empowerment. Byamugisha (2013) highlights that secure land tenure is fundamental for agricultural productivity and investment, especially among marginalized groups. When communities feel secure in their land rights, they are more likely to engage in sustainable land management practices, invest in improvements, and participate actively in local governance. Secure land tenure is particularly crucial for women and marginalized groups who often face additional barriers to accessing land. Yaro (2010) discusses how the formal recognition of customary rights empowers communities, enabling them to negotiate better terms for land use and management. This empowerment is particularly significant in contexts where external factors, such as corporations or government agencies, seek to exploit land for commercial purposes. By having their rights formally recognized, communities can assert their interests and advocate for equitable resource management.

Bugri (2012) further emphasizes that formalization can lead to increased investment in land, enhancing food security and overall economic growth. Secure land rights facilitate access to credit and financial resources, allowing communities to invest in agricultural improvements and diversify their income sources. For instance, communities with documented land rights can leverage their assets to access loans, enabling them to invest in technology and practices that boost productivity. Despite these benefits, the lack of documentation and recognition of customary rights often leaves communities vulnerable to exploitation and competing claims from more powerful actors (Lawry et al., 2017). This situation highlights the pressing need for comprehensive policies that not only recognize customary rights but also provide the necessary support to communities in navigating the complexities of land tenure systems. Addressing these vulnerabilities is critical for fostering an environment where community members can fully realize the benefits of their land holdings and actively participate in sustainable development initiatives. The empowerment that comes with formalization can lead to increased community cohesion and collective action. When communities are empowered with secure land rights, they are more likely to collaborate on initiatives that promote sustainable land use and environmental stewardship. This collective action can enhance resilience against external shocks, such as climate change or market fluctuations, further reinforcing the importance of secure tenure in building sustainable livelihoods.

2.3 Challenges in documentation and conflict resolution

The process of formalizing customary land rights faces significant challenges, particularly in documentation and conflict resolution. Peters (2004) emphasizes that inadequate documentation of land rights leads to disputes and conflicts, undermining the

Formalizing Customary Land Rights in Ghana: A Novel Governance Framework for Sub-Saharan Africa

effectiveness of land governance. Many communities depend on oral traditions to assert their land claims, which can be difficult to validate within formal legal frameworks. This reliance on oral history creates opportunities for land grabbing and disputes, especially in regions where demand for land is escalating due to rapid urbanization and agricultural expansion. Amanor (2008) points out that traditional authorities often resist changes to customary practices, complicating the formalization process. This resistance can stem from fears of losing power or influence within the community, as well as concerns about the implications of formalization for their roles as custodians of land. Biitir and Nara (2016) discuss the role of land secretariats in mediating conflicts and facilitating documentation, noting that these institutions can play a crucial role in resolving disputes and promoting transparency. However, persistent land disputes remain a significant barrier to progress, as unresolved conflicts can stall formalization efforts and perpetuate insecurity.

The need for effective conflict resolution mechanisms is critical to the success of formalization initiatives. Unresolved disputes can undermine community trust and hinder cooperation between stakeholders (Yeboah & Shaw, 2013). Land secretariats must be equipped with the necessary resources and training to mediate conflicts effectively and promote a culture of dialogue and negotiation among community members. Moreover, incorporating local knowledge and practices into conflict resolution strategies can enhance the legitimacy and acceptance of these processes among communities. The challenge of documentation is compounded by the lack of resources and technical expertise within land secretariats, which may struggle to implement comprehensive land registration programs. Many secretariats are underfunded and lack the necessary tools to conduct thorough surveys and maintain accurate records. As a result, the formalization process can become slow and bureaucratic, further exacerbating existing tensions over land rights.

2.4 Role of traditional authorities in governance

Traditional authorities play a crucial role in land governance and the formalization of customary land rights. Knight (2010) argues that recognizing the authority of traditional leaders is essential for effective land management. Traditional authorities often possess in-depth knowledge of local customs and practices, making them valuable partners in the land governance process. Their involvement can enhance the legitimacy of land governance initiatives and foster greater acceptance among community members. Onoma (2009) emphasizes that these leaders can facilitate the integration of customary practices into formal systems, ensuring that local perspectives are considered in policy-making. Engaging traditional authorities in the formalization process is vital for ensuring community buy-in and support. These leaders often act as mediators in land disputes and can help to foster cooperation between community members and government institutions.

The relationship between traditional authorities and formal legal institutions can be complex. Crook (2008) discusses how customary justice institutions can protect landholders, but their effectiveness is often challenged by competing statutory frameworks. This tension can lead to confusion and conflict over land rights, particularly when traditional authorities assert their customary claims in opposition to statutory laws. Asaaga (2017) highlights the importance of engaging traditional authorities in the formalization process to ensure community buy-in and support. By involving these leaders, land secretariats can foster greater trust and collaboration between communities and governmental institutions, ultimately contributing to more effective land governance. The role of traditional authorities extends beyond mere governance; they are often seen as custodians of cultural heritage and community identity. Their involvement in land governance can help preserve local traditions and practices while integrating them into broader legal frameworks. This dual role can enhance the resilience of communities, as traditional authorities are generally more attuned to the social dynamics and needs of the communities they serve.

