

1 **‘Landguardism’ in Ghana: Examining public perceptions about the driving**
2 **factors**

3

4 **Abstract**

5 Landguardism has become a bane in Ghana’s urban land markets. Previous studies have
6 qualitatively explored the drivers of this phenomenon from the perspectives of both state
7 agencies and landguards themselves. Despite the insights uncovered, understanding of public
8 perceptions about the factors driving landguardism in Ghana is still lacking. This paper fills
9 this critical gap by drawing on data from 172 residents living in both the Greater Accra
10 Metropolitan Area and the Greater Kumasi Area to ascertain their perceptions about the main
11 factors driving landguardism in Ghana. The results from our exploratory factor analysis show
12 that 1) challenges with state-led land rights formalisation, 2) customary land maladministration,
13 3) government policy failures in housing and land markets, 4) reliable and cost-effective
14 landguard services, and 5) challenges with seeking legal redress, are the five main drivers of
15 landguardism in Ghana. The study concludes that mitigating landguardism must consider
16 multiple factors within which the concept sits. The political and policy implications of the
17 results are elaborated.

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19

20 **Keywords:** Landguardism, public perception, Greater Accra Metropolitan Area, Greater
21 Kumasi Area, Ghana

1 **1 Introduction**

2 Land is perhaps mankind's greatest natural resource. It enables us to meet basic needs such as
3 food, shelter, clothing and leisure. Besides these tangible benefits, ownership of land is also
4 linked with non-material benefits like power, citizenship, social recognition, and representation
5 in decision-making (Lund, 2011; Onoma, 2008). Despite these material and non-material
6 benefits, access to, use of, and security over land continue to be a contested subject in many
7 parts of the world, not least in Sub-Saharan Africa (Ehwi, 2019; Gyapong, 2020; Peters, 2013).

8 Indeed, as the 7 billion global population keeps soaring, with about 4.4 billion people already
9 living in cities (Satterthwaite, 2020), the need for land to provide both physical and social
10 infrastructure and services has reinvigorated debates about urban land (Zoomers et al., 2017).
11 It is projected that the majority of the next one billion people who will be added to the global
12 population will come from sub-Saharan Africa (UN DESA, 2019). This will lead to a doubling
13 of the continent's 1.2 billion people by 2050 (Muggah and Hill, 2018). Already, about 50 per
14 cent of Africans live in cities (OECD/SWAC, 2020) and this will require substantial investment
15 in infrastructure (AfDB, 2020), which requires land. Meanwhile, land rights across most parts
16 of sub-Saharan Africa remain poorly defined, volatile and heavily contested (Obeng-Odoom,
17 2012; Peters, 2013). Thus, the continent's population dividend vis-à-vis its inchoate and
18 contested land rights will likely exacerbate existing vestiges of land conflicts and possibly
19 create new ones if nothing is done.

20 In Ghana, landguardism appears to be one such emerging land-related problem that has recently
21 dominated both political and media discourse. This practice defined as the recruitment of 'a
22 person who uses violence or threat of violence to protect or guard land or property belonging
23 to that person or another person' (Government of Ghana, 2019) led Ghana to recently enact the
24 'Vigilantism and Related Offenses Act, 2019 (ACT 999)' against the backdrop of an electoral
25 violence at the Ayawaso West Wuogon by-election on January 31, 2019. The Act followed the
26 recommendations of the Emile Short Commission of Inquiry constituted on February 8, 2019
27 to among other things identify people responsible for the violence perpetrated during the said
28 election.

29 Even before the passage of the above legislation, landguardism was already prevalent in Ghana,
30 especially in Accra and Kumasi. However, there is presently limited scholarly insights into the
31 concept. To us, it appears that only two studies have empirically explored landguardism in
32 Ghana (Bansah, 2017; Darkwa and Attuquayefio, 2012). Adopting mainly qualitative research

1 methodologies, both studies have drawn on empirical data from public institutions such as the
2 police service and the Lands Commission, and from landguards themselves to explore why the
3 phenomenon has become so prevalent in Ghana. Despite the rich insights they have shared on
4 the drivers of landguardism in both Accra and Kumasi, there is a dearth of understanding of
5 public perception regarding the factors driving landguardism in Ghana. Secondly, the lack of
6 quantitative data and analysis of the factors driving landguardism means that presently, it is
7 unclear whether all the factors considered as drivers command the same degree of importance.

8 The aim of this paper is therefore to quantitatively explore public perceptions about the factors
9 driving landguardism in Ghana and their relative importance. Against this backdrop, the paper
10 formulates these two research questions: first, what are the key factors driving landguardism
11 in Ghana? And second, what is the relative significance of the factors contributing to
12 landguardism in Ghana?

13 Understanding landguardism from the standpoint of the general public is crucial for three
14 reasons. First, it is possible for both landguards and state agencies interviewed in previous
15 studies to absolve themselves of any complicity in this menace and therefore, understanding
16 gained from the public may help to triangulate existing assertions with those to be uncovered
17 in this paper. The second justification is that by quantitatively analysing the factors driving
18 landguardism and the relative importance of each factor, we can begin to conceptualise the
19 interrelationship between these factors, which can, in turn, inform which policy interventions
20 could be prioritised to tackle this menace. Thirdly, although the paper's central theme is
21 landguardism – a phenomenon unique to Ghana from a land governance perspective,
22 landguardism exemplifies one of the many tenure security challenges that hamper good land
23 governance across Sub-Saharan Africa (Bansah, 2017). Thus, by bringing to the fore the factors
24 driving this phenomenon within the Ghanaian context, points of congruence and departure with
25 land tenure security challenges in other developing countries can be identified, facilitating
26 learning.

27 The rest of the article is organised as follows. Section two reviews the literature on
28 landguardism highlighting the framing, drivers, typology and consequence of landguardism in
29 Ghana, after outlining a brief background to Ghana's land tenure system. Section three presents
30 the study areas and research methodology. Section four presents the findings whiles Section
31 five elaborates on the results from the exploratory factor analysis. Section six concludes by

1 reflecting on what the implications of the findings mean for both the framing of landguardism
2 and attempts to address it.

3 **2 Literature Review**

4 **2.1 Brief overview of land tenure in Ghana**

5 Before discussing landguardism, a brief overview of land tenure in Ghana is warranted to
6 provide context, especially to an international reader. Like many countries in sub-Saharan
7 Africa, land tenure in Ghana is predominantly communal. This means most lands are owned
8 and controlled by customary institutions like stools, families and clans (Ubink and Amanor,
9 2008a). In terms of proportion, customary institutions own and control 80% of all lands in
10 Ghana, the state owns and control another 18% while the remaining 2% is owned by
11 communities but held in trust by the state (Kasanga and Kotey, 2001).

