

Part 5 – Working Paper

The Effects of Large-Scale Land Acquisitions on Households in Rural Communities of the Global South

Ghana: Case Study GADCO, Volta Region

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1. Common introduction to the case studies

1.1. Research questions

The central question of this interdisciplinary project was: How do LSLA influence local actors' configurations (e.g. local councils, "chiefs", farmers' associations, NGOs, intermediaries, traders, landowning farmers, non-land-owning farmers, women), actors' strategies and decision making about the food system, and what are the impacts on the food security (and related food sovereignty) of local women and men?

We approached this main question considering that LSLA are more than a new form of land tenure; we maintained that LSLA are a partial appropriation of the food system with corresponding impacts on gender relations, governance and food security. Consequently, we expected LSLA to have impacts on (1) food production, (2) food processing, (3) food distribution and (4) food consuming, the four constitutive elements of the food system¹, all of which are highly gendered processes. This shift of focus which puts the appropriation of the food system (rather than merely land) in the center of the analysis simultaneously puts gender issues into the limelight.

We examined our overall research question from the perspective of two main questions:

Q1. What are the impacts of LSLA on the configuration of actors who are using, maintaining and organizing the local food system and what coping/resisting strategies do these actors develop?

1.1. How do the relationships among local actors change with the arrival of LSLA considering the impact of LSLA on the tight web of existing rights to natural resources, guaranteed either by formal institutions (property titles, contracts, access right guaranteed by laws, legal agreements) or by informal institutions (customary law, informal agreements such as crop sharing systems, redistribution of heritage of use rights of commons in the context of community property)? How LSLA influence the power relations within and among groups of actors?

1.2. Do actors and actors' networks favor or oppose LSLA? What are their strategies to defend their rights and interests in the local food system in front of LSLA?

1.3. How do the relationships between men and women (decision-making power, division of unpaid and paid work, care arrangements) change with the arrival of LSLA?

Q2. What are the impacts of the configurations of actors and their strategies on the local food system in terms of food security?

2.1. What are the impacts of the actors' configurations and strategies created by LSLA on the four components of the food system? What are the corresponding effects on food security and food sovereignty?

2.2. How deliberative and inclusive is decision making regarding the local food system before and after the establishment of a LSLA? How are marginalized actors (local women, landless laborers, ethnically oppressed groups) involved?

2.3 How do women and men get involved in the four components of the food system, i.e. food production, food processing, food distribution and food consuming?

¹ Ericksen P.J., Ingram J.S.I., Liverman D.M. (2009) Food security and global environmental change: emerging challenges. *Environmental science and policy* 12: 373–377.

1.2. Methodology

LSLA exist in many different forms. In this research, we focused on types of LSLA in which property rights on and access to commons are restricted and in which (at least some) small-scale farmers have the possibility to access to contract farming with investors.

We compared Ghana and Peru. Each PhD- researcher was in charge of one case study (Ghana or Peru). Both countries governments encourage LSLA and consequently have attracted many investors, particularly in the biofuel sector. Furthermore, both countries experience high levels of food insecurity in rural areas. Two related study sites per country were analyzed using a variety of mainly qualitative methods. We choose countries with a very different cultural, social and economic background in order to test the general validity of our hypotheses («most different system design»)². In other words, if our hypotheses are confirmed in two very different settings, we expect that our conclusions will apply to more average settings as well.

Our analysis took place at three different moments in time: (1) before the implementation of LSLA (t_{-1}); (2) today, i.e. two or three years after the implementation of LSLA (t_0); and (3) in the near future (t_{+1}) as the result of changes resulting from more or less voluntaristic intervention scenarios.

1.3. Investigation, methods and data collection procedure

Our research project was divided into three main phases of research. Dissemination of the results is a transversal task that took place throughout the whole project:

1. Collection of available information: Literature review, first analysis of the institutional regimes at national level (laws, regulation, property rights, court decisions, past LSLA, institutional context, etc.)

2. Field work in Ghana and Peru: First we gathered all relevant written information concerning the study sites: maps, scientific literature, secondary literature, annual reports of commercial actors, statistical data, registry of land titles, contracts, press articles, etc. Second we approached gatekeepers (local chiefs, mayors, teachers) in each community in order to identify the main actors and actors' networks involved in the opposition or endorsement of LSLA. These actors were interviewed using semi-structured interviews to find out their strategies and networks. Third, we randomly selected a first number of households (the initial sample was further expanded through snowball sampling). Wherever possible a female and a male member of the household were interviewed using semi-structured interviews. Two focus group discussions per community helped us to further highlight differences between the male and female experiences of LSLA.

Institutional resource regime (land tenure law, customary law, public policies): The first part of the semi-structured interview focused on rules and regulation. This was an *in situ* extension of phase 1: the concrete implementation of national rules and regulation, as well as the distribution of property rights and customary law can only be identified through direct interviews of concerned actors.

Actor networks and strategies with a special focus on gender: This second part of the interview helped reconstructing actors' strategies, networks, alliances, common interests, conflicts, etc. We also analyzed if investors consulted with local women and men before/during the appropriation process.

Condition of the food system: The third part of the interview focused on the evaluation of the condition of the food system, i.e. on changes in production, processing, distribution and

² Przeworski, A., Teune, H. (1970) *The Logic of Comparative Social Inquiry*. New York, Wiley.

consumption patterns, as well as individual decision-making power regarding these four processes.

3. Data analysis and writing of SNIS report: Collected documents and interviews were analyzed according to their thematic content. This information was used to analyze the relationship between the analytical variables and to discuss the research hypotheses.

2. Ghana: Specific country characteristics

2.1. Summary of the main characteristics: land, history and political system

2.1.1. Land

Ghana is located on the Atlantic Coast of West Africa, sharing borders with Togo in the East, Ivory Coast in the West and Burkina Faso in the North. The total land area is 239'460 km². It is divided into 10 administrative regions (Northern, Upper East, Upper West, Brong Ahafo, Ashanti, Western, Central, Eastern, Greater Accra, Volta) and 170 districts with the capital being in Accra.

The Volta basin in the centre of Ghana, stretching from Tamale in the North to the mouth of the river Volta in Ada in Ghana's Volta region, is the country's most important drainage system. It is covered by the lake Volta, which is the world's largest artificial water body and home to Ghana's hydro-electric plant, providing both Ghana and its neighbouring countries with electricity.

Ghana is very rich in natural resources including wood, timber and of course arable land, as well as minerals, such as gold, diamonds, manganese and bauxite. Furthermore large oil reserves were discovered off the coast of Takoradi in 2008 (?).

2.1.2. History

Before colonialism the territory that now makes up Ghana was home to several independent kingdoms, with the savannah kingdom of Dagomba in what is now Ghana's North and a very powerful confederation of Asante states under the control of an Asante king (the Asantehene) in the center of modern-day Ghana. Basing their power on long-established trade of gold and later on slaves, among others with the Portuguese, who were the first Europeans to arrive in Ghana in 1471, the Asante Confederacy represented "an elaborate military hierarchy with powerful armies, a bureaucracy, and a taste for imperialism which brought them into immediate conflict with the British, often to latter's temporary demise (Apter 1972:23)."

After the Portuguese, word quickly spread of the immense gold reservoirs in Ghana, and British, Dutch, Swedish and Prussian traders all established outposts (forts along the coast) in the territory known as the "Gold Coast". The Gold Coast protectorate "developed as an alliance of African states with British and Danish interests that had arisen in opposition to Asante domination and was committed to the ideology of free trade. (Amanor 1999, p.47)". The British Gold Coast was established in 1867, after having signed a number of protectorate treaties with chiefs and kings in the coastal area and the Northern Savannah and having annexed the Danish Gold Coast. The Dutch Gold Coast was annexed in 1872. However, in order to get the Asante Confederacy to surrender, three wars were fought with the final military defeat of the Asante taking place in 1901 (Boone 2003).

Mamdani argues on a general basis for much of Africa that before colonialism custom was very much in flux, as many changes were sweeping the continent (i.e. the abolishment of the slave and ivory trade) and traditional leaders were unsure how to keep their power. Colonial governments all over Africa, but particular in countries where indirect rule was the preferred mode of government, enshrined the power of chiefs and other traditional leaders, at the same time eliminating the powers of other traditionally powerful actors (i.e. council of elders, age sets, gender association) (Mamdani 1996). The same holds true for Ghana. By vesting extensive powers in local chiefs and enshrining them in law, the British to a large extent shaped what is today called custom. In 1930, the British established Native authorities, recognizing precolonial political jurisdictions and centralizing power in paramount chieftaincies. Native authorities were given extensive powers of taxation, their claims to land were enshrined in law and they were

given the right to demand land tribute from their subjects. Furthermore Native tribunals were made mandatory courts of first instance (Boone 2003, p.147-48).

As a result of massive popular protests against British indirect rule in 1948, the Convention People Party (CPP) with Kwame Nkrumah as a leader was formed. The CPP demanded immediate independence. Kwame Nkrumah won his first election in 1951 and the Gold Coast, as the first African country, was finally granted independence in 1957. Kwame Nkrumah changed the country's name from Gold Coast to Ghana. The institution-building strategy Nkrumah engaged in since 1951 has been described as "path-switching, rather than path-dependent (Boone 2003:173)". Nkrumah, through several reforms of the colonial rural government institutions, radically tried to dismantle the power of local chiefs. In 1952, he replaced the Native Authorities, by elected Local Councils with some "traditionally appointed" members. Soon after independence these "traditionally appointed" members were abolished altogether. Old local government institutions were stripped piecemeal of their powers (Boone 2003). However, a closer look reveals, that where chiefs were sympathetic to Nkrumah and his CPP, Nkrumah did not hesitate to ally with them against his opponents. Ultimately, Nkrumah "failed to uproot chiefly authority and prerogative at the micro-level, where it remained embedded in relations of production and land access and in deeply personalized structures of obligation, dependency and authority (Boone 2003:177)."

In 1966, the Nkrumah government was overthrown by a military coup – the first of four military coups and nine changes in government between 1966 and 1981. In 1981 Flight Lieutenant Jerry Rawlings took over power in a military coup. He implemented one of Africa's first and most far-reaching structural adjustment programme in the 1980s, which amongst others led to an opening up of the market to foreign investment. He also pushed forward the agenda of decentralization by setting up a "Public Administration Restructuring and Decentralization Implementation Committee" (PARDIC) to "review all the changes and initiatives of local governance that had been discussed and taken place since independence" (Hofmann and Metzroth 2010:5).

As a response to increasing demands from international donors, Ghana's first presidential and multiparty elections were held in 1992 – Rawlings won the elections and stayed in power until 2000 when he was succeeded in the 2000 elections by John Kufuor and his National-Patriotic Party. Kufuor stayed in power for four two-year terms and was succeeded in free and fair elections by John Atta Mills from the National Democratic Congress (NDC) in 2008, who in turn was succeeded by John Dramani Mahama (NDC) in 2012.

2.1.3. Political system

Modern-day Ghana is a democratic republic, in which the president acts both as head of state and head of government. While executive power is vested in the government, legislative power is vested in both government and parliament, which consists of 275 members. Both parliamentary members and the president are elected every four years by majority vote. While there are 23 registered political parties, only 11 are active. Since 1992, all presidents have come from one of the two major parties – the Convention Peoples Party (CPP) and the Democratic Peoples Party (DPP). The 1992 Constitution forms the basis of the current system of decentralization and establishes the District Assembly as the highest political authority in the District. The District Chief Executive is to be appointed directly by the President (with a 2/3 parliamentary approval) and each electoral area is to elect one member to the DA. Furthermore, a maximum of 30 % of the seats are reserved for people directly appointed by the President in consultation with traditional authorities and interest groups in the district (Art.242). In practice however, these stipulations not only mean that DCE's are close allies of the government, but also that the 30% of seats appointed by the President are made up of political allies, thus expanding the central governments control.

Chieftancy as an institution is recognized by the Ghanaian constitution in Art. 270 (1): “The institution of chieftancy together with its traditional councils as established by customary law and usage is hereby guaranteed”.