2.5 Socio-economic implications of formalization

The formalization of customary land rights has significant socio-economic implications that extend beyond individual landholders to affect entire communities. Byamugisha (2016) notes that secure land tenure can lead to increased agricultural productivity and investment, contributing to economic growth and poverty reduction. When communities have clear rights to their land, they are more likely to invest in land improvements, adopt sustainable practices, and engage in economic activities that enhance their livelihoods. Deininger (2003) emphasizes that formalization can enhance access to credit and resources, enabling communities to invest in land improvements and agricultural productivity. This access is crucial for smallholder farmers, who often face challenges in obtaining financing for agricultural inputs and technologies. However, the socio-economic benefits of formalization are often unevenly distributed, with marginalized groups facing barriers to access. Bezu and Holden (2014) argue that understanding the socio-economic context is crucial for designing effective land policies that promote equity and sustainability.

Policies must be inclusive and consider the diverse needs of various community members to ensure that the benefits of formalization reach those who are most vulnerable. This inclusivity is particularly important in addressing historical inequities related to land access and ownership, which often disproportionately affect women and the youth. Antwi-Agyei et al. (2015) highlight that the impacts of land tenure arrangements on adaptive capacity are significant in the context of climate change.

Formalizing Customary Land Rights in Ghana: A Novel Governance Framework for Sub-Saharan Africa

Secure land rights can enhance communities' ability to adapt to environmental changes, thereby contributing to long-term sustainability and resilience. This underscores the need for comprehensive approaches that integrate socio-economic considerations into land governance frameworks.

Investing in land formalization processes can also yield broader socio-economic benefits, such as increased tax revenues for local governments and improved infrastructure development. For example, when communities feel secure in their land rights, they are more likely to contribute to local development initiatives and participate in governance processes. This active engagement can lead to better planning and resource allocation, ultimately fostering more resilient and sustainable communities. The formalization of customary land rights through land secretariat mechanisms in Sub-Saharan Africa is a complex and multifaceted process that holds significant potential for enhancing land tenure security and promoting community empowerment. While challenges such as documentation, conflict resolution, and the integration of traditional authorities persist, the benefits of formalization, ranging from increased agricultural productivity to improved socio-economic conditions, are undeniable.

The literature underscores the necessity of recognizing and incorporating customary practices within formal legal frameworks, promoting collaboration between traditional leaders and governmental institutions, and addressing the specific needs of marginalized groups. As the demand for land continues to rise in this region, effective land governance mechanisms will be essential for ensuring sustainable development and social justice. Future research should focus on identifying best practices and innovative solutions that can facilitate the formalization process while respecting local customs and promoting equitable access to land resources.

2.6 Conceptual review

The conceptual framework guiding the research on the formalization of land rights was designed to capture the effective and productive interaction between formal and informal land governance systems and the actors involved in land management. It reflects the key components influencing land governance and administration in diverse contexts: (1) Land Governance, (2). Stakeholder participation (3). Legal Framework, (4). Gender and social relations, (5). Accountability Mechanisms, and (6). Sociocultural Context of Land Tenure.

Land governance¹

Encompasses the principles and processes through which land is managed and utilized. It establishes formal legal systems that recognize and integrate both customary and statutory land rights, promoting effective land administration. This framework enhances tenure security and empowers communities, providing a foundation for sustainable land use and development.

Stakeholder participation²

Involves engaging local communities, governmental bodies, and non-governmental organizations in the land governance process. By ensuring diverse voices are heard, this inclusive approach fosters equitable land policies that reflect local needs and realities. Participation encourages a sense of ownership and responsibility among community members, ultimately strengthening their engagement in land management.