12 In terms of the management of land under customary tenure, there are some variations in both
13 northern and southern Ghana. For example, while in Northern Ghana, lands are owned by
14 ‘tindambas’ or earth priests, it is village chiefs supported by village elders who handle land
15 administration (Akaateba, 2019). In Southern Ghana, however, land decisions tend to vary
16 depending on whether one belongs to a patrilineal clan like the Gas or a matrilineal clan like
17 the Ashantis. For example, in Kumasi – the capital of the Ashanti kingdom, Otumfour Osei
18 Tutu II, the overlord, is the owner and custodian of all lands and he appoints divisional chiefs
19 to manage his lands (Mireku et al., 2016). Hence, all grants made must be endorsed by his
20 secretariat before it can be registered by the Lands Commission (Mireku et al., 2016). In the
21 Greater Accra Region, however, land is owned by families, clans, quarters and stools and any
22 grant made must secure the consent and concurrence of principal members of the customary
23 groups (Sarkeyfio, 2012).

24 Different interests in land exist in both customary and statutory land tenure regimes in Ghana.
25 From the customary standpoint, the allodial interest is the highest interest out of which lesser
26 interests like customary usufructuary and licenses such as shared-cropping are derived (Arko-
27 Agyei, 2011; Kasanga and Kotey, 2001). The allodial interest is perpetual and is vested in
28 communities represented by a chief, clan or family head. The usufructuary interest can be held
29 by members of a land-owning group or a stranger (Ollennu, 1962). They are potentially
30 perpetual use rights. Shared-cropping tenancies are contractual licenses between an allodial or
31 the usufructuary interest holders and strangers, relating specifically to farmlands (Arko-Agyei,

1 2011). The two forms of shared cropping arrangements are the ‘Abunu’ and ‘Abusa’. Abunu
2 is where both parties agree to an equal share of proceeds from the farmland while in Abusa,
3 farm yield is divided into three portions where the stranger-farmer takes two-thirds while the
4 landlord takes the remaining one-third (Arko-Agyei, 2011). Also, although several modes of
5 land transfer exist in Ghana, including renting, gifts, inheritance and grants, the current
6 constitutional provision recognises leasehold as the main legal means of land transfer (ibid).

7 Following rapid urbanisation and neoliberalisation of the economy (Government of Ghana,
8 2014), the land tenure dynamics in Ghana are rapidly transforming, especially in peri-urban
9 areas of Accra and Kumasi where more undeveloped lands are available (Amoateng et al., 2013;
10 Gough and Yankson, 2000). Evidence suggests that increasing transfer of land to private
11 individuals and rapid conversion of agrarian land to residential plots constitute the key
12 transformations occurring in these areas (Barry & Danso, 2014; Gough & Yankson, 2000).
13 Asafo (2020) also points to changes in land prices, transaction procedures and land delivery
14 systems as main outcomes of peri-urban land transformation.

15 This transformation has also impacted land administration and management in Ghana. For
16 example, it is reported that in peri-urban Accra, some chiefs and family heads sell land
17 clandestinely without accountability (Anyidoho et al., 2007; Barry and Danso, 2014). Obeng-
18 Odoom (2016) also posits that making economic gains from land sales constitute a major cause
19 of chieftaincy disputes, particularly in Accra. Both Gough and Yankson (2000), and Owusu
20 (2013) note that many land transactions do not follow municipal planning regulation, and often
21 result in a clash with effective spatial development. In the Northern region, Akaateba (2019)
22 recently documented the ongoing transformation of customary land rights, where usufructs are
23 now forced to pay for the costs Chiefs incur to engage surveyors and planners to ‘pillarise¹
24 and prepare site plans. Also, regarding both the abunu and abusa share-cropping arrangements,
25 recent evidence by Baah and Kidido (2020) reveal that share-crop tenants are now made to pay
26 money before they can access land for farming. This considered, Ehwi et al. (2019) contend
27 that land administration problems in Ghana can be conceptualised as comprising challenges
28 related to land acquisition, land title registration or formalisation and land tenure security. They
29 highlight that land acquisition problems include multiple land ownership and the dangers of
30 falling prey to multiple land sales. With regards to challenges with land title registration or

¹ This is the practice of delimiting the boundaries of a piece of land with reinforced concrete pillars by Geodetic surveyors in order to produce a bar-coded site plan for the land title registration process (See Akaateba, 2019).

1 formalisation, they identify costly fees and institutional bureaucracies that delay the process
2 while for tenure security, they highlight the practice of starting construction immediately after
3 acquiring land and engaging the services of landguards. Thus, landguardism, following Ehwi
4 et al. (2019), is a land tenure security mechanism. The next section elaborates on landguardism.

5 **2.2 Landguardism in Ghana**

6 Landguardism constitutes the act of employing individuals or a group of young people who
7 use illegitimate forces to protect land and landed properties as a service in exchange for cash
8 or in-kind remuneration (Badong, 2009). Characterised mostly by youth who play the role of
9 landguards, Darkwa and Attuquayefio (2012) frame landguardism as organised crime given
10 their hierarchically organised nature, use of secrecy, violence, intimidation and aggression. For
11 Atuguba (2007) cited in Bansah (2017), activities by landguards constitute illegality given that
12 neither the state nor private institutions in Ghana have licensed such services.

13 Darkwa and Attuquayefio (2012) identified four main categories of landguards, namely,
14 community landguards, amateur landguards, Asafo groups and landguards under identifiable
15 hierarchies. Their empirical study revealed that community landguards emerge periodically
16 from the community to rebel against the development or sale of community land by traditional
17 authorities. Amateur landguards are young people within the community noted for exploiting
18 developers and landowners, while Asafo groups are landguards affiliated to traditional
19 authorities and used during land purchase transaction to collect digging fees among other things.
20 Lastly, landguards under identifiable hierarchies constitute private individuals who reside
21 outside the community and offer protection for developers. All these categories of landguards
22 are noted for land protection, extortion, harassment and violence (Bansah, 2017).

23 Previous studies have discussed several factors spurring landguardism in Ghana. Badong (2009)
24 for instance cites institutional deficits, which compel people to engage non-state security
25 providers in managing their security issues. He argued that increasing insecurities from crime
26 and violence, especially in urban Ghana without a corresponding state security provision result
27 in the engagement of private security and extra-legal groups such as landguards. Others (see
28 Bansah, 2017; Darkwa and Attuquayefio, 2012; Ubink, 2008) highlight institutional
29 inefficiencies, namely; perceived corruption of state actors, long legal processes of land dispute
30 resolution, weak enforcement of laws and the mistrust of the police service as other drivers of
31 landguardism. Arguing from a broader context of land governance, Bansah (2017) revealed
32 that inadequate engagement and cooperation between state and customary actors, ineffective

1 dissemination of land registration information and cumbersome land registration procedures
2 constitute the push factors that underpin the emergence of landguards.

3
4 Darkwa and Attuquayefio (2012), in contrast, argued that landguardism thrives due to the
5 benefits associated with the service. Following a rational choice logic, they argued that as
6 rational beings, landguards take advantage of the economic viability of land protection, because
7 the many young people involved are well-paid, do not require any formal training and enjoy
8 more benefits from the practice than cost. Some suggest that aside from collecting informal
9 levies such as digging fees from developers, landguards are also offered huge sums of money
10 and land parcels as incentives for land protection (see Asafo, 2020; Bansah, 2017). The
11 attractiveness of the practice is also against a backdrop of increasing youth unemployment in
12 Ghana, where the limited jobs offer fewer incentives than what being a landguard promises
13 (Poku-boansi and Afrane, 2011).