The Constitution defines customary law to be part of the common law of the country (Art.11 2-3) and establishes a National House of Chiefs as well as a Regional House of Chief in each region, with the aim of codifying customary law and abolishing harmful customary practices (Art. 271).

Furthermore, the 2008 Chieftancy Act (Section 15) declares that the government has no jurisdiction over chieftancy disputes. The country thus officially recognizes two legal fora for dispute settlement: the Judiciary made up of superior courts, regional tribunals and lower courts as well as traditional courts, which are usually the first point of call for minor crimes, as well as land conflicts. While the statutory system suffers from corruption and lack of resources, there are also indications that traditional mechanisms of conflict management are breaking down due to the increasing importance of Christianity as opposed to the worshipping of traditional Gods and the increasing “Westernization” of cultures and values, which leads the youth to turn away from tradition (Agyme-Duah 1998).

While chiefs are not supposed to be politically active (Art.276 1), they nevertheless have a lot of weight in political decisions. On the one hand, the Constitution specifically makes room for chiefs to advise on any matters or laws concerning or affecting chieftancy (Art.272), on the other hand chiefs have a lot of influence within the areas of their jurisdiction and their opinions thus carry a lot weight at election times (in 2012 selected chiefs were thus given brandnew Toyota’s by the leading NDC and in 2015 – at the time of research – the NDC government spent 37.5 million \$ on Nissan Patrol’s to be given to chiefs for their support in the 2016 election).

Hofmann and Metzroth (2010:5) summarize the power struggles between chiefs and the Ghanaian state: “Since the era of colonization, Ghanaian governments have struggled with how to use traditional authorities to achieve their own objectives without making chiefs more powerful than themselves. The back and forth between the strengthening and weakening of chiefs is an ever-present element of Ghana’s history and politics.”

2.2. Characteristics of land tenure/land use

2.2.1. Statutory institutions

Land tenure in Ghana is a highly complex issue, as can be witnessed by the 166 laws currently dealing with land, the high number of formal and informal institutions dealing with land, as well as the backlog of about 30’000 land cases in Ghanaian courts. An attempt will be made here to provide an overview of the most important institutions.

The Ghanaian Constitution distinguishes between public land and stool lands, which make up app. 20% and 80% of the land surface. All public lands, as well as all minerals and water bodies in Ghana are thus vested in the President on behalf of the people of Ghana (Art. 257). The constitution also establishes the National Lands Commission and its regional branches as the managing bodies for public and vested land.

Art. 267 states 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.” While recognizing chiefly authority, the Constitution however also tries to limit it through several provisions. It for example stipulates that there shall be “no 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” (Art.267). However, a study by Yeboah and Shaw (2013) finds that 80% of all developments in Ghana proceed without

authorisation from the relevant planning authorities. This has a variety of reasons, often chiefs, who have the ultimate control over land contract self-styled planners and surveyors in order to keep all proceeds from leased out parcels, furthermore there is a lack of qualified planners, lack of funds and a lack of deterrent legal measures (i.e it is more economical to build without permission and pay a fine if caught).

Other institutions have been created in the Constitution and consequent laws to cut the power of chiefs. The Office of the Administrator of Stool Lands (OASL) for example has been created through the 1994 OASL Act. This office was created in order to collect all “rents, dues, royalties, revenue or other payments whether in nature or income or capital from the stool lands”. The revenue thus collected shall be disbursed in the following proportions: 10% to the OASL to cover administrative expenses, 25% to the stool for maintenance, 20% to the traditional authority, and 55% to the District Assembly (Sections 3 & 8, OASL Act 1994). However, most chiefs have heavily resisted this imposition and claimed that they are perfectly able to manage their own lands (Alden Wily & Hammond 2001).

While there are a large number of national, regional and district level land agencies (different papers quote different numbers and Spichiger and Stacey speak about “23 or so land agencies”) overlapping mandates, budgetary and staff constraints and crucially contradictions with local customary rules, have made policy implementation difficult (see for example Ubink & Quan 2008, Toulmin 2009).

2.2.2. Customary institutions

Most people in Ghana thus derive their access to land through the customary institutions of chieftancy, lineage and kinship, which vary according to the different regions. As has been outlined above, customs have been strongly influenced by colonial and post-colonial governments and are rapidly changing. Generally, the allodial title in land, which is the highest interest in land, is vested in communities, who are represented by stools or skins³. The various chiefs, who represent these stools or skins are charged with land management, governance, as well as dispute settlement. In certain areas of Ghana, the allodial title is also vested in tendamba (first settlers), clans, families or village communities. Within these systems, families and individuals have rights over individual parcels of land, which are inherited through the male or female line, depending on the inheritance system. Individual parcels can be leased out to other families within the same community and in some cases also sold. Strangers, who wish to acquire land, first have to seek the permission of chiefs (Kasanga & Kotey 2001, p.13). Customary systems are characterized by a lack of written records, i.e. neither the size of individual parcels, nor any leases or sales are recorded. Increasing land values and population pressure in certain areas have led to increasing disputes over boundaries, multiple land sales and a shift in the perception of chiefs from custodians of the land to owners of the land. An increasing individualisation of land is also noted in certain areas with increasing land sales to strangers (Kasanga and Kotey 2001).

Regarding access to land it is important to note that while women in customary systems (patrilineal and matrilineal) often have access to land, this tends to be mediated through their relationship with a male family member, be it a husband, father or brother. They rarely have control over the allocation of land, which is carried out by chiefs, male lineage heads and household heads. This implies that when women are allocated land, it is often a relatively smaller and qualitatively worse plot as compared to men’s plots (see Amanor 1999, Tsikata and Yaro 2011). Particularly in patrilineal societies, women often lose all access to their fathers

³ While in the Southern regions of Ghana, chiefs are usually seated on wooden stools, which are the symbol of their authority, animal skins are the equivalents of stools in Northern Ghana.

land once they get married. Upon divorce or death of their husband, land accessed through their husbands tends to revert back to the husbands family, often leaving women and children destitute.

2.2.3. Dispute settlement

People whose rights have been infringed have a number of options: district or magistrate courts are the lowest level courts applying formal state law. They are supervised by state courts or high courts – it is envisaged in the current Land Administration Project (LAP) (see 3.2.2) that all high courts shall have a land court. While these formal courts are often inaccessible to local people, due to high costs involved, around 110 districts also offer alternative dispute resolution or mediation services by the Commission on Human Rights and Administrative Justice.

Most people however choose to solve disputes locally through family heads, village elders and chiefs and only use state courts as last option when traditional mechanisms have failed (Spichiger and Stacey 2014). Traditional mechanisms of conflict management rely on elders to mediate in the process of conflict resolution, as well as on the power of ancestors and local gods and shrines, as disputants usually have to take an oath and untruthfulness or non-compliance with the punishments would lead to severe retribution. Women are usually not represented within the council of elders.

2.3. Characteristics of gender issues

While women in Ghana play a major role in the largely informal labour market, and particularly food production, processing, trading and marketing (see Chapter 2.4), there are several factors of discrimination. Even though the majority of women are engaged in agriculture, they have limited access to land (see 2.2), agricultural assets, labour and capital. Agricultural extension services also often do not reach women, as they are not visible as farmers in their own right.

Time-consuming reproductive activities, such as child rearing, cooking, fetching water and fuel wood, cleaning, looking after sick people, are almost exclusively done by women. While men are supposed to contribute monetarily to the upkeep of the household, high unemployment, migration and widespread polygamous practices often mean that women are in fact the main income earners.

Women are also highly under-represented in formal employment, particularly in higher paid managerial positions, as well as in public administration, i.e. within the Ministry of Food and Agriculture, “women make up just 16% of the total workforce, and 9.5% located at a high enough status to participate in decision making” (FASDEP, p.17)

A similar picture emerges in political life – in the 2012 elections, women won only 11% of the parliamentary positions and out of the 72 Ministers of State, 24% are women. Similarly, in customary decision-making structures, such as lineage meetings, traditional dispute resolution mechanisms, women are heavily under-represented.

Regional differences are however important, as women tend to have more power in matrilineal communities than in patrilineal ones and in the Ashanti Region for example Queen Mothers tend to play very important roles in the community.

Women are however a very heterogeneous group, and they have different roles and status in their communities according to age, kinship, migrations status and wealth.

2.4. Characteristics of food security issues

Ghana is predominantly an agricultural economy, with agriculture contributing app. 37% of the country's GDP. The 2000 census revealed that 50.2 % of the labour force, about 4.2 million people, were directly involved in agriculture. It is estimated that about 2.74 million households operate a farm or hold livestock, with approximately 90% of the farms having a size of less than 2ha. 80% of Ghana's agricultures produces comes from small-scale family-operated farms (FASDEP II 2007). Women are particularly engaged in the agricultural sector, with about half of Ghana's female population being self-employed in agriculture (FASDEP II). Most small-scale farmers engage mainly in food crop production and rely exclusively on rain for crop irrigation, making them vulnerable to climatic vagaries (less than 1% if Ghanaian farmers have access to irrigation). The main food crops grown vary slightly by climatic region, with cassava and maize being dominant on the coast, cassava, plantain and maize in the forest zone and maize, groundnuts and millet in the savannah zone (Chamberlin 2008, p.15). The main cash crops are cocoa, oil palm, coconut, coffee, cotton, kola and rubber, with oil palm, coconuts and rubber being mainly produced on large plantations (WFP 2009, p.37). Livestock ownership is especially prevalent in the North and in the Volta region, with the main animals being poultry, goats, sheep and cattle.

Most farmers use mainly traditional hand tools for farming, i.e. the hoe and the cutlass. Other farming tools, such as a tractor or a donkey/cow plough are only used by a small percentage of Ghanaian small-scale farmers, and where used tend to be rented or borrowed rather than owned. The majority of farm labour is drawn from within the household. About half of all small-scale farming households temporarily hire farm labour. (WFP 2009).

One of the major constraints for farmers is the lack of storage and drying facilities. According to the MoFA, post-harvest losses make up 20-50% of the harvest for fruits, vegetables, roots and tubers and 20-30% for cereals and legumes (FASDEP II). Combined with poor road networks, which make markets inaccessible to many farmers, this means that small-scale farmers often have to sell their produce to traders at post-harvest time, when the prices are low and in turn rely on markets during the lean season, when food prices are high (WFP 2009, Amanor 1999). Poor road infrastructure also aggravates women's time constraints, as they often have to walk a long way to the market centres carrying heavy headloads.

Due to the risks and the low returns associated with small-scale farming, as well as the lack of alternative employment opportunities in rural areas, there is an increasing out-migration to rural areas, particularly by young men, leaving older and female family members in charge of farming activities (WFP 2009).

A comprehensive survey conducted by the World Food Programme in 2008 found that across Ghana approximately 5% of the population (1.2 million people) were food insecure and another 9% were vulnerable to food insecurity. However there were great regional differences, with 34% of people in the Upper West Region qualifying as food insecure, followed by Upper East (15%) and Northern (10%). The lowest food insecurity was found in the Western Region (1%) and Greater Accra (1%). Rural areas are generally also much more affected by food insecurity than urban areas (WFP 2009). Furthermore, women tend to be more affected by food insecurity than men, due to the high prevalence of female-headed households in some regions and a lack of income-earning opportunities for women (FASDEP II).

In order to establish why food insecurity occurs in Ghana, I will look more closely at the three dimensions of food security as provided by the FAO food security definition.

2.4.1. Food availability

Ghana is to a large extent self-sufficient with regards to food production. The major staple foods, maize, cassava, plantain, yam and cocoyam are all produced in more than sufficient quantity.

The only staple foods that are not produced in sufficient quantity are rice and wheat. This indicates that food availability is not a major problem in Ghana.

The commons can also provide major sources of food and cooking inputs (water, fuel wood) to rural people and are of major importance to the livelihoods of the rural poor. Large-scale land acquisitions of so-called ‘unused land’ thus pose a particular threat to food security (Tsikata & Yaro 2011).