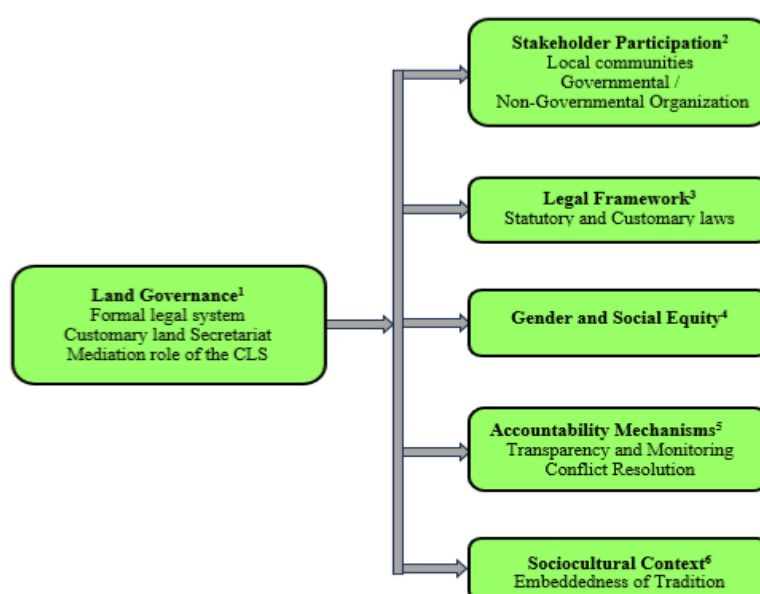


Figure 1: The Conceptual Framework of the Customary Land Secretariat.

Source: Authors' construct.

Formalizing Customary Land Rights in Ghana: A Novel Governance Framework for Sub-Saharan Africa

Legal framework³

Consists of the statutory and customary laws that govern land rights and usage. A robust legal framework harmonizes these two systems, creating a cohesive structure for land governance. It enhances tenure security by recognizing and protecting customary rights within formal legal contexts, ensuring that all community members can confidently access their land entitlements and assert their rights.

Gender and social equity⁴

The focus on ensuring land governance practices is inclusive and equitable, recognizing the rights of marginalized groups which are mostly women and the youth. Promoting equitable access to land is crucial for empowering all community members, allowing them to participate fully in economic activities and decision-making processes. Addressing disparities in land rights can also help mitigate conflicts, leading to a more harmonious social environment.

Accountability mechanisms⁵

Refer to systems of transparency and monitoring that ensure responsible governance and effective conflict resolution. These mechanisms help mitigate disputes over land rights and maintain adherence to legal frameworks. By providing avenues for reporting grievances and addressing issues, accountability fosters community trust in land governance processes, encouraging cooperation among stakeholders.

Sociocultural context⁶

Encompasses the traditions, values, and social norms influencing land governance. Understanding this context is critical for developing legal frameworks that are culturally sensitive and effective. It highlights the role of traditional leaders and local customs in shaping land management practices, ensuring that governance aligns with community values. Recognizing these sociocultural dynamics can promote gender and social equity by ensuring that land governance practices resonate with the community's norms and traditions.

The elements of this diagram collectively illustrate a comprehensive approach to land governance. They emphasize the importance of integrating customary practices within formal structures, promoting equitable access to land, ensuring accountability, and recognizing the sociocultural nuances that shape community land management. This holistic view fosters sustainable development and empowers communities to manage their land effectively.

3. METHODOLOGY

In Ghana, Customary Land Secretariats (CLSs) enhance customary land administration by maintaining accurate transaction records and resolving disputes. Established by local land-owning groups with government support, CLSs streamline land governance and link landowners with investors. Notable CLSs include the Asantehene Customary Land Secretariat in Kumasi, the Akyem Abuakwa Land Secretariat in Kyebi, the Gbawe Kwatei Family Land Secretariat in Accra, and the Wassa Amenfi Land Secretariat in Wassa Akropong. While they face challenges like limited coordination with statutory agencies, CLSs have successfully promoted inclusive participation in land governance, making them crucial for understanding the formalization of customary land rights and community empowerment.