14
15 The implications of landguardism are pernicious. Harassments, threats and violence meted out
16 to housebuilders, demolition of both ongoing and completed housing properties, extortion and
17 collection of informal levies, and more recently murder are among other negative consequences
18 of landguardism (see Asafo, 2020; Bansah, 2017). Other studies have also attributed increased
19 armed robbery, murder and violent crimes to landguards (Badong, 2009; Bansah, 2017). There
20 are also suggestions that growing cases of abandoned construction projects in peri-urban areas
21 are due to fear of landguards (Asafo, 2020). From the review so far, it is clear that the public
22 perception is missing in the current discourse and it is unclear how important are the different
23 factors identified as drivers of landguardism.

24
25 However, we argue that understanding public perception is vital because it helps to gauge
26 people's understanding and feeling towards an issue. Perceptions may be predicated on
27 heuristics, experiential knowledge, here-say, or misinformation (Tversky and Kahneman,
28 2013). Regardless of the source, perceptions are powerful and can significantly affect trust,
29 behaviour and wellbeing (Ambrey et al., 2014; Chenok, 1994). This sometimes makes it
30 difficult to distinguish them from lies. In public policy, however, public perceptions can be as
31 good as reality. The study was grounded in a positivist ontology based on the premise that
32 gathering public perceptions can offer a different and statistically robust insight into the factors
33 driving landguardism in Ghana (Cohen et al., 2018). Hence, the quantitative research approach
34 was adopted following the above inductive reasoning and the study's orientation towards

1 understanding the factors that will contribute towards theorising on landguardism (Scotland,
2 2012). The next section presents the research methodology.

3 **3 Research Methodology**

4 5 3.1 Study area

6 A case study approach involving the Greater Accra Metropolitan Area (GAMA) and the
7 Greater Kumasi Area (GKA) was adopted because landguardism has been reported to be more
8 prevalent in these two urban conurbations than other cities in Ghana (Bansah, 2017; Darkwa
9 & Attuquayefio, 2012). Also, both metropolitan areas have undergone rapid sprawl which a
10 recent study suggests represents more than a ten-fold increase in their spatial boundaries since
11 1985 (Asabere et al., 2020). This growth is often accompanied by the conversion of agricultural
12 land to residential plots (*ibid*), thereby making land a highly contested and sought-after asset
13 in such areas.

14
15 The GAMA comprises 16 administrative districts within the Greater Accra Region and its
16 contiguous built-up areas (Agyemang & Silva, 2019). It has an estimated population of 4.77
17 million as of 2019 (Asabere et al., 2020, p.4). GAMA hosts Ghana's national capital city –
18 Accra, and is the destination of nearly 80% of all foreign direct investment in Ghana
19 (Government of Ghana, 2015). The GKA on the other hand is within the Ashanti Region of
20 Ghana. It comprises the Kumasi Metropolitan Area and seven other administrative districts.
21 Approximately 3.4 million people were living in GKA as of 2019 (Asabere et al., 2020, p.4).
22 This mass concentration of people in both metropolitan areas makes access to land and land
23 related-conflict a recurrent topic (Bartels et al., 2018).

24 25 **3.2 Research design**

26 The study adopted a survey design because it allows for the collection of quantifiable data such
27 as public perceptions that can be measured on Likert Scale (Babbie, 2012). The authors at the
28 time of the research were outside Ghana and could not realistically use the traditional paper-
29 and-pencil based or face-to-face survey design. Hence, an online survey was adopted for its
30 manifold advantages including, access to large and diverse population who hitherto could not
31 be reached due to spatio-temporal constraints (Lefever et al., 2007; Wright, 2005). Additionally,
32 online surveys are both time and cost saving and allow data to be collected in a format that is
33 suitable for statistical analysis (Lefever et al., 2007).

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3.3 Sampling

The study adopted a non-random sampling approach which comprised convenience and snowballing sampling. This decision was informed by the fact that there was no a priori information about participants living in the two case study areas who knew about landguardism and could complete an online survey. This decision is also in line with Sedgwick’s (2013) observation that random sampling can only be used when a sampling frame can be constructed and the researcher has ‘knowledge of exactly who is in the population’ (p.1). Lefever et al. (2007, 566) also added that ‘online data collection is based on volunteer sampling rather than on probability sampling’. However, the shortcomings of convenience sampling is the potential difficulty in generalising the findings (Emerson, 2015). That said, we believe our sample could still offer valuable insights into the factors driving landguardism in the two case study areas without making any claim about ‘statistical representativeness’ as Rothman et al. (2013, 1013) observe that ‘it is not representativeness of study subjects that enhances generalisation, but rather knowledge of specific conditions and an understanding of mechanism’.

3.3 Survey design

Data were gathered using an online survey questionnaire designed using the Software Qualtrics. The questionnaire was structured into five parts. The first part elicited information related to participants demographic and socio-economic circumstance including gender, age group, educational attainment etc. The second part inquired into participants’ landownership status and participation in the land market. Part three gathered data on respondents knowledge about landguardism, including whether they have used one before and the functions of landguards. Part four, the data used in answering the research question elicited participants’ perceptions about the factors driving landguardism in Ghana. Regarding perceptions about the drivers of landguardism, we distilled 25 arguments from the literature specifically related to landguardism in Ghana and on land administration challenges in Ghana more broadly (See Table 1). Respondents’ were asked to score each argument on a Likert scale ranging from 0 to 5 where 0 indicated ‘No opinion’ and 1 to 5 reflected varying degrees of agreement with each statement with 1 being the weakest agreement and 5 the highest agreement.

<<Insert Table 1 Here>>

We used a Likert Scale of ‘0 to 5’ to show varying degrees of agreement because our Likert scale was conceived as ‘verbal anchors with end points’ and not ‘verbal anchors with at all

1 points' (c.f Lantz, 2013). There is a longstanding debate over whether scores on Likert scale
2 should be treated as ordinal or interval data and whether the distances between different points
3 on Likert scales with 'verbal anchors at all points' are equidistant (c.f Bishop and Herron, 2015;
4 Carifio and Perla, 2008; Dawes, 2008; Jamieson, 2008). We identify with the latter view and
5 therefore treat the data on our Likert Scale as interval data. Also, we included zero in our Likert
6 Scale because we wanted to avoid forcing people to have an opinion where there was none. In
7 our view, 'Not sure' (n=3) on most 5-point Likert Scale is in itself is an opinion but there may
8 be people who have no opinion, and hence should not be forced to have one. The response of
9 people are captured as zero on a Likert Scale (c.f Norman, 2010, p.630). Part five of the survey
10 gathered information related to perceptions about the implications of landguardism. To ensure
11 that only people who have at least heard about landguardism and reside in the two study areas,
12 two eligibility criteria were used to screen the survey respondents. First, they had to confirm
13 that they lived in the study areas, and were aware of landguardism. Those who responded "no"
14 to either one or both questions were taken to the exit of the survey immediately, leaving only
15 those who answered "yes" to both questions to participate in the survey. After designing the
16 survey, a unique and non-reusable URL was generated which could be followed to access the
17 survey.