2.4.2. Food Access

A majority of people in Ghana depends largely on their own rainfed subsistence production and on locally-sourced food from the market for their food consumption (Quaye et al. 2010, WFP 2009). This means that rainfall variability poses high stress on households and food insecurity is often associated with poor harvests due to environmental degradation, droughts, natural disasters or conflicts (FASDEP II). However most households also substitute their own production with considerable amount of locally purchased food and are thus also vulnerable to food price fluctuations. Since 2000 food prices in Ghana have been soaring with a stark price increase witnessed in 2007/2008 (international food price crisis), when prices for cowpea, rice and maize increased by 73%, 48% and 88% respectively (Quaye et al. 2010, WFP 2009).

2.4.3. Food utilization

One way of assessing food utilization is to look at child malnutrition and stunting, which is very high in Ghana. According to the WFP survey in 2009, almost 12% of children below the age of five were underweight and almost one quarter of children were stunted or too short for their age. Malnutrition is also one of the main causes of child mortality in Ghana. Underlying causes are lack of access to adequate health service, lack of clean water and lack of access to adequate sanitation (WFP 2009).

2.5. History of LSLA at national level

Large-scale land acquisitions for export agriculture and gold mining in Ghana predate even the colonial era. During the gold boom of the 1980s, more than 400 mining companies held concessions in the Gold Coast territory (Amanor 1999). Furthermore in the mid-1890s Ghana already exported significant quantities of cocoa, a result mainly of the selling of large tracts of land by chiefs in Akwapim to companies of migrant farmers. Production soon spread to Southern Asante. In 1911, Ghana was the world’s largest cocoa exporter (Boone 2003).

While the British were eager to promote the cocoa industry, they were also concerned of the increasing land commercialization in rural areas, as it would free peasants from the control of chiefs, which was of paramount importance to British indirect rule. They thus gave chiefs wide-reaching powers to allocate land and collect land tributes. Sara Berry (1993:107, 111) recounts how the colonial authorities “persuaded the chiefs in Asante and Brong Ahafo to prohibit the sale of land in their domains. ... They endorsed the chiefs’ right to demand tribute from “strangers” who sought permission to cultivate [stool] land. ... [C]hiefs in Asante and neighbouring states demanded one third of the cocoa crop as tribute from stranger farmers.” These far-reaching measures served effectively to empower and enrich local chiefs. “The system was also rife with abuse and corruption. Chiefs were known to privatize stool resources, exploit tenants, abuse debtors, and forsake material and spiritual obligations to their subjects: from the 1920s onward, popular protests and anger at chiefly abuses led to an ever-rising number of “destoolments” of chiefs. More ominously class-like tensions between commoners and chiefs simmered across the entire cocoa belt (Boone 2003, p.154)”.

It was however only after independence that the development of state-led large-scale industrial agriculture became a policy objective. Large swaths of land were thus expropriated through compulsory acquisition by the state for the development of these state farms, the majority for the

development of industrial crops, such as sugar, palm oil, rubber and cotton. The objective to replace small-scale food production with large-scale mechanized farming however was not achieved, and most food continued to be produced by small-scale farmers (Amanor 1999).

During the Acheampong military regime in the 1970s a new approach to agriculture was developed with guidance and aid from the World Bank. It was focused on the establishment of large-scale industrial agriculture, especially oil palm, cocoa, cotton and tobacco, as well as irrigated rice and vegetables – and involved the establishment of large plantation and the involvement of outgrowers. The Special Scheme for Participation in Agriculture aimed to encourage foreign and transnational capital to invest in agriculture. While the state helped with land acquisitions and the provision of infrastructure, investments had to have at least 40% Ghanaian ownership and investors were obliged to create outgrower schemes. According to Amanor (1999:37) “outgrower schemes were written into these projects as a means of camouflaging the expropriation of land, by appearing to give farmers a role in new development projects, but also as a means of creating levers by introducing contract farming and integrated peasant farms as a source of low-cost labour for agribusiness.” While only 12 companies participated in this special scheme and most of them dropped out again after a few years, the expropriation of land was significant.

The changes that had been introduced in the 70s were cemented and expanded in the 80s under structural adjustment. Structural adjustment policies promoted by the World Bank and the IMF in the 1980s and implemented by most developing countries have been heavily criticized on many fronts – which has led to development scholars calling the 1980s the “lost decade”. Ghana was one of the first countries to implement very far-reaching SAP policies. Policies included the removal of subsidies from inputs and seeds, removal of protective tariffs on imported food, as well as the divestment of state enterprises and the promotion of foreign investment in agriculture through extensive tax concessions and other policy measures (Amanor 1999). The promotion of export crops, the increased competition from cheap food imports, as well as the rising costs of seeds and other farm inputs served to undermine local food production, with women, who made up a large part of food producers and traders, being particularly hurt by these changes (Manuh 1994). Structural adjustment in Ghana, as in other countries, paved the way for the increasing commoditization of natural resources and the environment.

The 2000s saw an increasing investment in large-scale horticultural ventures, especially pineapple. The term land-grabbing has cropped up in academia in 2008, after a research report by the international NGO GRAIN, highlighting how the food and financial crisis have triggered a new rush on land in developing countries by foreign investors. Since then much research has been conducted and land grabbing has become a topic of media interest and public debate all over the world. The previous sections have served to show, that land grabbing is by no means a new trend, but has been going on for many years, not only in Ghana, but in many developing countries. However, there are indications, that also in Ghana, large-scale land acquisitions by foreign investors have risen drastically since 2008. Between 2007 and 2012 annual foreign direct investment has increased more than six-fold (UNCTAD 2012).

According to Schoneveld et al. (2011) since oil prices reached a peak in 2006, more than twenty commercial plantation companies (mostly foreign owned) have gained access to an estimated 1.184million ha of land in order to develop biofuel crops – an equivalent of 4.6% of Ghana’s land area (Schoneveld 2011). However, according to a personal conversation with the author, by now there is only one company left operating in the biofuel sector. While some companies never took off or went bankrupt after a few years due to unrealistic yield projection for jatropha, others have generated very large resistance and have thus switched to food crop production. Recent years have however also seen a renewed rise in investments in the horticultural and food crop sectors (Amanor 2009, Tsikata and Yaro 2011). These are aided by Ghana’s conducive policy environment – the Growth and Poverty Reduction Strategy 2006-2009 (GPRS II), as well as the

Food and Agriculture Sector Development Policy (FASDEP II) both place high priority on private sector-led industrial agriculture in order to generate growth and reduce poverty in rural areas. Furthermore, the Ghana Investment Promotion Centre offers extensive concessions to foreign investors.

However, it is interesting to note that the majority of recent large-scale land acquisitions have been negotiated directly between foreign investors and traditional authorities, in many instances bypassing relevant authorities, i.e. the Lands Commission or the Environmental Protection Agency. Local chiefs have been very welcoming to foreign investors, granting them long-term leases of land for up to 99 years, sometimes for as little payment as 1.50\$ per hectare per year (Tsikata and Yaro 2011, Schoneveld et al. 2013). What little evidence there is of actual contracts signed between investors and chiefs, also shows that duties of the investors are often geared to the fulfillment of the chiefs personal ambitions rather than the aspirations of communities.

2.6. Why Ghana is a good country to study

Ghana is an interesting case study with regards to our overall research question for a variety of reasons. It not only has a long history of large-scale land acquisitions, it also offers an ideal background for the study of gender and food systems. The country is characterized by small-scale agriculture, with women all over Ghana playing a substantial role not only in the production of food crops, but similarly in processing activities, as well as in trading and marketing food crops and products. Furthermore, as in most countries, women tend to be in charge of household food security, and are thus bound to be particularly affected by any changes in the food system. Another aspect, which makes Ghana an interesting case to study is it's land tenure system, which is characterized by two competing and at times collaborating systems – a large body of state laws and agencies and a very strong customary system, which takes different forms in different regions of Ghana.

3. General institutional context

3.1. Relevant public policies in connection with the food system:

The main policy of importance to our research questions in Ghana are agricultural policies, which heavily promote large-scale land acquisitions, with a specific focus on outgrower schemes. Gender is mainstreamed in most of the Ghanaian agricultural policies

3.1.1. Agricultural Policies

Ghana's agricultural policy environment is very conducive to large-scale industrial agriculture – the Growth and Poverty Reduction Strategy 2006-2009 (GPRS II), as well as the Food and Agriculture Sector Development Policy (FASDEP II) both place high priority on private sector-led industrial agriculture in order to generate growth and reduce poverty in rural areas. One of the main objectives of Ghana's agricultural policy, as well as its Private Sector Development Policy and National Development Plan is to modernize Ghanaian agriculture away “from a subsistence-based small-holder system to a sector characterized by a stronger market-based orientation based on a combination of productive small-holders alongside larger commercial enterprises engaged in agricultural production, agro-processing and other activities along the value chain (GCAP website).”

The policy objectives of FASDEP II are 1) Food Security and Emergency Preparedness; 2) Improved Growth in Incomes; 3) Increased Competitiveness and Enhanced Integration of into Domestic and International Markets; 4) Sustainable management of land and environment; 5) Science and Technology Applied in food and agriculture development; 6) Improved Institutional Coordination. Various steps are outlined to reach these goals, i.e. development of irrigation schemes, post-harvest management strategies and infrastructure, as well as the development and

enforcement of community land use plan and the heavy promotion of nucleus-outgrower linkages. FASDEP II furthermore places high emphasis on gender equality and commits all relevant agencies to mainstream gender in all programmes and policies according to the Gender and Agricultural Development Strategy (GADS).

GADS has eight key strategies which are being used as the basis for mainstreaming gender into the policies and programmes of the agricultural sector. While gender awareness among MoFA staff and agricultural stakeholders, particularly MoFA directors, have apparently increased there has been a rather slow implementation of strategies in the GADS by MoFA Directorates and stakeholders. This has been attributed to the absence of a monitoring framework that would hold stakeholders accountable for implementing the GADS.

The implementation is in the hands of the Ministry of Agriculture (MofA) and the District Directorates of Agriculture with their agricultural extension officers. Districts commit themselves to develop their district development plans according to the objectives of FASDEP, however taking the specific situation in the district into account. Plans have to be developed in consultation with the private sector and NGO's and the contribution of the private sector and other stakeholders needs to be clear in the final district plan. The implementation of these policies relies heavily on donor funding, i.e. the following funding mechanisms are identified in FASDEP II: Budget support from Development Partners; co-financing with the private sector; beneficiary contribution; internally generated funds/non-tax revenue; loans and grants received from international financial institutions and bilateral agreements.

This policy focus is thus heavily aided and encouraged by donor-driven projects, such as the Ghana Agriculture Project (GCAP), a US\$ 145m Government of Ghana project funded jointly by the World Bank and USAID that aims to develop the commercial agriculture sector in Ghana. It includes interventions and matching grants aimed at supporting Ghana's "commercial agriculture renaissance": develop large irrigation canals, facilitate land acquisition, support and extend nucleus farms for the benefits of smallholders and outgrowers, expand infrastructure into outgrower lands, promote a secure investment climate that focuses on access to land (see FASDEP website). Projects finances under GCAP are also supposed to integrate a minimum of 30% women in their outgrower schemes.

3.2. Formal property rights

3.2.1. The state of property rights formalization in Ghana

There have been several attempts to formalize property rights in Ghana. While deeds registration has existed since colonial times, but is fraught with several problems (see 3.2.3), land registration has first been introduced in 1986 by the Land Title Registration Law. Since it has been found that this law has had little effect (see 3.2.3), the 1999 comprehensive National Land Policy (revised in 2002) aimed to strengthen the Land Title Registration Law. The Land Administration Project (LAP) as a multi-donor funded initiative of the Ministry of Lands and Natural Resources is based on the National Land Policy and lays the basis for ensuing land reforms. It started in 2003 with several pilot projects and is supposed to last 20 years (Spichiger and Stacey 2014). It aims to "develop a sustainable and well-functioning land administration system that is fair, efficient, cost effective, decentralized and that enhances land tenure security" (Ministry of Lands and Forestry 2003, p.12) by building on customary land tenure systems and officially vesting control over land management, registration and dispute settlement into Customary Land Secretariats (CLS). So far 37 Customary Land Secretariats (CLS) have been established by local landowning communities or traditional areas with the support from central government under the auspices of the Land Administration Project of the Ministry of Lands and

Natural Resources. „Their aim is to improve land management and administration at the local level and to „serve as an interface between the landowning communities and the public land sector agencies. (Government of Ghana Official Portal 2014)“

LAP can thus be seen as an attempt to formalize the customary – a process which has been criticized by many as it endorses the roles of chiefs as administrators of land, as if it were a timeless principle (Amanor 2005, ppp.110-111) and at the same time neglects inherent social and power disparities within customary systems. It is feared that this process will increase the power of chiefs to shape customary institutions in their own interest at the expense of local smallholder farmers (Ubink & Quan 2008, p.205). First studies on the effectiveness of LAP show that chiefs often use the establishment of Customary Land Secretariats “for centralizing the management of land transactions and the recording and formal documentation of land rights – as instruments for land disposals by the elite by concentrating on facilitating and documenting new land transactions, and failing to document the rights of indigenous land holders (Ubink and Quan 2008, p.208).”

