



Drivers of perceived land tenure (in)security: Empirical evidence from Ghana



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ABSTRACT

Tenure security is believed to be critical in spurring agricultural investment and productivity. Yet what improves or impedes tenure security is still poorly understood. Using household- and plot-level data from Ghana, this study analyses the main factors associated with farmers' perceived tenure security. Individually, farmers perceive greater tenure security on plots acquired via inheritance than on land allocated by traditional authorities. Collectively, however, perceived tenure security lessens in communities with more active land markets and economic vibrancy. Plots held by migrant households and women in polygamous households are perceived as less tenure secure, while farmers with political connections are more confident about their tenure security.

1. Introduction

For more than 50 years, land tenure reforms have moved up and down the priority lists of African governments and donors (Peters, 2009). Today they continue to be considered and reconsidered as a major strategy to increase agricultural productivity and promote agricultural investment. At the heart of this debate is the concept of *tenure security*.

Tenure security has attracted considerable attention because, conceptually, improving it paves the way for more agricultural investment and therefore greater agricultural production (Besley, 1995). What drives tenure security, however, is not clear. Few studies have looked at the question (an exception is Linkow (2016)). Hence, debates on the need for and the design of land policy reforms rest on assumptions of what can drive tenure security rather than on empirical evidence. Many land policies promoted from the late 1960s until the early 1980s were based on the premise that customary systems did not provide adequate tenure security (Atwood, 1990; Peters, 2009). Others, however, have argued that due to the prevalence of high transaction costs and market imperfections, customary land rights systems may provide better or equal tenure security compared with statutory systems (Atwood, 1990; Bruce and Migot-Adholla, 1994; Brasselle et al., 2002; Bromley, 2008; Ghebru 2012). Yet, processes of rural transformation driven by structural or gradual changes in rural areas such as the development of active land markets, population increase, migration, and urbaniza-

tion, can erode the social cohesion that is the main legitimacy of customary tenure systems (Lastarria-Cornhiel, 1997; Augustinus and Deininger, 2005).

The main aim of this paper is to analyze which factors influence perceived tenure security, using nationally representative data from Ghana. Ghana provides a relevant case study context due to the existence of both customary and statutory land governance systems, the ethnic and agroecological diversity, and the strong policy interest in land tenure reforms in Ghana. During the past decades land reforms have continuously been on the agenda of the government as well as the donor community in Ghana and throughout Africa south of the Sahara.

Our main outcome variable is a measure of perceived tenure insecurity that indicates whether a farmer can leave his or her land empty without the risk of losing the land. As following is the most common method of soil fertility improvement in Ghana, the indicator is practical, pertinent, and relevant as a key aspect of farmers' perceived tenure security. Our results show that farmers' perception of tenure security is lower in communities with more active processes of rural transformation, that is, in more urbanized areas with more active land markets and with a higher share of migrants in the population. At the same time, farmers are more secure over land obtained through inheritance as compared to land allocated by traditional authorities. Perceived tenure security is lower on plots held by migrant farmers and female farmers in female-headed households and polygamous households.

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The outline of the article is as follows. First, we briefly discuss the literature on drivers of tenure security. In the third section, we describe the study background. The fourth section explains the methodology. The following two sections show the descriptive and regression results, and we conclude in the seventh section.

2. Discourse on tenure security: conflicting assumptions and (missing) evidence

The literature on land tenure contains many conflicting statements and arguments on both the consequences as well as the causes of tenure security. In theory, three main pathways relate a higher degree of tenure security to increased land investments and subsequently higher agricultural productivity (Besley, 1995; Place, 2009). First, farmers that are more tenure secure have greater incentives to invest in their land. Second, they can use their land as collateral, which facilitates access to resources to invest. Third, more secure tenure facilitates land market transactions, and that indirectly leads to higher overall investments in the land (Besley 1995; Place 2009; Holden et al., 2011; Ghebru and Holden, 2015a). These three tenure security–investment pathways are conceptually appealing at first sight, yet empirical results are less conclusive or even contradictory (Deininger and Jin, 2006; Place, 2009). Some studies conclude that improved tenure security increases investment and productivity (Goldstein and Udry, 2008; Holden et al., 2009; Abdulai et al., 2011; Ali et al., 2011; Ghebru and Holden, 2015b), but others find insignificant or mixed results (Haugerud, 1989; Besley, 1995; Brasselle et al., 2002; Fenske, 2011; Linkow, 2016). Several studies show that increased tenure security in the form of formalization does not necessarily lead to collateral and credit access (e.g. Field, 2005, 2007; Shipton, 1992; Galiani and Scharrogradsky, 2010), and doubts are raised as to whether more land market transactions are necessarily beneficial to all farmers (Platteau, 1996; Lastarria-Cornhiel, 1997; Chimhowu and Woodhouse, 2006; Ubink, 2008; Boone, 2014).