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19 3.4 Survey dissemination and data collection

20 The survey was first piloted for one week among 15 Ghanaian doctoral candidates in the UK.
21 These scholars were researching on land-related topics in Ghana and hence were deemed to
22 possessed expert insights to critique our survey questionnaire. During the pilot phase, we
23 specifically asked these scholars to provide critical feedback on the clarity and logical flow of
24 the survey questions and the duration for completing the survey. We used their responses to
25 improve the questionnaires. Afterwards, the authors had to draw upon a variety of strategies to
26 disseminate the survey and gather data as there was no database or email list to draw potential
27 participants from. The first approach was to send the URL to people the authors knew lived in
28 the study areas through email addresses and social media platforms, including WhatsApp,
29 Facebook Messenger, LinkedIn, Twitter and Instagram. Secondly, we approached specific
30 individuals and groups such as celebrities, university lectures, realtors and members of
31 professional bodies such as Ghana Real Estate Development Association (GREDA) who we
32 knew had large social media following to help us disseminate the survey. It is worth clarifying
33 that these individuals and members of specific groups were not the primary target of the study
34 but served as points of contact to widen the survey dissemination. Finally both authors pinned

1 the survey to the Twitter walls for the data collection period. The survey remained open from
2 February to May 2019 and 301 people opened the URL. However, of this number, only 172,
3 representing 57%, fully completed the survey, particularly the parts relevant for this paper (i.e.
4 Parts one, two and four).

5 6 3.5 Analytical techniques

7 We employed descriptive statistics to analyse respondents perception scores on the factors
8 driving landguardism. We also performed a scale reliability test to ascertain the internal
9 consistency of the 25 arguments before proceeding with the inferential statistics. The overall
10 Cronbach Alpha for the arguments was 0.893, suggesting a strong internal consistency among
11 the 25 arguments (Taber, 2018). To analyse the factors driving landguardism in Ghana, we
12 employed an exploratory factor analysis (EFA) which is a data reduction strategy that employs
13 linear combinations of several observed variables (the 25 arguments) to produce factors
14 summarising the patterns of correlations in the observed correlation matrix of a latent construct,
15 which in this case is landguardism (Tabachnick and Fidell, 2013).

16 17 **4 Findings**

18 The findings are organised into three parts. First, we present the socio-demographic profile of
19 the respondents, followed by respondents' knowledge about landguardism and their
20 participation in the land market. Finally, we present the descriptive statistics on respondents'
21 perspectives of the factors driving landguardism in Ghana.

22 ***4.1 Respondents' socio-demographic profile***

23 We found that 73.8% and 26.2% of the respondents lived in both GAMA and GKA respectively
24 (see Table 2). Akans constituted the dominant ethnic group of respondents (48.3%). Males and
25 females constituted 63.4% and 36.6% respectively. The majority of the respondents (68.6%)
26 were within the 18 – 34 age brackets, partly because the young are generally more digitally
27 connected. Both married and unmarried people constituted 47.1% and 47.7% respectively. An
28 overwhelming majority of respondents (92.4%) hold tertiary education qualification and nearly
29 90% of respondents were employed. Private formal sectors workers dominated the employment
30 sector (46.5%), followed by those in the public sector (32.3%). In terms of income, there were
31 nearly as many people earning between Ghc 1,000 – 2000 (29.2%) as are those earning more
32 than Ghc 4,000 (30.5%).

<<Insert Table 2 Here>>

4.2 Respondents' knowledge about landguards and participation in the land market

In terms of respondents' knowledge about landguardism and participation in the land market, we found that all the respondents were familiar with landguards and that nearly 60% had had an encounter with a landguard (see Table 3). Also, 7.6% of respondents have previously used the services of a landguard. Of this group, 30.7% used landguards as an offensive mechanism to reclaim their land which was under some form of illegal occupation or transaction, while 46% used landguards as a defensive mechanism to ward off potential encroachers. The remaining 23.1% used them as both a defensive and an offensive mechanism.

<< Insert Table 3>>

Unsurprisingly, almost all respondents agreed that landguards are not a force for good as their functions included activities that were not sanctioned by law. For example, more than 95% agreed that landguards were extortionists, vandals, perpetrators of multiple land sales, criminals and political party vigilante groups. Only 40.7% agreed that landguards sometimes complement efforts by community watchdogs. This finding is consistent with the characterisation of landguards in the extant literature (Bansah, 2017; Darkwa and Attuquayefio, 2012). Regarding their participation in the land market, 51.7% of respondents said they owned land while the remaining 48.3% did not. Of the landowners, 26.2% are recent landowners (up to 5 years), nearly 20% have been landowners between 5 to 20 years while 4.7% have owned land for more than 20 years. Majority of respondents (44.8%) are however aspiring to own land. Among the landowners, nearly 70% own lands in GAMA while 33.7% said their lands are in GKA.

4.3 Descriptive statistics about perceptions of the factors driving landguardism in Ghana

Regarding public perceptions about factors driving landguardism, respondents predominantly agreed with all the 25 arguments distilled from the literature (see Table 4). For example, the mean scores of the first 17 arguments were all above 4. The subsequent eight arguments also recorded means scores of above 3.5. Following this strong consensus, we proceed to identify the factors that significantly drive landguardism in the next sub-section.

<< Insert Table 4 here >>

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2 **4.4 Setting up and running an Exploratory Factor Analysis**

3 According to Cohen et al. (2018) setting up and running an exploratory factor analysis (EFA)
4 involves five stages. The first stage is safety checks. This involves checking for sample size
5 (minimum of between 150 and 200), minimum number of variables (sample size to variable
6 ratio of 5:1 to 30:1), sampling adequacy (Kaiser-Mayer-Olkin (KMO) ≥ 0.6), intercorrelations
7 between variables (>0.3), among others. The second stage is data processing and initial analysis
8 which involves adequate Eigenvalues (>1), extraction method, and type of rotation. Stage three
9 involves constructing the factors from the variables while stages four and five respectively
10 involves naming the factors and reporting the factors (Pallant, 2016; Cohen et al., 2018 for in-
11 depth explanation of key concepts at each stage).

12 At the first stage, our data satisfied the minimum sample size ($n=172$), the minimum number
13 of variables (sample size to variable ratio of 6.88:1 or 25 arguments to 172 cases), adequate
14 KMO index (0.86), and correlation matrices greater than 0.3 (23 arguments) (See Table 5). At
15 stage two, we employed the Principal Component Method to extract the underlying factors that
16 explains the variability in the data without specifying number of factors to retain. In terms of
17 rotation, we employed the varimax rotation because we make no assumption about possible
18 correlation between the 25 arguments (Cohen et al. 2018) and it minimises the number of
19 variables that have unusually high loadings on each factor (Fabriger et al., 1999; Pallant, 2016).
20 Also, we ensured that the decision on the number of factors to retain were guided by the
21 Kaiser's criterion (Eigenvalues >1.0) and the Catell scree test graph (the point where the
22 gradient of the Scree graph witnesses a sharp change in gradient (Field, 2018). Stages three to
23 five are presented after the results from EFA. A summary of how the EFA was set up and
24 conducted is summarised in Table 5.