3.2.2. Relevant legislation defining formal property rights

The Ghanaian Constitution differentiates between public and customary land (see 2.2).

Art. 266 states that “No interest in, or right over, any land in Ghana shall be created which vests in a person who is not a citizen of Ghana a freehold interest in any land in Ghana.” It goes on to outline that foreigners may hold only a leasehold interest of up to 50 years.

The Land Title Registration Law (1986) unlike the Constitution recognizes the following interests in land:

- Allodial title: Vested in customary authorities (skins, stool, lineage heads). They have complete and absolute freedom in dealing with the land without compromising the rights of subjects who may be in possession of the land.
- Customary freehold: Interest in community land held by subgroups or individuals. Freehold continues as long as individuals acknowledge superior title of the customary authority. Interest is inheritable and holders have the rights to sell, lease, mortgage or pledge their title, as long as they recognize the superior authority of the chief. Land holders are required to perform certain services to the stool. If services are not performed or holders deny authority of the chief they might have to give up the land. Land also reverts back to the stool if it is abandoned.
- Common law freehold: Can be acquired through a grant made by the allodial owner, either by sale or by gift. This grant requires the parties to agree that their obligations and rights will be regulated by common law.
- Leasehold rights: Allow a person to occupy land for a certain period of time. It can be granted by the allodial freeholder or the individual holding land under customary freehold. Sharecropping agreement in many areas are an important means of gaining access to scarce land.
- Lesser interest in land are not very well defined

3.2.3. Information about cadaster, register of deed, use and transfer rights (including inheritance)

While a system of deeds registration has been in existence in Ghana since 1843, it has been replaced by the 1962 Land Registry Act. It however provides only for the registration of land transactions, and as such provides no proof of ownership of the seller of land. Very often inaccurate and unscientific plans are used. Furthermore, deeds are not stored electronically, but rather chronologically and in paper form, thus making them very badly accessible. Many of the older deeds also provide no residential or postal address (Aha Cashnoba 2013).

In 1986 a Land Title Registration Law was introduced as a more effective system of land titling (Spichiger & Stacey 2014). The law was designed to introduce a scheme for registering all interests in land, including those held by stools, skins or lineage groups (who were supposed to register their group right without providing names of members of the group). So far, the focus of this law has been on the two metropolitan areas Greater Accra and Kumasi. The impact of the law has been negligible, due to serious design and implementation defects. On the one hand deeds registration and title registration are carried out by different agencies, who work entirely separate, thus the scale of site plans and the numbering of parcels of land has been completely different (Kasanga and Kotey 2001). While title registration was eventually to phase out deed registration, this has not yet happened and the two continue working alongside each other with poor integration (Jones-Casey & Knox 2011)

Jones-Casey and Knox (2011) found that between 1986 and 2006 only 42'000 applications for land registration were submitted to the Land Title Registry, but due to weak administrative capacities only 30% of those were actually registered and Ghanaian courts were clogged with over 35'000 land disputes.

Inheritance is also mainly regulated through customary institutions and follows either matrilineal or patrilineal patterns according to the region. However, in order to combat discriminatory inheritance practices, the government passed the Intestate Succession Law in 1991. The law emphasizes the importance of the nuclear family and provides for equal shares of inheritance for both spouses and states that upon death of the husband, 2/3 of the inheritance shall go to his wife and children, while 1/3 shall go to his family. Furthermore, it prohibits the ejection of a spouse of child from the marital home prior to the distribution of the estate. The law however does not cover customary and polygamous marriages and generally tends to be overridden by customary inheritance practices.

3.3. Relevant customary institutions in connection with the food system

Customary institutions are of high relevance to the food system, as most land in Ghana is under customary tenure and state policies often tend to be weakly implemented. The local chieftaincy structure with its rules and regulations is thus of primary relevance to local land users. The main customary institutions that will be highlighted in the case study are those concerning land governance and dispute settlement, which have been briefly outlined in 2.2.

4. General description of the case

The Ghana Agricultural Development Cooperation (GADCO), a company made up of a multi-national shareholder team and registered in the Netherlands, first came to the South Tongu District in 2011. The proximity of the Volta river and the district's climate make it a perfect location for rice growing. At the time of research, the company had leased app. 2000 ha of land directly from the Fievie Traditional authorities in exchange of an agreement that 2.5% of the company's sales go into a "community development fund" administered by the traditional authorities. While local state institutions were initially largely bypassed, the company has now registered the land deal with the Regional Lands Commission and is paying a water tax.

The company proclaims itself to be committed to "embedding the principles of sustainability into its core business strategy and operations (GADCO Website)" and has also received much positive media attention inside and outside Ghana (i.e. UNDP 2012, the Guardian 2013, Huffington Post 2014, Weltsichten 2014).

It however went bankrupt shortly after the first research stay in 2014, and was then taken over by the agro-processing company RMG Ghana Limited and restarted operations in 2015 (still using the name of GADCO).

4.1. “Issue at stake” Why is it a good case in connection with the research question?

This case study is particularly interesting, because it exemplifies one of the main conflicts visible in Ghana with regards to land use and ownership, i.e. the conflict between the customary system and the state. The fact that the company initially bypassed the state to negotiate directly with the customary authorities appears to strengthen their position vis-à-vis the state. While both GADCO and the traditional authorities refer to each other as “business partners”, state authorities are also devising strategies to “get a piece of the pie”.

In a rather traditional food system, where most people are small-scale farmers and common property resources, such as fuel wood, fishponds and grazing land are of major importance to people’s livelihoods, the entry of a large-scale mechanized farm is bound to lead to disruptions and changes in the local food system. Several conflicts and divisions became visible during the research – while some people benefited from the company’s outgrower scheme and employment and saw the LSLA as bringing “development”, many people were affected by the destruction of common property resources and farmland, as well as the company’s heavy use of pesticides. Power issues became highly visible, as benefits seemed to be distributed according to closeness and allegiance to the traditional authorities.

Furthermore, while the company claims to specifically help and empower women through its outgrower scheme and through the collection of left-over rice, these issues merit to be closely examined.

4.2. Description of the spatial and temporal boundaries of the case study

The GADCO investment is located in the South Tongu District. There are 5 traditional areas, which are at least partly located in the South Tongu district (boundaries of traditional areas and districts do not overlap). Most of the land GADCO has leased is located on the territory of the Fievie Traditional Area, while parts are however going onto Bakpa territory. The boundaries of the investment thus are the main boundaries of the research perimeter. For the purposes of this case study, 4 villages have been chosen for investigation according to the way they have been differently affected by the investment: Bakpa Adzani as a “migrant settlement” with no rights to land, but heavily affected by LSLA; Kpodzi and Kpevikpo, cattle herder settlements that have been partly surrounded by LSLA and heavily affected by loss of commons and spraying of pesticides; Fievie-Dugame, seat of the Fievie Paramouncy as the village that received most benefits from LSLA.

Local food systems are usually centred around a major market place. While the affected villages buy food in two markets, the most important one is located in Sogakope. Changes in the market have thus also been partly analyzed for this research.

Temporarily, this case study will look at the situation before GADCO arrived (t-1). There is no exact year/time that can be defined, as the context even before the arrival of GADCO has already been transformed by various outside interferences and the past will be largely reconstructed through the eyes of interviewees.

T0 marks the entrance of the investment in 2011. However, also the investment per se needs to be seen as a process, rather than a specified point in time. Through the various interviews and participant observation, the continuous implementation and expansion of the investment from 2011 to 2014 can be traced. Shortly after my field work, GADCO went bankrupt. Production was thus stalled for several months before a new investor took over operations in 2015. The period during which the investment was stalled has been analyzed by two MA students from University of Berne and a second field research in 2016 will look at changes that have been brought about by the new investor.

4.3. Independent variable: Institutions

The South Tongu District is located in the Volta Region of Ghana. The government is represented by the District Assembly (DA) headed by the District Chief Executive (DCE). It has as its main task to “*see to the general decentralization of government policies from the national level to the local levels, which is done through the various decentralized and other centralized structures (Interview DCE)*”. The district is thus engaged in education, health, planning and agricultural development – the concrete implementation of policies is however often made difficult by a lack of funds and staff. The South Tongu District is furthermore divided into 40 electoral areas, who each have a representative at the DA. As in most countries, the majority of higher level district officials, as well as 39 out of the 40 local Assembly members are male.

Agricultural policies are mainly implemented through the District Directorate of Agriculture and its various extension officers, who offer trainings to local farmers and provide inputs at subsidized prices.

The government exercises its control with regards to land matters mainly through the Town and Country Planning Department, located in Sogakope, as well as through its regional agencies, such as the Lands Commission and Environmental Protection Agency, both located in Ho.

However, according to the District Chief Executive, most land developments take place without the knowledge of the Town and Country Planning Department, as it is heavily understaffed. Many land developments, such as roads, hospitals etc. are funded and executed by large international NGO’s and UN or WB funded projects in collaboration with the government agencies.

Furthermore Fievie has been one of the pilot areas for the new LAP project. A Customary Land Secretariat has thus been established in Sogakope and the land belonging to the Fievie Traditional Area has been registered with the Lands Commission. While the aim of LAP is also to register and map individual land rights within the Fievie State, this has not been done so far.

4.3.1. Fievie and Bakpa Traditional Areas

Within the South Tongu District there are 5 traditional areas, who operate according to their own “traditional” rules and regulations and particularly regulate land access and use. The main traditional areas of interest for this dissertation are Fievie and Bakpa.

The Fievie traditional area is headed by a Paramount Chief and his Stool Father, who acts as his main advisor particularly regarding land matters. Both are highly educated and do not reside in the local area, but rather in Accra. At the state level, we also find a Paramount Queen Mother, in charge of “women’s affairs” (i.e. settling quarrels between women, organizing women for communal work etc.). It is further divided into 4 divisions, headed by the 4 clan heads and their advisors (stoolfathers). These and the war leader (Awadada) of the Fievie State represent the traditional council of the Paramouncy, who is supposed to be consulted before any major decisions are taken.

The Traditional Area is made up of 57 villages, most of which are headed by a village chief or village head (53 in total), who are in charge of organizing village life, settling minor land and other disputes within the village, as well as general developments at village level. Furthermore most villages also have Queen Mothers and Youth Chiefs. It is important to note that the large majority of chiefs and elders are male, and Queen Mothers tend to have less powers, particularly with regards to land matters.

Bakpa Traditional Area is largely located in the North Tongu District. However, a severe flood in 1968 affected several communities within Bakpa, which led to their resettlement to South Tongu. Up to this day it is not clear, whether the land the resettled communities now occupy was given to them by Fievie Traditional Area or by Mafi Traditional Area. While Fievie claims to have provided the land for the Bakpa resettlement and thus sees the Bakpa people as mere “settlers” or “migrants” with no rights, some of the Bakpa people claim to have been given the land by the Mafi Traditional Area in the Central Tongu District, which is bordering on the Fievie Traditional Area.

Bakpa Traditional Area is structured along similar lines as Fievie with a Paramount Chief, his Secretary, 3 clans and several sub-chiefs.

