

Abstract

Land tenure systems in sub-Saharan African countries have changed in different ways over time. This thesis investigates changes in land rights amid commodification of land and peri-urbanisation as processes resulting from rapid, continuous and uncontrolled expansion of cities in Ghana. The thesis focuses on ‘abusufruct’ and usufruct rights as the respective entitlements of indigenes in two cities, namely Kumasi and Wa which correspondingly represent acephalous and centralised customary land tenures in Ghana. The aim is to analyse the changes in these rights towards understanding the exclusion of indigenes as customary tenure systems change. The study takes a qualitative approach and purposively selects peri-urban case studies, Pramso in Kumasi, and Mangu and Siriyiri in Wa. The main sources of data are in-depth interviews and the review of related literature, statutory instruments, and court cases. The thesis finds the land rights of indigenes in the peri-urban Kumasi and Wa are changing to monetary forms and a focus on physical parcels of land rather than land rights. In Pramso, traditional authorities convert usufructuary land and redistribute the parcels of land according to reformulated neo-customary rules. Indigenes in Pramso agitated against traditional authorities’ attempts to exclude them from the processes and value of land commodification using these rules. Due to matrilineal family structure of Pramso in Kumasi, women were not found to be more vulnerable than men in the commodification of usufruct rights. In acephalous Wa, the passive role of traditional authorities ensures that indigenes transact their own entitlements at will and for their own purposes in the context of growing demand for land. Therefore, the research found indigenes rather than traditional authorities mismanaging the potentials of the commodified value. However, various dynamics in Wa, including patriarchy, ensure that categories of indigenes, particularly women, are still losers. There is convergence for the cases in Wa and Kumasi regarding unsustainability of indigene entitlements as their livelihoods, necessitating a focus on sustainable management of land commodification. The thesis recommends a policy that emphasises a rights-based approach to protecting the land rights and livelihoods of indigenes in the context of the widespread changing tenure in sub-Saharan Africa.