25 <<Insert Table 5 Here>>

26 **4.5 Results from the Exploratory Factor Analysis**

27 The results from the Exploratory Factor Analysis are presented in Table 6. It indicates that the
28 25 arguments constituting the drivers of landguardism in Ghana can be reduced to five principal
29 factors which together account for 61.38% of the total variance in the factors driving
30 landguardism in Ghana explained. This leaves 38.62% of the factors driving landguardism not
31 explained by the five factors. The first factor contributes 13.68% to the total variance explained

1 and loads with four arguments all carrying strong factor scores. These four arguments include
2 the: (1) Expensive land title registration in Ghana (0.67), (2) Undue delays in processing land
3 title certificate (0.752), (3) Unofficial fees demanded by some officials during land title
4 registration (0.660) and (4) Inability of land title registration to safeguard against multiple land
5 sales in Ghana (0.717). Factor one broadly one relates to a dysfunctional Lands Commission
6 and a flawed land title registration process. We shall return to this in the discussion section.

7 The second factor accounts for 12.88% of the total variance explained and loads with eight
8 arguments which carried between moderate to high factor loadings. The eight arguments
9 comprised the: (1) Pluralistic land ownership types in Ghana (0.544), (2) Poor accountability
10 of chiefs in customary land administration (0.706), (3) Over-concentration of lands in the hands
11 of traditional authorities (0.750), (4) Government policy of non-interference in customary land
12 administration (0.672), (5) Sale of large tracts of communal lands to real estate developers
13 (0.493), (6) Unguided urban spatial development (0.473), (7) Lack of coordination between
14 urban planning officials and traditional authorities in land administration (0.336) and Growing
15 land speculation in the peri-urban areas of Accra and Kumasi (0.531). Carefully considering
16 these reveal that factor two generally relates to the problematic customary land administration
17 system in Ghana.

18 << Insert Table 6 Here >>

19 The third factor accounts for 11.89% of the total variance explained and loads with four
20 arguments which carried very high factor scores. They included: (1) the growing housing
21 deficit in Ghana (0.609), (2) governments' failure to pay compensation claims to communities,
22 clans and families whose lands were compulsorily acquired (0.727), (3) governments'
23 allocation of compulsorily acquired lands to relatives and political party favourites (0.805) and
24 (4) governments' use of compulsorily acquired lands for private businesses (0.777). The third
25 factor draws attention to government failure in the housing and land markets.

26 The fourth factor contributes 11.53% to the total variance explained and loads with five
27 arguments, most of which carry strong factor scores. They included: (1) the high urban youth
28 unemployment in Ghana (0.663), (2) the ready supply of landguard services (0.786), (3) the
29 reliability of landguards in responding to requests (0.785), (4) the low service charges of using
30 landguards compared to using the police (0.746) and (5) the under-resourced state of the police
31 personnel during emergency circumstances (0.359). Factor four relates to the existence of a
32 reliable and cost-effective landguard service.

1 Finally, the fifth factor also explains 11.40% of the total variance and loads with four arguments
2 which all carried strong factor scores. The arguments included: (1) frequent adjournment of
3 land cases in court (0.626), corrupt practices of court clerks and judges (0.719), (perceived)
4 non-objectivity of judges when deciding land cases (0.729) and weak enforcement of court
5 rulings (0.652). Factor five relates to a beleaguered and mistrusted court system in Ghana. The
6 next section discusses the five factors identified as drivers of landguardism.

7

8 **5 Factor Naming and Reporting**

9 According to Yong & Pearce (2013) assigning labels or naming factors is more of an ‘art’ as
10 there are no rules for naming factors, except names that best represent the variables within the
11 factors. The subjectivity heightens unrelated arguments load under each factor (Fabriger et al.,
12 1999). With this subjectivity in mind and drawing on our insights into the issues pertaining to
13 landguardism and land administration in Ghana, the following names are assigned to the factors
14 extracted.

15 ***5.1 Factor 1: Challenges with state-led land rights formalisation***

16 Factor 1 is named ‘challenges with state-led land rights formalisation’ and the arguments
17 primarily centre on state enacted processes and institutions aimed at validating land
18 transactions and formalising property land rights. This development departs from the debates
19 by the African Union 2009 Framework and Guidance on Land Policy in Africa which
20 advocates for a customary-led approach in land management in Africa (Chimhowu, 2019)
21 There is indeed an extensive body of literature on how African states, aided by international
22 donors and development partners have sought to cast doubt on the efficiency and equity of
23 customary land governance and championed state-led formalisation of land rights through
24 titling (Atwood, 1990; Benjaminsen et al., 2009; Bromley, 2009; De Soto, 2000; Toulmin,
25 2009). In Ghana, this has played out in a series of reforms beginning with the 1882 and 1895
26 Colonial Ordinances, the 1962 Land Registry Act upon becoming a republic and the 1986 Land
27 Title Registration Law during the Structural Adjustment Programme and more recently, the
28 creation of the New Lands Commission (Abdulai, 2011; Ehwi and Asante, 2016).

29 Indeed, Ghana’s current Lands Commission has transformed five disparate land sector agencies
30 into a so-called ‘one-stop-shop’ where the activities between these agencies are harmonised
31 (Ehwi & Asante, 2016). The transformation was also expected to reduce bureaucracies and

1 undue delays in the process of acquiring a land title certificate, which conferred land titles on
2 registrants and guaranteed them state protection in case of any competing interest (Abdulai,
3 2006). Sadly, after spending over USD 55 million on the second phase of the Land
4 Administration Project, which included streamlining work processes among the land sector
5 agencies to reduce the cost of title registration and cut red-tapism and bureaucracies in title
6 registration, the performance of the Lands Commission in realising these objectives remain
7 limited owing to legal, administrative and operational challenges (Abubakari et al., 2018).

8 For example, Abubakari et al. (2018) point out that owing to poor definition of customary
9 tenure, in the process of registering usufructuary interests in land, the Commission ends up
10 converting them into leasehold interests, which are inferior to usufructuary interests. Regarding
11 the cost of title registration, Baffour et al.'s (2013) empirical study found that the cost of land
12 title formalisation for 0.16 acre of land in Ga East Municipal Area was Ghc 4,810.72
13 (US\$ 2,226.87)². This figure, they claimed was similar to the price of a parcel of land located
14 in the peri-urban suburb of Kwabenya where a plot of land was sold for Ghc 5,000
15 (US\$ 2,314.49) at the time. Also, although Ehwi and Asante (2016) found that the turn-around
16 time for issuing a land title certificate by the Commission has improved from the 60 months
17 earlier reported in Kasanga and Kotey (2001) to between 3 months and 6 months depending on
18 whether one pays a bribe or not following the merger, recent evidence by Ehwi (2020) indicate
19 that, some officials within the Client Service and Access Unit (CSAU) of the Lands
20 Commission tend to prioritise the lodging and processing of indentures submitted by real estate
21 developers over those by individuals, even when there are other documents ahead in a queue.
22 One study further suggested that some officials at the Commission, collude with unscrupulous
23 people to register fictitious titles (Anyidoho et al., 2007). Also, empirical evidence (Bartels et
24 al., 2018) reveal a growing dissatisfaction among the urban and peri-urban residents in Ghana
25 that having a land title certificate does very little to guarantee security of tenure. As such, those
26 who can afford to often simply retreat to gated communities and forget about titling and rather
27 put their faith in the walls and the security architecture provided (Ehwi et al., 2019).