Bakpa still practices the outlawed tradition of Trokosi, which implies that families who have committed a crime (i.e. stealing) have to provide a daughter to the local priest. Through this tradition, priests live outside the villages with several young girls, who are used as sex slaves, as well as free labour. These girls typically have no schooling and only have access to the land of the priests, with no individual rights to any piece of land. Bakpa people have also “sold” many children to work on fishing boats on the Volta lake, as well as in Northern Ghana. These are now being “rescued” by international NGO’s and reintegrated into various Bakpa communities.

4.3.2. Customary land rights

Within the Fievie Paramouncy, clans and within them individual families thus control the use of large parcels of land and inherit it through the male line. They can exercise most of the rights usually associated with property ownership, apart of selling it. They, through the male head of the family, can decide on the use of the land, allocate it to family members or rent it out to landless people.

Within this general context of land insecurity for smallholder farmers and other land users, women are even more vulnerable to everyday dispossession of their land due to patrilineal inheritance practices and customs. While women can inherit land from their fathers, this land tends to revert back to the male line once a woman gets married. Upon marriage, their husband is supposed to allocate a piece of land to them. However, often these lands are small and of inferior quality. Upon death of the husband or divorce, the land always reverts to the husband’s family. While in such cases, women may be able to retrieve access to a piece of their own family land, this is not always possible, as male family members may resist.

Even though the Intestate Succession Law would prohibit such land grabs from women, most women do not know about it and customary practices seem to override formal legislation.

Land users in Bakpa Traditional Area also derive access to land through chiefs and inherit it through the male line. However, because the original ownership of the land is not clear, land rights of Bakpa people are even more vulnerable, as the Fievie Traditional Area perceives them as settlers, who do not need to be consulted about any land leases or developments. In 2008, the Fievie Paramouncy has for the first time leased out large tracts of land used by Bakpa people to an Isreali Jatropa company. Since parts of the land were clearly on the territory of the Mafi traditional area, Mafi Traditional Area took Fievie to court and a litigation case is still pending to resolve who the rightful owners of the land are.

4.3.3. Common property resources

In many communities, people also “own” fishponds. These have been established by their forefathers and are now administered by the family head. In the rainy season, these fishponds flood and fish can be caught by anybody. In the dry season, when the main harvesting takes

Fievie Trad. Area: The Fievie traditional area is one of 5 traditional areas in the South Tongu District. The leaders of the Fievie Traditional Area have provided the land for GADCO and are the company's main negotiation partners.

Bakpa Traditional Area: Bakpa Traditional Area is largely located in the North Tongu District, however several of the resettled communities are affected by the GADCO investment. They have not been informed or consulted about the LSLA and have thus engaged in armed resistance, which has led to some results. However, at the time of research, several conflicts between Fievie and Bakpa were visible, some relating to previous land acquisitions on Bakpa territory. Since the two traditional areas do not communicate, the only option for Bakpa to claim its rights is through state agencies and courts. However, they suspect that all relevant state actors have been bribed by Fievie and GADCO.

District Chief Executive: Has not been engaged in the process of land acquisition and complains about how the government is usually left out of land acquisition processes. However due to the heavy policy focus on private sector investments in the agricultural sector (FASDEP) has an interest in portraying GADCO as an example of how the district has provided an enabling environment to investors.

GADCO: The Ghana Agricultural Development Cooperation (GADCO), a company founded by a Nigerian investment banker, made up of a multi-national shareholder team and registered in the Netherlands, first came to the South Tongu District in 2011. While they have large outgrower operations on two government-owned irrigation schemes in the region, and also work with individual outgrowers in Hohoe, their operations in South Tongu are based around a 850 ha nucleus farm and 45 outgrowers working on the company's land. At the time of research, they were aiming to expand their outgrower operations to include an additional 120 outgrowers.

In total, the company had already leased app. 2000 ha of land directly from the Fievie authorities in exchange of an agreement that 2.5% of the company's sales go into a "community development fund" administered by the traditional authorities. The company went bankrupt shortly after the termination of my field research at the end of 2014. One of GADCO's suppliers (RMG Ghana Limited) took over operations in spring 2015. Only minor changes to the companies operations were made under new management.

Outgrowers: Only the outgrowers located in South Tongu near the plantation have been included in the research. At the time of the second research, they were 60. Most outgrowers came from Fievie-Dugame and were either part of the chieftancy structure or related to one of the chiefs or hailing from other locally important families. Most of them were thus already quite well off before engaging in outgrowing and some were paying poorer people to do the work for them. While most outgrowers were women, some of the men only signed up and send their wives to do the work.

Employees: GADCO employed approximately 150 people on the farm and 30 people in the rice mill. Only few workers had a permanent contract. Most were hired on temporary basis, with appointment letters rather than contracts or as casual labourers paid daily. Many of the rice mill employees came from Brasil (because the technology was imported from Brasil), while many of the Ghanaians came from Sogakope or other small cities. Some men came back from Accra specifically to work for the company. Women were only hired as casual labourers for the application of fertilizer, as well as cooks and cleaners. The main worry of all employees were low salaries. A labour union had recently been established and started negotiating with GADCO about salary increases.

Cattle owners: There are approximately 100 cattle owners within the Fievie Traditional Area with some owning up to 1000 cows. Almost all cattle owners are male and they are organized

through a cattle owner association. All cattle owners live in an area that has been designated for cattle grazing by the Fievie Paramountcy. GADCO has acquired their grazing land in 2 waves. While the first wave, all cattle owners agreed to the lease since much land was left, the second was acquired against the will of cattle owners and many of the ponds (used by both animals and humans for drinking) were destroyed. At the time of research, the company was aiming to acquire most of the remaining land for cattle grazing to expand their outgrower scheme. This led to many community meetings and much resistance by cattle herders.

Fishpond owners: There are many fishpond owning families in various communities of the Fievie Traditional Area. For all of them, fish is a very important part of their diet and the fishponds also provide a good income-earning opportunity. All fishponds were destroyed by GADCO without compensation. This has led to much resistance by fishpond owners. Some people were able to adapt their livelihoods by fishing in GADCO canals (however only those who are able to swim and own the necessary gear).

Small-scale farmers: Most people in the area are small-scale farmers, with some medium-scale farmers. Almost all people (male and female) plant both cash and subsistence crops, sometimes using different plots (riverbasin and upland) for seasonal agriculture. Most depend more on their own production for food security, rather than on the market (even though all buy some food on the market). GADCO has destroyed many people's farmland with only little compensation. While most wealthier farmers received either compensation and/or were able to access outgrower positions, many of the poorer farmers had to either access another land from within their family (if possible), others had to engage in sharecropping or renting, while still others were left landless.

Women: Even though women are highly heterogeneous and their ability to benefit from the investment depends on other markers, such as age and social status, there are some similarities. Generally, women in the area have no access to formal employment, but are in charge of feeding their families (often with no support from their husbands). Therefore, they pursue diverse income earning strategies. Many women farm both on their husbands and their own plots and in addition engage in the collection and sale of firewood, trading and of course child care. This means that women generally have much longer working days than men and consequently more time constraints. While the general institutional context is highly discriminatory, i.e. access to resources, such as land, as well as decision-making is very restricted to women, there are large differences among women, i.e. some women belonging to powerful families may have access to large tracts of land and also be involved in decision-making processes. While there are many polygamous households, which tend to be rather hierarchical with the men as main decision-makers, many younger couples are choosing monogamous marriages with some men also being involved in care responsibilities. There are also many female-headed household. Polygamy is still widespread in the area – most often men live with one of their wives, while his other wives are heading a separate household. While men are supposed to look after all their wives equally, many women in polygamous households receive no monetary benefits from their husbands and are thus in charge of feeding their own families. The fact that younger men often migrate or have no means to support their wives, has also led to many children being brought up by their grandmothers, as their mothers have no means to look after them. The area is thus characterized by a high number of female-headed households in charge of feeding their children and grandchildren. LSLA destroyed one of the main income-earning opportunities of poorer women – collection and sale of firewood, but offered new income-earning opportunities to some (outgrowing, rice picking).

4.5. Dependent variable: Description of the local food system

4.5.1. Food Production

The majority of the population is engaged in rainfed small-scale agriculture, growing traditional subsistence crops, such as maize and cassava, and to a lesser extent occro, beans and cowpeas. The areas cash crops are pepper and groundnuts, which are sold to traders, who come from as far as Togo and Benin. While pesticides (both chemical and organic) are used by a majority of farmers, the use of fertilizers is very low, due to the high soil fertility, which is maintained by the seasonality of the crops and consequent fallow periods.

Many people use the swampy riverbasin area to grow cash crops during the dry season (occro, cassava and tomatoes). The clayey soil is apparently particularly well suited for this type of agriculture.

While women often engage in both cash crop and subsistence crop production, men are more active in the production of cash crops. Men tend to have larger plots than women and often depend crucially on the labour of their wives and children. Women sometimes have to divide their time between farming on their husbands plots and cultivating their own plots (land which has been given to them for cultivation either by their husbands or their fathers). In other cases, women and men farm together on the same plot.

While cattle rearing is a male activity that is mostly done by better-off households, most households rear some small livestock (guinea fowls, pigs, goats, chicken). These are usually looked after by women and mainly kept as assets that can be sold to buffer stresses on the household, such as illness, droughts etc.

There are many man-made fishponds, which provide important resources to the local food system, as fish is a key ingredient of local diets and fish can also be sold to derive an income.

Land used as commons also provides important resources to the local food system. Women collect fuel wood on the large areas of fallow land, which is then processed into charcoal, sold and used for cooking.

Many villages that have no running water and no easy access to the river and thus use small ponds, creek or dams to collect water for household use – an activity mainly done by women and small children.

4.5.2. Food Processing

Women are also in charge of food processing, which is mainly done at household level. The main processing activities are the processing of cassava into cassava dough or gari, as well as conservation activities (i.e. drying of maize, boiling of pepper). Processed food stuff are also sold locally or to female traders, who then sell the produce on the local market, or in some cases in regional, national or even international markets.

Particularly in Bakpa, local women use fruits from Baobab trees (growing wild) and process them into a local porridge.

4.5.3. Food Distribution

Trading and selling food is almost exclusively in women's hands, and tends to be portrayed as a "boring" task by men. Whether women are able or not to keep the money from trading and selling food stuffs, seems to depend on various factors, i.e. whether the produce was produced on their fields or their husbands, the amount of produce sold (i.e. only enough money generated for subsistence or more) whether they are the only wife or one of several wives of the husband etc. A variety of constellations seem to exist at the local level, from husband and wife having a joint account, each having their individual account or the household having one account controlled by the husband.

There are two main market centres – Sogakope and Dabala – where people buy and sell food stuffs. People producing cash crops usually do not sell them directly on the market, but rather sell them to female traders, who sometimes go to several regional markets to sell their produce.

4.5.4. Food Consumption

Food security is high in the area, mainly due to the abundance of land and consequent ease of accessing new land for farming. The main staple crops, corn and cassava, are used to produce local meals such as Banku and Akple. Fish is eaten with every meal and many women report that they would rather not eat, than eat a meal without fish. Meat on the other hand is eaten rarely. The majority of households produces more food than they buy on the market and are thus more vulnerable to climatic shocks (i.e. droughts) rather than to market price fluctuations.

The general context in the case study area is one in which women are heavily engaged both in productive and reproductive activities, while men suffer from high unemployment. While most older men are still engaged in agriculture, many younger men are temporarily migrating to Accra or other areas, others are suffering from alcoholism.

4.6. Documentation of available data

The following methods were employed during fieldwork from March 2014 to August 2014:

- a) Participant observation
- b) 15 expert interviews
- c) Two focus group discussions
- d) 30 semi-structured interviews with participants from three villages that were chosen according to the different ways they had been affected by LSLA

The following methods were applied during the second field stay from April to July 2016.

- a) Participant observation
- b) 18 biographic interviews
- c) 12 expert interviews
- d) 3 focus group discussions

5. Analysis of the different phases of the LSLA process and its impacts

5.1. T-1 Situation

This chapter will show how the grip of the state on the local food system prior to LSLA was quite weak, as local people rely mainly on various customary institutions for their access to the food system. Women play an important role within the food system and pursue diverse income earning strategies, while men are mostly farmers or unemployed, with many youth leaving the area.