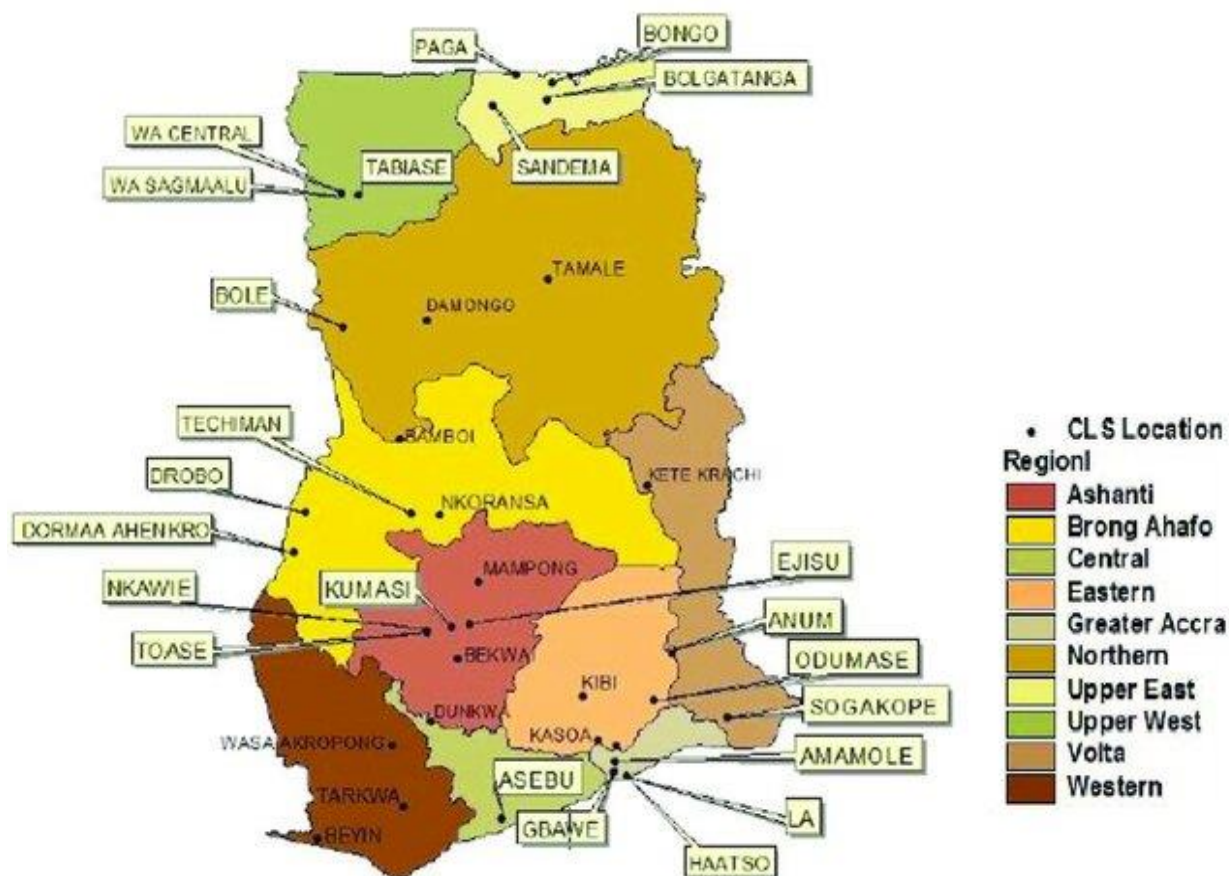


Figure 2: Map of the Customary Land Secretariats in Ghana.

Source: Ameyaw et. al (2018)

The methodology for the systematic review on the formalization of customary land rights through land secretariat mechanisms in Sub-Saharan Africa involved a comprehensive and structured approach to synthesizing existing literature based on the Preferred Reporting Items for Systematic Reviews and Meta-Analysis (PRISMA). A systematic review is a comprehensive and rigorous process that uses explicit, transparent, and reproducible methods to identify, select, and critically appraise relevant research, and then synthesize the findings to answer a specific research question. The review aimed to evaluate the current state of knowledge regarding the integration of customary and statutory land systems, assess the impact of formalizing customary land rights on community empowerment and socio-economic outcomes, identify challenges and barriers to effective documentation and conflict resolution in land governance, and explore the role of traditional authorities and local stakeholders in the formalization process. To achieve these objectives, a thorough search was conducted across several electronic databases, including Academic Search Premier, Scopus, Web of Science, Google Scholar, and JSTOR. The search strategy was carefully developed, utilizing a combination of keywords and phrases such as "customary land rights," "land secretariat mechanisms," "formalization of land rights," "land governance in Sub-Saharan Africa," "integration of customary and statutory systems," "community empowerment and land tenure," and "land conflict resolution." This allowed for the identification of a wide range of relevant literature addressing the various themes associated with the topic.

Inclusion criteria for the review were established to ensure the relevance and quality of the literature. The review included peer-reviewed articles, reports, and grey literature published in English that focused specifically on Sub-Saharan Africa and addressed the formalization of customary land rights and related themes. Notable literature included works by Wily Alden (2011), Deininger (2003), and Byamugisha (2013), which provided foundational insights into the evolution and impact of customary land rights. Exclusion criteria were also defined to eliminate articles that were not relevant to land governance or customary rights, studies lacking empirical data or theoretical frameworks, and publications before the year 2000 to ensure that the review captured contemporary practices and discussions. Data extraction was performed using a standardized form that collected comprehensive information on each selected article. This included details such as the author(s), year of publication, study objectives, methodology employed, key findings related to land governance and customary rights, and recommendations for policy and practice. This systematic approach ensured that relevant data were consistently and accurately captured across all studies.