28 In the wake of such a dysfunctional Lands Commission and the failure of land title certificate
29 to guarantee land tenure security, it is only rational for ordinary people and real estate
30 developers who have committed a substantial part of their life-savings to procure land to use

² Exchange Rate as at 31 December 2013 was US\$ 1 = Ghc 2.1603 (See <https://www.bog.gov.gh/treasury-and-the-markets/historical-interbank-fx-rates/>)

1 landguards as an effective and alternative means of securing interest in land (Asafo, 2020;
2 Bansah, 2017). It is also worth pointing out that the attribution of landguardism to the
3 challenges Ghana has faced in its attempt to introduce state-led land rights formalisation are
4 generally in line with the extant international literature which highlights among other things,
5 how attempts to formalise land rights by the state in customary landholding areas in countries
6 such as Cote D'Ivoire, Benin, Niger and South Africa sometimes end up exacerbating conflicts
7 related to boundary demarcation, and identification of landholding clans (Bassett et al., 2007;
8 Benjaminsen et al., 2009; Cotula et al., 2004; Toulmin, 2009).

9 ***5.2 Factor 2: Customary land maladministration***

10 Factor 2 is named 'customary land maladministration mainly because it bothers on how
11 customary land as the dominant land tenurial regime in Ghana is bedevilled with challenges
12 with knock-on effects on land use planning and spatial development.

13 Indeed, according to Wily (2011), an estimated 77.25% of all lands in Africa fall under some
14 customary domain. Generally, customary land administration systems, especially those in
15 developing countries are often lauded for unique features such as their: in-built checks to
16 control abuse of authority (Gough and Yankson, 2000), flexibility, openness and
17 responsiveness to changing socio-economic circumstances (Kuusaana and Gerber, 2015),
18 protecting rights of vulnerable groups like women, children, migrants and pastoralist
19 (Zevenbergen et al., 2013), and their inexpensive processes of transferring, validating and
20 securing land rights (Biitir et al., 2017). However, recent transformation including rapid
21 population increase, climate change, uplifts in peri-urban land values have tested these
22 celebrated features of customary land administration systems, in some cases, they been found
23 to deny women access to land (Quisumbing et al., 2001), appear hostile to pastoralists
24 (Kuusaana and Bukari, 2015), nativity is no longer automatic guarantee of user rights over
25 communal land (Akaateba, 2019) and chiefs sell communal lands to new settlers and foreign
26 investors without being accountable to community members (Ahmed et al., 2018; Boamah,
27 2014; Borrás et al., 2011). This practice defies the Head of Family Law, PNDC Law 114
28 (Accountability law), which requires family heads to render account on the management of
29 family resources including land.

30 Similarly, in Ghana, where customary authorities, namely chiefs, earth priests, clan and family
31 heads together control a disproportionate share of lands in Ghana (about 80%), significant
32 evidence points to such transformation of customary land system which fall short of the

1 celebrated features. For example, empirical studies of large-scale land acquisition for biofuels
2 demonstrate how chiefs connive with foreign investors to sometimes dispossess smallholder
3 farmers of their land, deny them fair compensation and leave no room to be held accountable
4 (Aha and Ayitey, 2017; Ahmed et al., 2018; Boamah, 2014). As Ubink (2008, 162) suggests,
5 ‘to ask a chief to account is often considered a vote of no confidence and most people will not
6 dare...’ Similarly, in peri-urban areas, empirical studies by Ubink (2008) and Gough &
7 Yankson (2000) show how chiefs convert farmlands to residential plots, reinterpret customary
8 law to become sole beneficiaries of proceeds from land sales. From a land use and spatial
9 planning perspectives, other empirical studies (Amoateng et al., 2013; Siiba et al., 2018;
10 Yeboah and Obeng-Odoom, 2010) show how through the invocation of authority under
11 customary law, chiefs blatantly defy zoning and statutory planning regulations. Although,
12 Article 266 (3) of the 1992 constitution of Ghana requires chiefs to seek the consent and
13 concurrence of the Lands Commission before disposing of stool lands, many do not comply.
14 However, according to Ubink (2008), the state has adopted a hands-off or non-interference
15 approach in customary land administration owing to political ramification, as chiefs are seen
16 to be ‘voter-brokers’. Ubink (2008) further asset that where various attempts to persuade chiefs
17 act in accordance with customary law in land administration prove unsuccessful, affected
18 parties, adopt to the strategy of ‘getting around the chief’, by selling land without the chief’s
19 knowledge until after the sale is completed and part of the proceeds are presented to the chief.
20 However, Darkwa and Attuquayefio (2012) note that where community members feel helpless,
21 they sometimes constitute themselves into what they refer to as ‘community guards’
22 comprising young men who come together to prevent, or at least frustrate, the sale of
23 community lands by their traditional leaders. Some studies have also suggested that victims of
24 multiple sales of land by chiefs or aggrieved members of the customary landowning group,
25 including real estate developers often turn to land-guards to protect such lands from an adverse
26 claim or to reclaim possession from second purchasers (see: Acquah, 2018).

27 ***5.3 Factor 3: Government policy failures in housing and land market***

28 Factor 3 is named ‘government policy failures in housing and land’ because the arguments
29 centre around government welfare interventions in the housing and land market that have not
30 yielded the desired outcomes or in some cases, yielded the opposite outcome.

31 Indeed, Ghana’s housing deficit is currently estimated to be 2 million dwelling units (Asante
32 and Ehwi, 2020) and about 100,000 units must be built annually to meet this shortfall (Sarfoh

1 et al., 2020). Consistent with the patterns seen in countries, particularly the UK (Aalbers et al.,
2 2020; Gilbert, 2016; Wood, 2018), housing policy by previous governments has tended to
3 favour homeownership over renting and other forms of tenure (see Ehwi et al., 2021; Arku,
4 2006 for a elaborate discussion on housing policy in Ghana). However, previous studies
5 indicate most Ghanaians cannot build their own homes before age 40 (Tipple and Korboe,
6 1998). This leaves many Ghanaians, especially the youth in urban areas with no option than to
7 deal with an ‘extortionate’ and ‘precarious’ rental housing market where an upfront 2-year
8 advance is demanded for poorly furnished dwellings (Adu-Gyamfi et al., 2019; Ehwi et al.,
9 2020). This dystopia has compelled many renters to aspire towards homeownership (Adu-
10 Gyamfi et al. 2019) or building their own houses while still renting (Asante et al., 2017). This
11 increasing homeownership is also informed by some socio-economic and cultural connotation
12 such as obtaining prestige or deriving potential investment opportunities through renting
13 (Asafo, 2020; Mercer, 2018). The growing number of private real estate developers buying
14 large tracts of land for gated communities in both the eastern and western peri-urban areas of
15 the Greater Accra Metropolitan Area, in particular (Ehwi, 2019; Grant, 2005), coupled with
16 more displeased renters entering the land market, we argue, is fuelling uplift in land rent, which
17 serves as a trigger for landguardism either as a defensive or an offensive mechanism.