It will be highlighted how there are tensions within the customary system prior to LSLA and how the Land Administration Project (LAP) has actually served to strengthen the power of the Fievie customary authorities, who reinterpret the customary in a way to enable them to accumulate profits from land registration and sales.

Despite a changing environment, land was abundant at T-1 and food security high, with people producing more food than they have to purchase on the markets and generally having healthy and varied diets.

5.1.1. Institutional regime of the food system

The institutional regime of the food system is the same as outlined above (4.3) and is largely focused on the customary institutions regulating land use. The introduction of a CLS through LAP has given Fievie authorities more power. While the aim of LAP is also to register and map individual land rights within the Fievie State, this has not been done so far. Rather the Fievie Customary Authorities appear to use the increased recognition by the state in order to strengthen their position as “land owners” and negotiate directly with foreign investors. The claims to land that the Paramount Chief, his Stoolfather and the four clan heads have, have now also been formalized, as they are members of the Customary Land Secretariat. The establishment of a State Account under the auspices of the Customary Land Secretariat has helped the Paramourcy to increase its revenue collection, as any income from land leases flows directly into the state account. This revenue is largely used for land litigation cases against neighbouring traditional areas aimed at expanding the land area controlled by the Fievie traditional authorities.

In fact, it appeared that the customary authorities were able to use the establishment of the CLS strategically to completely change the structure of land governance in the area and increase their own power and control over land.

“They haven’t formally told us this, but we go on visits and sometimes we talk to the community and they think that the chief is using the CLS to capture their land. It is like, the chief wanted to establish the CLS, so that all the family land would come under the CLS and he will have authority. Interview, LAP Representative, 12 March 2016”

At the same time, land sales by “land-owning families” have been increasing, despite the fact that customary rules forbid individual families the sale of land.

“The land is a communal land, and this idea of individuals owning the land was not there formally, but now it is creeping into them. People want to own the land, so that they can sell it. And we want to avoid that. That’s why we told them, you don’t own the land, you are just a licensee. (Interview Stoolfather, 24.5.14)”

However, the customary authorities have also managed to benefit from this by changing customary rules in a way that any family wishing to sell land, now needs to pay 1/3 of the proceeds into a state account.

“Under normal circumstances it is only the Fievie state that can convey, because it is a communal land, but that practice is coming under serious threat. People are challenging it. They are selling their land. And you can’t be litigating with your citizens, so what we see is that, if a practice is under pressure, that practice is calling for a change. So you have to listen to the people. So what we do is that, if you want to convey, fine, do it, but come to the community – we have a Secretariat, so we are going to convey the land and give 2/3 to you, then the State takes 1/3. That money we use to manage the state (Interview Stoolfather, 24.5.14).”

5.1.2. Organization of the food system, decision-making, actors and strategies

Even prior to LSLA, there were conflicts between regulating actors of the food system. There is an ongoing conflict between Bakpa Traditional Area and Fievie Traditional Area, which erupted in 2008, when Fievie leased out large tracts of Bakpa land to an Israeli Jatropa company (see 4.3). Furthermore, in 2008, Fievie also provided land, which was partly on Bakpa territory to some Austrian investors to establish a large football academy. This led to ongoing conflict and demonstrations by Bakpa people, as the investors were also mining laterite in the area and in the process destroying Bakpa access roads.

Users of the food system pursue various strategies to guarantee their food security prior to LSLA (see 4.5).

5.1.3. Condition of the food system: Ability to guarantee food security

Land is still abundant in the area and food security rather high (see 4.5)

5.2. t-0 situation

This section will show up, how the company has used the customary system to acquire vast tracts of land and has in the process reshaped traditional institutions governing resource access. The strong links between the company and some of the Fievie Traditional Authorities will be highlighted, as well as the selective use of government policies. Strategies by government authorities to gain control over the investment will also be highlighted. Changes in the food system will be highlighted and local people's adaptation and resistance strategies outlined.

5.2.1. Institutional regime of the food system

Land privatization

GADCO has leased 2000 ha of land for 50 years from the Fievie traditional authorities (however only 850 ha were in use at the time of research). Even though it is a lease and not a sale, land that was previously subject to complex customary rules and regulations has effectively been privatized.

People, who continue ploughing their own land (which is not yet used by the company) are now doing this "illegally". GADCO furthermore enforces their property rights through the use of 15 regular security guards and 4 specialized armed guards (who do not have a licence to carry guns and thus once clashed with the police). Furthermore, whenever there is a problem (i.e. act of resistance, "illegal ploughing of land", GADCO provides a pick-up car to Fievie authorities, who mobilize and arm local to chase away offenders.

Traditional authorities seem to reinterpret their role in the community more and more as being the actual owners of the land, relegating people to be mere caretakers:

"It is just like, if you are growing up, your mother will give you a chicken, so you claim like it is your chicken, you'll be feeding it, looking after it, but the day of selling the chicken, your mother will not seek permission from you before selling the chicken. Or let's say they want to slaughter it to prepare soup for the family, they won't seek your permission. So, it's like you are just a caretaker. (Interview Stoolfather, 24.5.14)"

New commons

While the much of the commons have been privatized, new commons were also created by the company. After the company's first harvest, women started to collect the rice that was left behind by the company's harvesters. While the company decided to allow this practice, it is also regulated by the company, i.e. women are only allowed on the fields between 9 am and 4 pm. Furthermore, some people have started fishing in the GADCO canals – however, since the water is deep, people need to be able to swim and they also need nets. So far, this practice seems to be ignored by the company.

Outgrower scheme

The company itself is accessing money through the Ghana Agriculture Commercialization Project (GCAP) for the expansion of its outgrower scheme, which aims to strengthen smallholders access to markets and stipulates that at least 30% of outgrowers should be women. Unlike other contract farming schemes, which employ outgrowers on their own lands, the people engaged as outgrowers for GADCO continue farming their own land, while at the same time engaging in rice production on the company's land. Outgrowing thus represents a new institution in the local context.

5.2.2. Organization of the food system, decision-making, actors and strategies

The company has acquired land in several waves. A community meeting was called, and all people present (mainly from Fievie-Dugame) agreed that a piece of swamp land should be leased out to the company. With continuous expansions, the company took over lands previously used for cattle grazing, small-scale farming, as well as hosting many fishponds, and important common property resources, such as fuel wood, thatch grass and wild fruit trees. Community meetings were still held to inform local people about these expansions – however many people whose land has been appropriated by the company were not invited to these meetings and information about the ongoing acquisitions seems to have been imparted only selectively.

While some people have been clearly able to benefit from the investment, others have looked for strategies to adapt to the changing circumstance. Many people have also resisted the investment and several conflicts have been observed, both between those regulating the food system (i.e. traditional authorities, government authorities and GADCO), as well as among local land users and between local land users and regulating authorities.

Customary authorities as intermediaries

The initial agreement was made between the Paramount Chief, some sub-chiefs and the company, bypassing any government authorities. However, after a short period of time, a reshuffling occurred within the Fievie Traditional Area, as the Paramount Stoolfather felt left out of the agreement. He managed to halt the investment through abducting one of the company's operators and involving the District Chief Executive, who so far had not been informed of the investment.

With this new main partner, the initial 2.5% agreement was now officially signed in the presence of the District Chief Executive, several members of the District Assembly, as well as the Traditional Council.

„When they first came, they came to see the Paramount Chief and some chiefs from Agokpo and Sogakope. So, someone informed me that this company had come and I asked them, whether they have to inform me or not. They said that they had delegated someone to come and see me and I told them that this is not the proceeding, because I have to be at the forefront. So they said they would come to me, but because I did not assert myself, we held a meeting on Sunday and on Monday I heard that GADCO has entered the land. So, I delegated the youth to go and stop the project. And that day I came myself, so we went to stop them. So on a Wednesday we all agreed that Friday we meet in the community. But Thursday they defied my orders and went to the field again. So that day my boys went to hijack them. They took them to the community to report to the police. Because the DCE was also not aware, the police honour was also not aware of the coming of GADCO. So it was then that they knew that we were serious. So they called me, and I told them: What did I tell you? So the police honourable elected me and I told him all that transpired and then that Saturday we all came in the community. GADCO also came and we started renegotiating the agreement. (Interview Stoolfather, 24.5.14)“

According to the GADCO manager, the 2.5% deal has meant that the Customary Authorities now have a stake in the success of the company and are thus also actively engaged in maintaining the company's success and expanding its profits. All “community issues”, such as choosing outgrowers, dealing with compensation claims and resistance are left to the customary authorities to deal with. Both parties confirmed that when there is resistance (i.e. illegal ploughing of land), the company provides a pick-up truck to the Fievie authorities and they mobilize and arm the youth to deal with the offenders.

Even though the government authorities have been largely sidelined by the investors, the district is keen to highlight its role in creating the enabling environment for GADCO to operate:

“We only need the more generic data for statistical purposes so we can use it to project that this district has created an enabling environment for GADCO at Fievie to produce 200 000 tonnes for the year and then the Brazillian company too may have produced so and so tones etc but we are not directly involved in the day-to-day administration of the project.” (Interview DCE, 22.5.14)

Similarly, the District Director for Agriculture, appears keen to highlight his Ministry’s role in the GADCO project and emphasizes that the “business strategy of GADCO is in line with MOFA’s emphasis on value chains and with FASDEP as an inclusive business model linking smallholders to value chains”. He stresses that his office is providing an enabling environment for GADCO through selling subsidized fertilizers, tractors and servicing their machines. However, he also maintains, that the district should try to establish land banks by acquiring land from the chiefs “so that when investors come, they would rather go to the assembly instead of going to the chiefs then the procedure becomes much easier (Interview District Director of Agriculture, 16.4.14).”

GADCO has received quite some positive press in Ghanaian media and the opening of the GADCO mill, several politicians held speeches (often however criticizing that the government had not been involved in the processes and needed to come on board) and even the vice President of Ghana pledged its support to the company.

“Community development account”

While the agreement that 2.5% of the company’s sales should go into a community development account has received a lot of praise in the national and international media, most people interviewed did know what the money was used for.

While the money generated from the investment is supposed to be used for community development purposes, the company does not check whether this has really been the case and within the local communities, suspicions are rising, as to where the money is going to. One participant at a group discussion compared the situation to that of the Ashanti Kingdom: “*You know that there is a lot of gold around, but you never see it.*” (Male PRA, 11.5.14)

Various customary authorities, including the Paramount Stoolfather, mentioned that a large part of the money is going into land litigation with adjoining traditional areas, i.e. the court case between Mafi and Fievie Traditional areas.

“GADCO is actually having a tremendous impact on that. Every month we take 2.5% from them and that is a lot – on the average it is about 15’000 GHC a month (app. 5000 CHF).. When it reaches 5%, that will amount to 30’000, and that depends on the size. If they increase, we will even be taking 40’000 GHC a month. It is a lot of money. We appreciate it. I am telling you, we appreciate it a lot. As a result now, you cant toy with us, because we can match you, we have the resources. They are actually helping us a lot, they are helping us. (...) The money is used for community development. And litigation is very expensive. People are litigating us over the land, and without resources you cant litigate. So with the help of GADCO, we are able to pay our legal fees without any challenge.” (Interview Stoolfather, 24.5.14)”

Employment

At the time of research GADCO had leased 2000ha, of which only 850 ha were under production. The company operated a large-scale mechanized plantation and rice mill, which employed approximately 150 and 30 people respectively. Some men came back from Accra to get employment with the company. The majority of the company’s employees are male, most

often working on temporary basis and everybody complained about low wages. Workers have at the time of research founded a union and complained several times to the company about wages. Many former employees said that they were laid off for no reason and with short notice.

“What happened is that, working with GADCO, when you work for three months that they have to make you a permanent worker then they sack you, so most are made casual workers rather than permanent workers (Interview male employee,28.6.14).”

Women were mainly hired as low-paid casual labourers, mainly for the application of fertilizer, as cooks for the workers and as cleaners. The justification for this was that it is tedious work, which is better suited for women.