The conflicting conclusions from land tenure studies arise in large part from the variation in how tenure security is defined and measured, whether tenure security is considered at the individual or collective level, and the context of the case studies (Arnot et al., 2011; Lambrecht and Asare, 2016). Despite its key position in the debate on land reforms, the use of the term tenure security is generally problematic (Place, 2009; Arnot et al., 2011). Researchers agree on no uniform definition of the term, and therefore use a range of different indicators to represent the concept (Place, 2009; Arnot et al., 2011). Only a small minority of empirical studies effectively use farmers' perceived risk of losing their land as a measure of perceived tenure security for the analysis of its impact on agricultural investment and productivity (for example, Holden and Yohannes, 2002; Hagos and Holden, 2006; Mekonnen, 2009; Ali et al., 2014; Linkow, 2016). Most empirical studies however rely on *de jure* indicators of land tenure as indirect proxy measures for tenure insecurity. The choice of these indicators rests on strong assumptions of what drives tenure security, which are not always substantiated with evidence. A better understanding of what drives tenure security based on empirical evidence is therefore instrumental in constructively advancing the debate on land tenure reforms.

An important concern in the tenure security debate is whether customary tenure systems provide adequate tenure security to small-holder farmers. It is commonly assumed that land titling or other types of formal registration of land is needed to secure farmers' land rights and ability to invest (De Soto, 2002). Yet, others argue that land titling and land registration are not necessarily conducive for tenure security (Platteau, 1996; Atwood, 1990; Shipton, 1992; Jacoby and Minten, 2007; Bromley, 2008; Arnot et al., 2011). Without institutions to enforce property rights effectively, land registration systems are not effective in enhancing tenure security (Bromley 2008; Deininger and Feder, 2009; Joireman, 2011). Moreover, enforcement of land rights is

not exclusively linked to formal land registrations systems; enforcement mechanisms in customary tenure systems can be equally or more effective (Joireman, 2011). Other objections to formalizing land tenure through land titling and registration is that they may allow more powerful and well-connected people to appropriate a disproportionately large share of land at the expense of others (Atwood, 1990; Lastarria-Cornhiel, 1997; Deininger and Feder, 2009). Also, formal attempts to clarify parcel boundaries and identify the owner of the land might spark latent conflicts (Gignoux et al., 2013).

Another point of concern is the impact of land market transactions on farmers' tenure security. Several studies anticipate negative effects of land markets such as elite capture at the expense of small-scale farmers and stranger buyers (Lastarria-Cornhiel, 1997; Ubink, 2008), the reduction of the capacity of local communities to ensure access to land to all their members (Platteau, 1996), or a reduction in tenure security due to an upsurge of land conflicts triggered by monetary incentives (Chimhowu and Woodhouse, 2006; Boone, 2014).

Finally, farmers' status in the household and community affects their claims to land. In many African settings, migrants, female farmers, and nonindigenes have limited tenure security (Gray and Kevane, 2001; Colin and Ayouz, 2006; Goldstein and Udry, 2008; Boone and Duku, 2012). Connectedness through political or traditional offices, or both, can increase tenure security (Gray and Kevane, 2001; Goldstein and Udry, 2008). Moreover, different community members may experience different levels of tenure security, especially women and other vulnerable groups (Gray and Kevane, 2001; Ali et al., 2014). Farmers' investments on their land can also affect tenure security. Long-term land investments, such as tree planting or terracing, have been shown to reinforce farmers' claims to the land, providing a classical example of reverse causality in the tenure security–investment link (Besley, 1995; Sjaastad and Bromley, 1997; Brasselle et al., 2002). In a study on the land distribution policy in Southern Ethiopia, Holden and Yohannes (2002) find that drivers of tenure security are largely site-specific, and that local historical, cultural, and demographic differences shape the distribution of tenure security.

3. Background

Ghana covers three main agroecological zones and hosts roughly 100 ethnic groups (Ghana Statistical Service, 2012). Population densities are as high as 224 persons per square mile in the Central Region, and as low as 35 persons per square mile in the Northern Region (Ghana Statistical Service, 2012). Ghana's land tenure systems are characterized by diversity (Lambrecht and Asare, 2016). We describe key characteristics of the land tenure systems below.

3.1. Land governance and tenure policy in Ghana

The majority of the land (about 80 percent) in Ghana is under customary tenure. Only a minority of the land in Ghana is owned privately or by the government (Pande and Udry, 2005). Land governance in Ghana is characterized by a legal duality between statutory laws and customary laws. Both types are recognized by the state, yet several laws overlap or contradict, or both (Quan et al., 2008; Ubink, 2008). For decades, land reforms, aiming at improving tenure security and hence increasing agricultural production, have been on the policy agenda of the government of Ghana and the donor community. In 1986, the Land Title Registration Law was enacted, which indicated land titling as the official system for property registration. However, the law was scarcely applied (Jones-Casey and Knox, 2011). In 1999, Ghana approved its first comprehensive land policy, the National Land Policy (Ghana, Ministry of Lands and Forestry, 1999). In 2003, the World Bank and other partners started the Land Administration Reform Program in Ghana. That project seeks to enhance land tenure security

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