18 Besides this policy failure in housing, another corollary of policy failure relates to how
19 government has used its powers of eminent domain in the past. Indeed, the State Lands 1962
20 (Act 125) empowers the government of Ghana to compulsorily acquire any land it deems fit
21 for public purposes, following the payment of prompt and adequate compensation (See also
22 Kasanga et al., 1996; Larbi, 2009). However, studies reveal that previous governments have
23 either failed to meet the ‘public purpose’ or the ‘payment of prompt and adequate compensation’
24 tests (Dowuona-Hammond, 2019). For example, as of 1999, Kasanga and Kotey (2001)
25 indicated that the Government of Ghana owed an estimated 800 billion old Ghana Cedis
26 (US\$ 100million) in outstanding compensation nationwide. Studies also suggest that much of
27 these compulsorily acquired lands have been subdivided and sold to private individuals who
28 are mostly affiliates, supporters or relatives of governments (Larbi, 2009; Kasanga et al., 1996).
29 Other studies (See Larbi 2009, Larbi, Antwi & Olomolaiye, 2004) indicate that the lands
30 compulsorily acquired were often more than what was needed and hence were not usually used
31 for the intended purpose. Larbi (2009), for instance, reveals that about 50% of state-acquired
32 land remains idle and undeveloped. Also, in 2010, the Committee for Joint Action released a
33 press statement and revealed that state lands were divided and shared among 103 sympathisers

1 and 36 plots were distributed to affiliates of the immediate past government (cited in Obeng-
2 Odoom, 2016).

3 This government failure in both affordable housing and payment of compensation invites
4 landguardism in the sense that the lands involved in such compulsory acquisitions originally
5 belonged to customary landowning groups who were previously few but have now witnessed
6 an increase in numbers, making the size of plot land per indigenous groups very small. Thus,
7 where there is evidence that government has failed to meet the ‘public purpose’ and ‘the prompt
8 and adequate compensation’ or the land acquired remain unused, there will be a course for re-
9 entry (Kasanga et al., 1996). In this sense, landguards are deployed as either offensive agents
10 to drive out people living or working on such lands or as defensive agents to permanently police
11 such lands from re-entry by the state or its cronies.

12 ***5.4 Factor 4: Reliable and cost-effective landguard services***

13 Factor 4 is named ‘reliable and cost-effective landguard services’ because it focuses attention
14 on what makes using landguards appealing as opposed to legally-sanctioned modes of
15 protecting life and property. In Ghana, The Ghana Police Service is legally mandated to protect
16 lives and properties and maintain law and order (See Article 200 (3) of 1992 Constitution and
17 Section 1(1) of the Ghana Police Service Act 1970 (Act 350). However, for decades, the police
18 service has faced immense funding, personnel, logistical, governance and operational
19 challenges that have undermined its ability to fulfil its mandate (Aning, 2006), particularly
20 with regards to protecting property and responding to emergencies. Indeed, this current state
21 of the service is aptly captured in a recent remark by the Central Regional Minister – Kwamena
22 Duncan, when he called on the Inspector General of Police – James Oppong Buaduh - “It’s a
23 service that we give you very little but expect more than necessary” (GhanaWeb, 2020).
24 According to Aning (2006), these challenges have undermined public confidence in the police
25 service and have led to a ‘love-hate’ relationship with the people.

26 On the other hand, the swiftness and reliability of landguards when called upon and their
27 affordability make them more appealing to both landowners who require such services from
28 mainly unskilled or semi-skilled youth struggling to find employment (Bansah, 2017; Darkwa
29 & Attuquayefio, 2012). For instance, the police-citizen ratio in Ghana currently stands at 1:848
30 compared to the 1:500 recommended by the UN (Aning, 2006; Bagson, 2019) making it
31 difficult for the police to have extra officers to be deployed to private individual sites. Asafo
32 (2020) suggests that landguards can be engaged to secure undeveloped land parcels for as long

1 as their services can be afforded (See also Darkwa & Attuquayefio, 2012). Also, because
2 landguards do not operate within any legal or regulatory remits, they can sometimes go to the
3 extreme of maiming or killing people (ibid). This can make them more appealing to some
4 people who do not wish to engage with the established legal processes of seeking redress, and
5 who wish to protect or claim land through fear. Regarding the economy of landguard service,
6 Asafo's (2020) recent fieldwork reveals that land sellers and individual housebuilders who
7 require police assistance are sometimes forced to first fuel the police vehicle before being
8 attended to in addition to offering them money after their assistance. This reinforces the
9 public's reliance on landguards to meet their land-related security needs.

10 **5.5 Factor 5: Challenges with seeking legal redress**

11 Factor 5 is named 'challenges with seeking legal redress' because it draws attention to human
12 and administrative challenges evident in seeking legal redress generally. In capitalists and
13 increasingly (neo)liberalised economies, enforcement of private contracts between transacting
14 parties and the protection of property rights are essential functions of institutions (Coarse, 1960;
15 Demsetz, 2002). Also, it is perceived that an impartial, well-resourced and reliable judicial
16 system remain imperative for helping the police discharge their duties of maintaining law and
17 order and protecting lives and properties. This is especially true in a developing country like
18 Ghana, where both empirical (Crook, 2005; Gordon, 2017) and anecdotal evidence point to
19 protracted court hearings which can sometimes drag on for about half a decade. Evidence also
20 suggests that land-related disputes constitute about 50% of all disputes sent to courts for
21 adjudication (Crook, 2005). For instance, Obeng-Odoom (2016) has observed that between
22 1999 and 2003, land cases in Ghana increased by 419%, increasing from 11,556 in 1999 (Kotey,
23 2004) to 60,000 in 2003. The growing prominence of land cases in Ghana led to the
24 establishment of the Land Court within the Commercial Division of the High Court to expedite
25 hearings on land-related matters (Abdulai & Owusu-Ansah, 2014; Obeng-Odoom & Gyampo,
26 2017). However, the project performance assessment by the World Bank revealed that of the
27 35,000 backlog of land cases, which was *mysteriously* (Italics for Emphasis) revised downward
28 to 7,122 of which 6,300 cases had been cleared from both the circuit and high courts (The
29 World Bank, 2013). Crook (2005) adds to the discussion of the slow adjudication of land cases
30 when referencing land cases in the Kumasi High Court, and shows that since 2000, 'the rate at
31 which land cases were being settled was constantly outstripped by the rate at which new cases
32 were being added each year' (p.5). He contends that a large number of suits being filed and the
33 incapacity of the court to handle such cases expeditiously causes a tremendous delay which

1 results in denial of justice. Crook (2005) also points to court rulings sometimes not followed
2 by the litigating parties when it is suspected that the ruling was biased in favour of one party
3 over the other.