One woman said she was run over by a tractor while working for GADCO – the company apparently did not pay for her hospitalization and as a result of the accident, she could not work again. Another man lost his eye sight on one eye due to a battery explosion at GADCO’s pump station, where he was working. GADCO paid for his treatment, doubled his salary and gives him a free bag of rice every month.

Outgrowing

The company also employed 45 outgrowers on 45 ha of land. All outgrowers were selected by the chiefs and thus came mostly from Fievie-Dugame, the seat of the Paramountcy – often they were either related to one of the chiefs or came from other locally important families. While about half of the outgrowers were male and the other half female, several men who signed up for outgrowing actually send their wives to do the work.

At the time of the research, an additional lease of 120 ha for the integration of a further 120 outgrowers was negotiated, with 2/3 of the positions supposed to go to women, due to funding regulations from GCAP. This led to many conflicts, which will be discussed below.

Loss of land

While originally, the company’s plantation was set up on swampy land, which local people used for fishponds and seasonal agriculture, it soon expanded to include large parts of land used for cattle grazing and the collection of fuel wood, as well as farmland used by both Bakpa and Fievie people.

In the process of establishing the plantation, all fishponds were destroyed and most of the trees used for fuel wood were uprooted.

Compensation

Compensation for loss of agricultural crops (not land!) was paid to some individuals – from interviews it appears that most of those claiming to have been compensated were either chiefs themselves or closely related to the chiefs or other important local people and almost all of them hail from Fievie-Dugame. No compensation has been paid for loss of fishponds or other resources. Many people have asked for compensation, but have been kept at bay with tactics of delaying (i.e. asked to see another person, come back another time).

No compensation has been paid for the loss of common property resources

Conflicts and resistance

The GADCO investment appears to have given rise to many intra-community conflicts, as some welcome the investment and see it as a way of “development” and others are concerned about the negative impacts.

Initially, there was much resistance, including armed resistance by some elders and sub-chiefs and several death threats were issued against the company's manager. Interestingly, all chiefs that I was told were initially against the investment, turned out to be the most fervent supporters during my interviews. Interestingly also, all of them were in the process of building a new house. It thus appears that all important people have been bribed to support the investment. Furthermore, as has been highlighted above, many people from important local families have been given outgrower positions or employment and only important people seem to have received compensation.

Those people thus are very keen to highlight the potential of the investment, calling rice "the new gold of Fievie", while those who have lost access to land, fishponds and grazing land and have not received compensation complain about their losses.

"I don't know if I have even 1 cattle left. If your neighbours beard is burning, you should go and fetch water to put it out. This is the 10th time that we meet on this project. The land we are talking about now is the major grazing field left for our animals, they go there from morning till evening. We have always gone there. The small portion that would be left, we cant even go there. And there is only one pond left, even we, Fievie-Dugame depend on that pond. I explained before, and we also met at another community, if things are like this, the project should not be allowed. Maybe we can get an alternative land. If we all go there to work and the project fails, we will be hungry. Only one project in another community is for this project, every one else here is against it. Some people should not be crying, so that others will be laughing (Elder at a community meeting, 18.5.14)."

Generally, people's first point of call to voice their grievances and demand compensation are the traditional authorities, as they are the main negotiation partners of GADCO.

"We also realized that it's only Stoolfather that can tell them something that they would do and we cannot tell them anything that they would take serious."(Interview male employee,28.6.14)

Particularly, people in Kpevikpo have been greatly affected by the aerial spraying of pesticides, as the company sprays some houses directly and apparently sometimes even sprays children on their way to school. Similarly, many water ponds have been destroyed or poisoned by the company and Kpevikpo remained with no access to water.

When traditional mechanisms of dispute settlement seemed to bring no results, many people went on to inform their local assembly members and also complained to the district directorate of agriculture or members of parliament. Particularly, the cattle herders have used various means to get their plight heard, amongst others local media.

"As we discussed yesterday, if they insist to take it, I will shout for the government of Ghana to hear because they are farmers and I am also a farmer. Do they want to come and destroy my farm? I will never agree. The animal industry is supported by government so I will try and tell them not to do it. The farmland was big and we gave them some but now, it is small so I will not agree. I have a lot of animals here so if I destroy all the land is it good?" (Interview with Kpodzi chief, 19.5.14)

However, as has been mentioned above, various government officials appear keen to portray GADCO as a best practice example and even the Vice President of Ghana pledged its support to the company. Furthermore, GADCO and also the traditional authorities have many good connections to political figures. Several people also suspected that GADCO was bribing relevant authorities. Therefore these initiatives have shown little results.

Some individual families have also engaged in court cases against the traditional authorities, but these are very expensive. Furthermore, the Stoolfather is a lawyer by profession and thus knows how to navigate the system very well.

Fishpond owners also have grouped together and decided to go against the will of their elders and engage in a court case against GADCO for lack of compensation

Everyday resistance

People, who have been deprived of their livelihoods, have also engaged in a number of forms of everyday resistance, i.e. putting up red tape around their farms to prevent GADCO from entering the land, stealing and destroying of machinery, or pulling out pegs that GADCO had placed to delineate their land, as well as „illegal ploughing“ of fields not yet used by GADCO. In most of these cases, the customary authorities intervened by asking people to stop and if necessary threatening to take other measures, i.e. taking them to the police. Four members of the Fievie community were furthermore armed and given the task to patrol the fields at night and report anybody stealing. Illegal ploughing of land by Bakpa was often met with violence, as customary authorities armed local youth and send them to chase off offenders.

“This season when we were ploughing to plant our pepper, a mob from Fievie came and attacked us including our chief. They were in a KIA truck, came and heckled, buckled us out of the farm physically. A report was made to the Police and records are there to show. Some of us are thinking of the next line of action to take because when this was reported to the Adidome police, they told us that they were in court so they couldn’t respond to the situation. (...) Their body language spoke for itself so we left and took the police form and went to the hospital, treated and discharged and it took them 11 days to take our statement. They took our numbers that they will call us and if they don’t call us we shouldn’t come down. They never called us until the 11th day and we went only to be told that the commander isn’t around and the CID too is busy so we should go and come the next day. So we went to give the report and ever since they kept inviting us but when we go Fievie people would not come. We are starting to think that the police has been bought by Fievie. (Interview with Secretary of the Bakpa Adzani Chief, 13.6.14)”

The situation of Bakpa settlers

When Bakpa first realized that their land was being ploughed again, a group of elders armed themselves and threatened to kill anybody who would come near. As a result the DCE’s and the Security Councils of South Tongu and Central Tongu were informed and called a meeting with Fievie, GADCO and Bakpa.

“We organized a joint District Security Council (DISEC) meeting to try settling the dispute and we came up with a proposal and brought on board agricultural valuation experts to come and value the crops destroyed so they pay compensation. GADCO came back and said the compensation was a bit too high for them but we told them the valuation was done by an individual expert so they have to pay.” (Interview DCE, 22.5.14)

However agreements made at the meeting were not honoured and out of 29 affected people only 9 people received compensation.

The court case between Bakpa Adzani and Mafi against Fievie has also regained new attention. For the second time since 2008, Fievie has leased out land used by Bakpa people to a foreign investor, thus Bakpa Adzani have added the current lease to the original court case and are waiting for it to be resolved. They however fear that the Fievies have bribed the court, as the case continues to be delayed everytime they are supposed to meet.

Female resistance

Interestingly, no women appeared to be engaged in any resistance. This appears to have various reasons, which are mainly rooted in traditional notions of masculinity and femininity, as well as specific gender roles. On the one hand, most land belonged to men, so women can also not contest the loss of land. Furthermore, women tend to have less voice in the customary system and thus also less access to the traditional leader. Violence and direct confrontation are male strategies, or as one woman puts it: “*Women are not having strength and it is the men that have*

the power to go and face those people and resist in some way but we are weak, we cannot resist.” (Focus Group Ricepickers, 16.3.15)

The most important reason however seems to be that women have found a way to adapt to the changing circumstances, which men due to prevalent notions of masculinity can not do – the picking of left-over rice from GADCO fields. This is used to supplement household food security and is also sold to traders or on the local market, thus providing women with an income. Whether or not it has actually empowered women and added to household food security will be discussed below.

“Initially we were so much afraid mainly because of the firewood they were destroying. A lot of our livelihoods depended on firewood at that time so we were so much afraid when they (the company) were destroying everything. But when they (the company) continued and we started picking the rice that was when we relaxed, and the fears went down.”(Focus Group Rice pickers, 16.3.15)

5.2.3. Condition of the food system: Ability to guarantee food security

Since the investment first took off, the investors have continually acquired more land, previously used for cattle rearing, small-scale farming, fishing, as well as hosting important common property resources (i.e. fuel wood, thatching grass and wild fruits).

Decreased farming activities

Particularly farming in the riverbasin, where many people previously grew their cash crops, is no longer possible. For many households the LSLA has led to a reduction in or complete withdrawal from farming. This not only implies that an important source of income is missing, but also that these households are becoming more dependent on the market to guarantee their food security. Several households that were interviewed had sold all their livestock and were experiencing increased food insecurity. Others were accessing land through sharecropping or renting from those, who did not loose land.

Many employees and outgrowers also reported decreased farming activities (due to loss of land or due to time constraints) and consequently increased dependency on the market to buy food. However, unlike those who lost land and have not benefited in any way from the investment, most employees and outgrowers did not experience increases in food insecurity. In particular the outgrowers felt that LSLA had made them better off: before LSLA they were dependent on rainfall for their own agriculture and only had two harvests a year, now they can get 3 harvests a year, earn more and be less dependent on the weather (however most outgrowers were previously already well off).

Furthermore, many local people were concerned about GADCO’s heavy use of fertilizers and lacking fallow periods, as they fear that the soil will lose its fertility and they will be unable to use it once the company leaves.

Pesticides are not only affecting people’s and animal’s health, but many people claim that their vegetable nurseries have been destroyed by the pesticides.

Disappearing commons and its effects

As most grazing lands have been leased by the company, cattle rearing is slowly becoming unviable. Many people had to sell their cattle, others were still grazing in on the small grazing land left, which is leading to increased degradation of those lands

Furthermore, the company has destroyed many ponds, creeks and dams used for drinking water and most of the remaining ones are poisoned by pesticides. This implies that people are either drinking dirty water, women have to walk further to collect water or water needs to be bought.

The destruction of trees not only makes fuel wood/charcoal selling an unviable activity, it also leads to the destruction of remaining trees, as women cut them down for fuel wood.

Furthermore, the destruction of fish ponds has translated into fish now having to be bought on the market. This is a very important aspect, since fish is a crucial part of the local diet.

„We used to catch fish and get firewood from there. Our forefathers dug ponds in the water logs and fishes remain in them when the water dries up but all these things were destroyed and now we buy even firewood for cooking (Interview woman, who lost land, 14.6.14)”

Increasing consumption of rice

Another effect the LSLA has had is that there is now more rice in the local food system and rice has become more affordable to many families.

After-harvest rice picking now attracts hundreds of women of all ages, some coming from villages as far as 20 km away. The majority of women, who engage in this practice use some of the rice for cooking and sell some to rice traders, who process it at a local mill operated that has sprung up as a result of this practice.

“The presence of GADCO is source of food and income as some of us could go pick rice in order to cook and eat and even sell some to get income. So the company being here is helpful (Female outgrower at PRA workshop, 4.5.14)”.

“The rice picking has helped, my struggling has also reduced. When GADCO was not here, I was always thinking in the afternoon where to get the food from to cook, but no I don’t need to worry again (Interview with female outgrower, 6.6.14).”

A change in consumption patterns is also visible, as many people report eating less of their traditional food stuffs and eating more rice. Some people also substitute the lacking fish with rice, making the diets more unhealthy.

“Sometimes we would not like to eat rice but we don’t have the food we want, so we would just take the rice like that.” (Interview male employee, 8.6.14)

“Since they have destroyed our fish ponds, we don’t have fish to add to the banku to eat at all time so we used the rice to supplement our diet.” (Focus Group rice pickers, 16.3.15)

The income women derive from after-harvest rice picking is also often used for food items. While some women claim that they have to give all the money to their husbands, others keep parts of it to themselves.