Formalizing Customary Land Rights in Ghana: A Novel Governance Framework for Sub-Saharan Africa

To assess the quality of the included studies, a standardized tool was employed, specifically the Critical Appraisal Skills Programme (CASP) checklist. This tool evaluated various aspects of each study, including the appropriateness of the study design, sample size, and representativeness, clarity, and relevance of the research questions, and the rigor of the data analysis. This quality assessment was crucial for determining the reliability and validity of the findings presented in the literature. The synthesis of data involved both qualitative and quantitative approaches. A thematic analysis was conducted to identify common themes, patterns, and insights across the literature. This analysis allowed for a narrative synthesis of the findings related to the formalization of customary land rights and the associated mechanisms. The qualitative synthesis focused on understanding the complexities and nuances of land governance in Sub-Saharan Africa, shedding light on the diverse experiences and perspectives of different stakeholders.

Throughout the review process, several limitations were acknowledged. Potential publication bias was a concern, as studies with positive findings might have been more frequently published, leading to an overrepresentation of favorable outcomes. Language limitations also posed a challenge, as the review primarily focused on English-language publications, potentially excluding relevant studies published in other languages. Additionally, the variability in methodologies across studies complicated the synthesis of findings, making it essential to consider the context and design of each study when interpreting results. As this was a systematic review of existing literature, ethical approval was not required. The review, however, maintained transparency in reporting and adhered to ethical guidelines throughout the process. This included ensuring proper citation of all sources and providing a balanced representation of the literature. The structured approach of this methodology aimed to provide valuable insights for policymakers, practitioners, and researchers working in the field of land governance, ultimately contributing to a better understanding of how customary land rights can be effectively formalized through land secretariat mechanisms in Sub-Saharan Africa.

4. ANALYSIS, RESULTS, AND DISCUSSION

The analysis of the literature on the formalization of customary land rights through land secretariat mechanisms in Sub-Saharan Africa is organized according to the identified themes. Each theme includes a summary of the relevant articles, focusing on the authors, year of publication, objectives, methodology, key findings, and relevance to the themes.

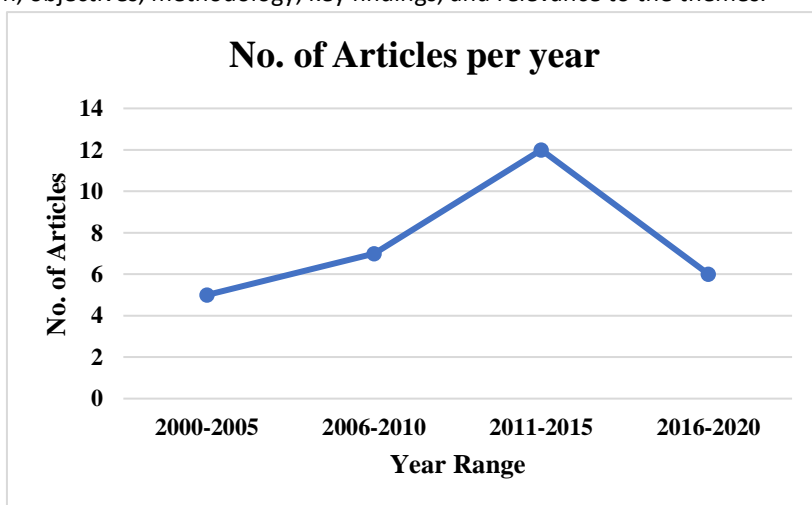


Figure 3: Number of Articles per year on Land Formulation.

Source: Authors' construct.

Theme I.

Table 1. Integration of customary and statutory systems.

Author(s)	Objectives	Approach	Key Findings	Relevance to Theme
Deininger, K. (2003)	Analyze land policies for growth and poverty reduction.	Policy Analysis	Effective land policies can enhance both economic growth and social equity.	Highlights the need for integrating customary systems into land policy.
Toulmin, C. (2008)	Review evidence on securing land and property rights in Africa.	Evidence Synthesis	Secure land rights are crucial for rural development and poverty alleviation.	Supports the integration of customary rights into formal systems.

Formalizing Customary Land Rights in Ghana: A Novel Governance Framework for Sub-Saharan Africa

Cousins, B. (2008)	Explore the role of customary land rights in Africa.	Case Studies	Customary land rights play a significant role in land tenure security, especially in rural areas.	Illustrates the importance of customary rights in land governance.
Knight, R. (2010)	Investigate best practices in recognizing customary rights.	Case Study and Legal Analysis	Effective legal frameworks can secure customary tenure, improving land governance.	Integrate customary rights through statutory law and effective implementation.
Wily Alden, L. (2011)	Review the evolution of customary land rights in Africa.	Literature Review	Customary rights have evolved but are often undermined by statutory frameworks.	Examines the relationship between customary and statutory systems.
Peters, P. E. (2013)	Investigate conflicts over land and threats to customary tenure.	Qualitative Analysis	Conflicts often arise from the lack of recognition of customary rights within formal systems.	Highlights challenges in integrating customary systems into formal governance.

Theme II.

Table 2. Tenure Security and Community Empowerment.

Author(s)	Objectives	Approach	Key Findings	Relevance to Theme
Deininger, K., et al. (2011)	Investigate the impacts of land certification in Ethiopia.	Empirical Analysis	Certification improved tenure security and participation among rural households.	Links formalization to increased tenure security and economic participation.
Bugri, J. T. (2012)	Improve land sector governance in Ghana.	Case Study	Better land governance enhances tenure security for communities.	Highlights governance improvements through formalization.
Byamugisha, F. (2013)	Propose a program to scale up land reforms and investments.	Program Analysis	Securing land rights can significantly enhance shared prosperity in Africa.	Links formalization to community empowerment and security.
Yaro, J. A. (2013)	Examine land access under customary systems in Ghana.	Qualitative Interviews	Customary systems are under siege, affecting community access and security.	Discusses the impact of formalization on community access.
Antwi-Agyei, P., et al. (2015)	Assess the impacts of land tenure on marginalized groups.	Qualitative and Quantitative	Land tenure influences the adaptive capacity of marginalized communities.	Examines the social impacts of tenure security.
Lawry, S. M., et al. (2017)	Review the impact of land property rights interventions.	Systematic Review	Land rights interventions affect investment and agricultural productivity.	Shows the benefits of formalization on socioeconomic outcomes.

Theme III.

Table 3. Challenges in Documentation and Conflict Resolution.

Author(s)	Objectives	Approach	Key Findings	Relevance to Theme
Peters, P. E. (2004)	Analyze social conflict over land in Africa.	Case Studies	Inequality in land distribution causes conflict, exacerbating challenges in documentation.	Highlights challenges in land governance and documentation.
Crook, R. C. (2005)	Investigate the regulation of land disputes in Ghana.	Qualitative Interviews	Delay state courts to resolve land disputes lead to reliance on customary practices.	Discusses challenges in formal vs. customary dispute resolution.
Amanor, K. S. (2008)	Discuss the changing dynamics of customary land tenure in Ghana.	Qualitative Research	Land secretariats play a crucial role in mediation and documentation.	Explores the role of land secretariats in conflict resolution.

Formalizing Customary Land Rights in Ghana: A Novel Governance Framework for Sub-Saharan Africa

Yeboah, E. & Shaw, R. (2013)	Review land tenure and land use in Ghana.	Literature Review	Customary documentations are inconsistent, leading to disputes over land rights.	Identifies gaps in documentation practices.
Bitir, M. & Nara, A. (2016)	Assess the role of CLS in governance.	Qualitative Analysis	CLS improve governance but face challenges in authority and recognition.	Highlights the importance and challenges of land secretariats.
Asaaga, F. A. & Hirons, M. A. (2019)	Explore new dynamics of tenurial relations in rural Ghana.	Case Studies	New dynamics in land relations can either empower or marginalize communities.	Examines the impact of governance on tenurial relations.

Theme IV.

Table 4. Role of Traditional Authorities in Governance.

Author(s)	Objectives	Approach	Key Findings	Relevance to Theme
Crook, R. C. (2008)	Analyze customary justice institutions and their protective role.	Field Research	Customary justice institutions protect landholders but often lack formal support.	Highlights the interplay of traditional and formal justice systems.
Onoma, A. K. (2009)	Examine the politics of property rights institutions in Africa.	Theoretical Analysis	Political dynamics influence property rights institutions and their effectiveness.	Discusses the role of traditional governance structures.
Knight, R. S. (2010)	Investigate best practices in recognizing customary rights.	Case Study and Legal Analysis	Reforms must balance traditional authorities with formal law.	Supports the integration of traditional authorities in governance.
Bugri, J. T. (2012)	Improve land sector governance in Ghana.	Case Study	Traditional authorities facilitate better governance but need formal support.	Emphasizes collaboration between traditional and statutory systems.
Peters, P. E. (2013)	Analyze conflicts over land and threats to customary tenure.	Qualitative Case Studies	Threats to customary tenure arise from marginalization of traditional authorities.	Discusses challenges faced by traditional authorities in land governance.
Asaaga, F. A. (2017)	Investigate land rights and tenure security in rural Ghana.	Qualitative and Quantitative	Traditional authorities are critical for maintaining land rights and tenure security.	Explores the influence of traditional governance on land rights.

Theme V.

Table 5. Socio-Economic Implications of Formalization.