“Yes sometimes we use our money to buy the fish but when it reaches the critical time we were having the money but we tell our husbands we do not have money and we keep it for our personal use” (Focus Group Rice Pickers, 16.3.15)

However, it is important to note that many women cannot engage in after-harvest rice picking (i.e. because of physical or time constraints) and the fact that hundreds of women do it, means that many women only get very little rice in exchange for very strenuous work.

While those household affected by loss of land and other resources and not able to access any new income-earning opportunities report decreases in food security, many people claim that food security has remained the same. What appears to have changed for most people is their increased dependence on the local market to buy food, as well as their changed consumption patterns.

6. Diachronic comparative analysis of the case at t-1 and t0, including predictions for t+1

6.1. Comparison

Increased conflicts are visible at the local level. Conflicts are situated at various levels:

- between regulatory authorities, i.e. between state and customary authorities, between different traditional areas, between GADCO and the state
- between local land users, i.e. between those profiting from the investment and those losing out
- between local land users and regulating authorities (i.e. between local land users and GADCO, between local land users and traditional authorities)

Fievie Customary Authorities appear to be the main winners in the scenario, as they are dividing most of the profits from the investment among themselves and use them to engage in land litigation to get access to more land (to be leased out to investors). The Land Administration Project, as well as the fact that state authorities are also very keen to provide an enabling environment to investors appears to strengthen their position.

However, government authorities are also devising solutions to “get a piece of the pie” and reduce the power of chiefs. Furthermore, chiefs seem to be losing some of their legitimacy at the local level, as they appear to act more and more autocratic.

While most local people try to use traditional mechanisms of dispute settlement first, when these fail, they usually turn to state authorities. However, so far this seems to have brought only few results, as there are varied connections between chiefs and the government and state authorities are also keen to portray GADCO as best practice.

Customary authorities, state authorities and the company itself portray the investment as development and modernity and in particular the customary authorities appear keen to describe traditional practices as backwards.

“If you are able to cultivate 1 ha for GADCO, you can make 4000 Cedis, from maize you cannot do that. So this is a good initiative, as compared to the cow business, with which you cannot make as much money. So the cattle owners should release their land to this more profitable business and move to more profitable occupations.” (Stoolfather at Community meeting, 11.5.14)

“They are purely subsistence farmers occupied with survival. Its rained, so its risky business. And then the cattle, is at the mercy of the weather like the farming. So we decided to help them.” (Interview Stoolfather, 24.5.14)

Both the customary authorities and the investors also portray the investment as helping women (more women involved in outgrower scheme, after-harvest rice picking helps food security). Women are thus instrumentalized by investors and chiefs to promote “sustainability of the investment. However, many livelihood strategies of women were destroyed and outgrowing benefits mainly those women close to chiefs. While most women engaged in after-harvest rice picking acknowledge that it has helped them to feed their families and in many cases also to derive an income, whether it can really empower women in the long term is highly questionable, as the bankruptcy of GADCO has shown.

“There are lots of risks in picking the rice like the sunshine scorching us so hardly and sometimes we meet snakes whilst we were picking rice and all that but as they (GADCO) have destroyed everything that is our last resort we could turn to. We keep on picking the rice to compensate our losses but it is just unfortunate that they have stopped farming and we do not have any other source of compensation to our losses now.” (Focus Group Discussion Rice Pickers, 16.3.15)

The GADCO investment also seems to have led to increased land scarcity and people who have lost access to farmland now often have to resort to sharecropping or renting land from other families.

It also appears to have led to increased land degradation, particularly of grazing land, as the small area left is now overused.

People generally appear to be more dependent on the market to buy food, particularly fish and also fuel wood, water, which makes them more vulnerable to market price fluctuations. While

rice was previously hardly ever eaten, it has quickly become a staple food and even seems to partly replace traditional foods, such as Akple and Banku.

6.2. Prediction

GADCO has already failed and has been succeeded by a new investor in spring 2015. The company has plans to expand its outgrower scheme, which could potentially benefit more people.

However, land for the new outgrower scheme is located on Bakpa territory, which may lead to an escalation of the conflict between Bakpa and Fievie, unless the company or the government mediates between the two traditional areas and finds a solution acceptable to all.

Furthermore, the vision of the Stoolfather is to get access to more land through litigation with neighbouring traditional areas and invite more investors to come in. His vision is to stop farming traditional crops and stop herding cattle, but rather everybody should be growing rice:

“Let me tell you, we don’t see the wisdom of continuing with the traditional crops again. Because when you look at the use of rice as compared to them, the profit is more. (...) The cattle too, a whole year, you may not even sell 1 cow. They have that attachment to it, because they are cattle owners, but they are suffering. But lets say if everybody has a hectare of rice, in 5 years when you come, you will see that their life will transform tremendously.”(Interview Stoolfather, 24.5.14)

His vision may not be completely unrealistic, as at the time of research one Indian and one British- Bangladeshi company were in the process of acquiring vast tracts of land for rice production (apparently not from Fievie, even though Fievie claim it is also their land).

As GADCO (a so-called “best practice” example), as well as Galten, the abandoned Israeli Jatropha company on Bakpa land have demonstrated, companies come and go and are often just in business to get a quick profit.

Once the people who have taken over from GADCO give up, the land in the traditional area may already be depleted from heavy use of fertilizers and pesticides and the opportunities the company has provided will be lost, leading to instability in food supplies.

“They have destroyed everything and uprooted the trees with their stumps so the trees are not able to grow again even as they have stopped their operations to get firewood or other resources from the land again.” (Focus Group Rice Pickers, 16.3.15)

In the meantime, local people who have lost parts of their livelihoods will continue fighting for their rights and possibly achieve small gains, i.e. compensation for lost fishponds, construction of a road to Kpevikpo, prior notification before spraying etc.

Even though, the profit-oriented mind-frame of investors and the self-serving behavior of political and customary elites makes it’s fulfilment unlikely, I would like to end with the wish of a local ex-employee of the company:

“Since they are coming to work with human beings, whatever they do, they should do it in such a way that it wouldn’t spoil anything and when we complain they should also take us seriously.” (Interview with male employee, 28.6.14)

7. Conclusion: Discussion of the research hypothesis

H1. LSLA are a form of unilateral appropriation of the food system; as such they have a negative impact on food security

The case study can partly confirm this hypothesis, as investors have had a massive influence over the food system. Their influence has come through a) the appropriation of large tracts of land, which were previously regulated through a variety of localized customary institutions and hosted many important resources for the local food system (farm land, water, fishponds, grazing

land, fuel wood); b) the provision of few outgrowing and employment positions, which have allowed people to buffer any negative effects of the investment and to derive benefits; c) the introduction of rice, which has led to changing consumption patterns and new opportunities to generate income for some.

While particularly, the enclosure of land and destruction of many resources has had negative consequences for the food security of many households, there is no conclusive evidence that food security in the whole region has reduced. What is more clearly visible is that most households report increased market dependency for their food consumption (which partly comes with decreased quality of food), as well as changed consumption patterns (reduced fish consumption, reduced consumption of other traditional food stuffs and increased rice consumption).

H1.1 The private-law nature of LSLA leads to an impoverishment of democratic decision-making procedures (less transparency and accountability) in the management of the food-system resource (production, processing, distribution, consuming). Actors develop strategies to counterbalance this loss.

The Fievie Traditional Area is proud of its democratic decision-making system – i.e. most community issues are discussed during community meetings in which everybody can have their say. I have personally attended many of these meetings and was initially impressed at how openly everybody could voice their concerns, provide solutions to problems etc. However it soon became clear that all decisions had already been taken by the customary leaders together with GADCO and many people felt disillusioned by the customary system (i.e. many people did not attend meetings anymore). While I do not have any information on how well the system worked before, it appears that the LSLA has led to an impoverishment of democratic decision-making structures. Rice is portrayed as the “crop of the future” and all people are supposed to engage in rice picking, while cattle rearing, picking of fuel wood and even farming traditional crops is portrayed as backwards and in need to be eradicated in order to make way for profit accumulation through rice production.

However, it has to be noted that while decision-making appeared democratic within the Fievie Traditional Area, Bakpa people, who are heavily affected by decisions (even prior to this specific LSLA) are by default left out of decision-making, due to their status as settlers/migrants. Similarly, state authorities appear to be generally left out of any decisions affecting community issues. They mainly become involved when there is conflict.

The various adaptation and resistance strategies local people have developed have been described above.

H1.2 Contract-farming arrangements represent an alternative form of LSLA which can lead to “win-win situations” for both investors and local people regarding management of the food-system resource in comparison with “classical” LSLA because food producers retain a greater control over the resource, which leads to increased food security.

The type of contract farming GADCO uses differs from conventional contract farming schemes, since outgrowers work on the company’s land, rather than on their own land. Nevertheless, it (at least in the short term) appears as a win-win scenario. Outgrowers receive (comparatively) high prices for their harvest and can at the same time continue to work on their own farms, while the company has much lower production costs (no mechanization) and much higher yields. However, while the arrangement benefits the outgrowers and most of them do report either higher or similar levels of food security as before, the land they are using has been taken away from other users, who consequently suffer. Furthermore, outgrowers had only had 2 harvests at the time of research and are heavily dependent on the company to buy the harvest (which became a problem during my field stay, as the company had problems with their harvesters), as well as on the information the company provides (regarding prices, quantities etc.).

The research also found that since the selection of outgrowers was done by local chiefs, most of the outgrowers were related to the chiefs or held other important positions in the community. Rather than benefiting the most vulnerable members of the community, the outgrower scheme just served as additional employment for many already wealthy individuals.

H2. LSLA have a differential impact on men and women; considering women's role in the food system, they suffer proportionally more than men from the impacts of LSLA on the food system.

The resources women and men were using prior to LSLA are partly different, as are the roles they play in the food system. While both women and men were affected by the loss of land and fishponds, men suffered more from the loss of grazing land and women from the loss of fuel wood. Women are also bound to be more affected by destruction of water sources, as they need to walk further to get water and women in Kpevikpo were also specifically affected by the destruction of the road (as they could not go to the market anymore during rainy seasons and whenever GADCO irrigated their fields).

However, after-harvest rice picking appeared as a new income earning opportunity for women (replacing the sale of fuel wood), as well as an opportunity to get some food for their families. Furthermore, some women also benefited from the integration into the outgrower scheme (even though at the time of research this only applied to few women, most of them already better off). While it is not clear how much these activities really led to an empowerment of women (as some women had to give any income to their husbands and suffered from increased time burden), most women did agree that outgrowing and after-harvest rice picking were beneficial for them.

The main way for men to offset any losses would be outgrowing and employment, but these only benefit a small number of men (and most of the better paid jobs at GADCO were given to people from Sogakope, who have not lost anything to the investment). Other strategies include migration, as well as resistance to the investment.

Both men and women also try accessing new land through sharecropping arrangements or rentals.

While in the short term, the hypothesis cannot be confirmed, in the long term (if after-harvest rice picking is no longer an option) women are bound to bear the brunt of the changed environment, as they will have to find new ways to guarantee their families food security.

The main people benefiting from the investment are those men (and few women) close to the chiefs.

2.1. Because women tend to be in charge of subsistence-oriented food production and preparation, actors' networks and organizations where women are involved are expected to be more considerate with the sustainable management of the food system resource.

There were no major women's organisations or movements in the area and women did not engage in resistance against the appropriation of land and resources.

2.2. The food system resource is expected to be sustainably and equitably managed, i.e. provide greater food security, if no user of the resources can impose oneself unilaterally in front of the others without agreed compensation.

This appears to be true, since prior to LSLA, various resource uses were managed through a variety of local institutions. Various resource uses were able to co-exist side by side, i.e. small-scale farming, cattle rearing, collection of fuel wood, fishponds etc. Minor conflicts tended to be settled through customary dispute settlement mechanisms. The only major conflict appears to have been between Bakpa and Fievie, as Bakpa people are considered by Fievie to be migrants with no rights to the land, who thus do not need to be informed about or compensated for any land losses.

LSLA has led to a situation in which GADCO and some Fievie chiefs are able to impose their own rules on all resource users and unilaterally decide who will get compensated and who not and how institutions are to be adapted.

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