Author(s)	Objectives	Approach	Key Findings	Relevance to Theme
Deininger, K. W. (2003)	Analyze land policies for growth and poverty reduction.	Policy Review	Effective land policies can reduce poverty and promote economic growth.	Highlights the economic importance of land tenure formalization.
Bezu, S. & Holden, S. (2014)	Investigate demand for second-stage land certification in Ethiopia.	Empirical Analysis	Demand for land certification is driven by the need for security and market access.	Examines the economic implications of land certification.
Ghebru, H., et al. (2014)	Analyze tenure security and demand for land tenure legalization in Nigeria.	Empirical Analysis	Regularizing land tenure can increase security and investment in land, positively affecting livelihoods.	Discusses the socio-economic benefits of formalization.
Antwi-Agyei, P., et al. (2015)	Assess the impacts of land tenure systems on marginalized groups.	Qualitative and Quantitative	Land tenure systems can enhance or diminish adaptive capacity of the marginalized.	Explores the social impacts of formalization on vulnerable communities.
Byamugisha, F. (2016)	Discuss securing land tenure and easing access to land.	Policy Analysis	Secure land tenure is vital for economic development and poverty alleviation.	Links formalization to socio-economic benefits.

Formalizing Customary Land Rights in Ghana: A Novel Governance Framework for Sub-Saharan Africa

Lawry, S. M., et al. (2017)	Review the impact of land property rights interventions.	Systematic Review	Land rights interventions lead to increased investment and agricultural productivity.	Links formalization to improved economic outcomes.
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5. DISCUSSION

The analysis of the literature on the formalization of customary land rights through land secretariat mechanisms in Sub-Saharan Africa reveals both alignment and contradictions across the identified themes. This section delves into each theme, examining the nuances and broader implications of the findings.

5.1 Integration of Customary and Statutory Systems

The articles reviewed in this theme largely align, emphasizing the necessity of integrating customary land rights within statutory frameworks. Wily Alden (2011) and Deininger (2003) highlight that customary rights are not only legitimate but also essential for effective land governance. They argue that these systems can complement statutory law, leading to a more comprehensive understanding of land ownership and use. This integration is seen as a pathway to more inclusive governance, where local practices and norms are respected alongside formal legal structures. Peters (2013) cautions that conflicts may arise when customary rights are marginalized or overlooked in formalization processes. This marginalization can lead to a disconnect between communities and the legal systems meant to protect their rights, exacerbating tensions and eroding trust. The findings suggest that while integration is essential, it must be approached with sensitivity to local contexts and power dynamics. Policymakers should strive for a collaborative approach, engaging local communities in the development of legal frameworks to ensure that their voices are heard and their rights are safeguarded.

5.2 Tenure Security and Community Empowerment

In this theme, the literature shows a strong alignment regarding the positive impacts of formalizing customary land rights on tenure security and community empowerment. Byamugisha (2013) and Lawry et al. (2017) assert that secure land rights led to increased investment, improved agricultural productivity, and enhanced community resilience. When communities feel secure in their land tenure, they are more likely to invest in their land, leading to greater economic stability and food security. Antwi-Agyei et al. (2015) and Deininger et al. (2011) acknowledge that while formalization can enhance security, it may also create disparities if not implemented equitably. They point out that certain community members, particularly marginalized groups, may not benefit equally from formalization efforts. This highlights an essential consideration for policymakers: the need for inclusive policies that address existing inequalities and ensure that all community members have access to the benefits of formalized land rights. The findings indicate that while most literature presents a positive view of formalization, the complexities of local contexts must be carefully navigated to avoid exacerbating existing inequities.

5.3 Documentation and Conflict Resolution

The articles in this theme present a mix of alignment and contradictions. Peters (2004) and Amanor (2008) address the challenges of inadequate documentation and the resulting conflicts over land rights, highlighting a consensus on the need for improved governance structures. They argue that without proper documentation, land disputes can lead to violence and social unrest, undermining community cohesion. Asaaga and Hirons (2019) introduce a contrasting perspective, indicating that changing dynamics, such as migration and urbanization, can lead to both empowerment and marginalization. This complexity suggests that while documentation is crucial for conflict resolution, the effectiveness of these processes may vary significantly based on local socio-economic conditions and historical contexts. The overall consensus is that while challenges exist, there are pathways for effective resolution through the roles of land secretariats, which should be equipped with the necessary resources and training to handle disputes effectively.

5.4 Role of Traditional Authorities in Governance

The findings regarding traditional authorities generally align, emphasizing their importance in land governance. Knight (2010) and Onoma (2009) highlight that statutory recognition of traditional authorities can enhance protections for local communities, allowing them to play a pivotal role in land management. Their deep understanding of local customs and social structures positions them as vital intermediaries between communities and formal legal systems. Peters (2013) raises concerns about the marginalization of traditional authorities within formal governance structures, indicating that their effectiveness may be undermined if they are not integrated meaningfully into land governance frameworks. This tension underscores the need for policymakers to carefully consider how traditional authorities are recognized and supported, ensuring that they are not sidelined in the push for modernization and formalization of land rights. The overall consensus emphasizes the critical role of traditional authorities, advocating for their recognition within formal systems to foster collaborative governance.

Formalizing Customary Land Rights in Ghana: A Novel Governance Framework for Sub-Saharan Africa

5.5 Socio-Economic Implications of Formalization

The literature on socio-economic implications shows strong alignment, with many studies linking secure land tenure to improved economic outcomes. Deininger (2003) and Byamugisha (2016) argue that formalization is essential for economic development and poverty reduction. They present evidence that secure land rights can increase access to credit, enhance investment in land, and improve agricultural productivity, thereby contributing to broader economic growth in rural areas. The consensus across studies suggests that formalization has significant socio-economic benefits, reinforcing the argument for inclusive land policies. However, it is crucial to recognize that the benefits of formalization may not be uniformly distributed. Policymakers must ensure that formalization processes are designed to reach marginalized groups, including women and youth, who often face barriers to accessing land rights. By doing so, the socio-economic benefits of formalization can be maximized for all members of the community.

5.6 Evidence and Implications

The evidence gathered from this review supports the notion that integrating customary land rights within formal systems can lead to enhanced tenure security, improved community empowerment, and positive socio-economic outcomes. Policymakers should consider these findings when designing land governance frameworks to ensure that they are inclusive and equitable. The implications of this review are profound. First, it highlights the necessity for collaborative governance approaches that respect and integrate both customary and statutory systems. This integration can help mitigate conflicts and enhance community trust in land governance processes. By recognizing the legitimacy of customary rights, governments can foster a more inclusive environment that promotes cooperation among various stakeholders.

The review underscores the importance of recognizing traditional authorities as key stakeholders in land management. Their roles should be formalized within legal frameworks to ensure that they can effectively advocate for community interests. Engaging traditional authorities can facilitate better communication and understanding between communities and formal governance structures, ultimately leading to more effective land management.

The review emphasizes the need for effective documentation practices that can reduce disputes and enhance clarity around land rights. By improving documentation, governments can facilitate better governance and resource management, ultimately benefiting rural communities. This includes investing in training for local officials and community members to ensure that documentation processes are understood and effectively implemented. The evidence suggests that formalizing customary land rights through land secretariat mechanisms can yield significant benefits, but it requires careful implementation that considers local contexts and the diverse needs of communities. Future research should continue to explore these dynamics to refine approaches to land governance in Sub-Saharan Africa. By prioritizing inclusivity and collaboration, stakeholders can create land governance systems that are equitable, sustainable, and conducive to the well-being of all community members.

6. CONCLUSION

Integrating customary land rights into formal systems enhance tenure security, community empowerment, and socio-economic outcomes, underscoring the importance of inclusive land governance. Collaborative governance that engages local communities is essential for building trust and preventing conflicts during formalization. Empowering traditional authorities can enhance land management and conflict resolution. Formalization efforts must prioritize inclusivity for marginalized groups like women and youth, with targeted outreach to educate them about their rights. While improving land documentation is crucial for reducing disputes, training local officials and community members fosters active participation in land management. Establishing monitoring mechanisms allows for continuous assessment of formalization processes, ensuring they meet community needs. In summary, formalizing customary land rights in Sub-Saharan Africa presents opportunities for better governance but requires careful implementation. Prioritizing collaboration and inclusivity will lead to equitable and sustainable land management, strengthening community resilience and socio-economic growth.

Integrating customary land rights into formal systems enhances tenure security, community empowerment, and socio-economic outcomes, underscoring the importance of inclusive land governance. Unlike prior studies that focused narrowly on tenure security (e.g., Deininger, 2003; Byamugisha, 2013), the analysis of Ghana's Customary Land Secretariat (GCLS) reveals how gender equity and stakeholder participation, long-overlooked dimensions, critically shape formalization success. This evidence reaffirms that collaborative governance, engaging local communities, is essential to build trust and prevent conflicts during formalization. Empowering traditional authorities remains vital for effective land management and conflict resolution, but the findings highlight the equally urgent need to prioritize inclusivity for marginalized groups like women and youth. Targeted outreach programs and rights education must accompany documentation improvements to ensure equitable participation. Practical steps such as training local officials and establishing participatory monitoring mechanisms can align formalization processes with community needs.

Formalizing Customary Land Rights in Ghana: A Novel Governance Framework for Sub-Saharan Africa

While formalizing customary land rights in Sub-Saharan Africa presents transformative opportunities, their implementation must be context-sensitive. By centering collaboration, inclusivity, and adaptive learning as demonstrated by the GCLS model, policymakers can foster sustainable land governance that strengthens both community resilience and socio-economic growth.

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8. AUTHORS CONTRIBUTION

Romanus D. Dinye: Topic formulation, thematic direction, analysis and synthesis.

Roshel Ayimaa: Literature review, write-up, analysis and synthesis.

Christian K. Sarpong: Methodology, analysis and synthesis.

Henry K. Bofo: Analysis, synthesis, review and editing.

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