4 The recent exposé on wanton corruption in Ghana's judiciary by the investigative journalist
5 Anas Aremeyaw Anas (See Ordartey-Wellington et al., 2017) has fomented the disdain held
6 by some members of the Ghanaian public that seeking protection and equity in a Ghanaian
7 court of law is a futile enterprise. It, therefore, comes as no surprise that the judiciary is not
8 particularly highly rated in the Centre for Democratic Development's (CDD-Ghana's)
9 Afrobarometer index on public trust and confidence in public institutions (Afrobarometer,
10 2014). From the foregoing, one might understand why some people will find the services of
11 landguards as a quick, fair and effective means of seeking redress if judges' are motivated by
12 perverse incentives, their rulings seem biased in favour of powerholders and the processes are
13 incapable to deal with the growing number of cases expeditiously.

14

15 **5 Conclusion**

16 As the primate cities in Ghana and indeed, across Sub-Saharan Africa continue to witness rapid
17 urbanisation, rural urban migration, and natural increase, access to urban lands will continue
18 to be challenge with people drawing on different mechanisms to assert their claims and protect
19 their rights. In Ghana's two biggest urban conurbations, it appears landguardism is emerging
20 as one of the extra-legal avenues some people find economical, reliable and effective for
21 securing their property rights or for dispossessing people of their land rights. To a larger extent,
22 the evolving nature and practices of landguardism within the context of tenure rights unpack
23 the outcomes of the varying degrees of change associated with the general transformation of
24 customary land in Africa, particularly, in areas of privatisation of land ownership,
25 marketisation, deregulation, reregulation and flanking, and support mechanisms (see
26 Chimhowu, 2019 for detailed discussion on these themes).

27 This paper aimed to quantitatively investigate public perceptions of the factors driving
28 landguardism in Ghana following the absence of this evidence in the extant literature. Distilling
29 25 arguments from both the existing literature on landguardism and land administration in
30 Ghana, and applying exploratory factor analysis, this study identified that the public perceives
31 five separate, but related factors constitute the drivers of landguardism in Ghana. They

1 comprise: (1) challenges with state-led land rights formalisation, (2) customary land
2 maladministration, (3) government policy failure in housing and land markets, (4) reliable and
3 cost-effective landguard services, and (5) challenges with seeking legal redress. It was also
4 found that each of the five factors respectively accounted for 13.68%, 12.88%, 11.89%, 11.53%
5 and 11.40% of the 61.3% total variance explained in terms of the factors driving landguardism
6 in Ghana. This finding is instructive because it suggests that only 29.7% of the perceived
7 drivers of landguardism in Ghana are not explained by the five factors identified. Also, the
8 closeness of the contributions each factor makes strongly suggest that all the factors identified
9 are of equal importance in understanding landguardism and more importantly, in fashioning
10 policies to tackle same in Ghana.

11 It is against this backdrop that we argue that the undue attribution of landguardism to thugs and
12 hoodlums of political parties in the current Vigilantism and Related Offences Act, 2019 (Act
13 999) is ill-informed in several respects. Despite recent evidence of political vigilantism during
14 the Ayawaso West Wuogon bye-election in 2019, which moved the president and
15 parliamentarians to swiftly enact the legislation, the coupling of landguardism with vigilantism
16 meant that the law-makers had to choose between addressing a recent development which had
17 immediate implications for their political interests against addressing a long-standing
18 phenomenon that is driven by several and complex interrelated factors, many of which the state
19 itself is complicit in their emergence and perpetuation.

20 We thus submit that, by framing landguardism as an outcome of a malaise and heavily
21 monetised political system leading to vigilantism, both the state and political elites succeed at
22 diverting attention from the long-standing problems that birthed landguardism and continue to
23 reinforce its existence. This is instructive especially when a recent study into trends, victim
24 characteristics and reported reasons for vigilantism in Ghana between 2001 and 2018 did not
25 find land or land-related dispute as a reason for vigilantism (Adzimah-Alade et al., 2020) as
26 the current seems to suggest. Rather, economic problems such as the growing youth
27 unemployment in the country which, currently is estimated to be about 12% (Government of
28 Ghana, 2016) predisposes the unemployed youth to find the benefits from landguardism
29 appealing.

30 Similarly, the current framing of landguardism in the legislation relegates to the fore, the
31 economic hardships visited upon communities, clans and families whose lands were
32 compulsorily acquired by previous governments without paying prompt, fair and adequate

1 compensation (Larbi et al., 2004), thereby robbing communities of both their livelihood and
2 inheritance (Akrofi and Whittal, 2019). Recent evidence of state institutions using
3 ‘premeditated deception’ to acquire village lands for one project (a fertiliser manufacturing
4 factory) and using it for something quite different and potentially harmful (a landfill site) points
5 to the state’s complicity in the prevalence of such untoward activities such as landguardism
6 (Kansanga et al., 2020). Not least complicit are the Lands Commission and the courts, both of
7 whom have recently made the headlines for reasons of delay, inefficiency and corruption
8 (Abubakari et al., 2018; Ordartey-Wellington et al., 2017).

9 For us, the failure of successive governments to provide affordable housing for the growing
10 urban population, vis-à-vis a poorly regulated rental housing market, are driving many
11 inexperienced and unsuspecting young people to venture into the land market to buy land and
12 start their building projects (Asante et al., 2018). In the process, and underpinned by high land
13 values, most of them have ended up buying litigations or lands already sold to multiple parties
14 or which do not belong to the purported sellers (Barry and Danso, 2014).

15 The evidence adduced from this paper and the foregoing reflection point to the fact that any
16 proposition to tackle landguardism must consider the multiple domains - customary, legal,
17 political, socio-economic, and historical - within which it sits and which interact to reinforce
18 and reproduce the practice. This means we cannot address landguardism by simply enacting
19 legislation against it, but rather asking the difficult questions that make the practice attractive
20 to both the sponsors of the act and the youth weaponised as landguards.

21 Finally, the growing scope of landguard activities in big cities and its gradual extension to other
22 geographic regions,³ including armed robbery and murder, therefore, warrants swift
23 intervention from all key stakeholders identified as contributing to the drivers of landguardism
24 before things get out of control. As the recent Special Anti-Robbery Squad (SARS) in Nigeria
25 has shown, further condoning of landguardism under the guise of political party vigilantism
26 risks spiralling out of control with potentially perverse outcome not just for property rights but
27 for our very existence and the threat to the democratic dividend Ghana has enjoyed over the
28 past three decades.

³ Landguardism is spreading to other regions of Ghana including the Eastern and the Central regions (See [Land Guards Gaining Root In Central Region modernghana.com](https://www.modernghana.com/news/884911/cape-coast-land-guards-invade-abura.html); <https://www.modernghana.com/news/884911/cape-coast-land-guards-invade-abura.html>)

1 Like all research, this study has limitations and we acknowledge them as follows. First, using
2 online survey to gather data meant that the study missed out on people in the two case studies
3 areas who did not have access to internet connectivity and were not within the social networks
4 of the researchers and the people the survey links were sent to. Hence future studies can
5 overcome this shortcoming by adopting traditional survey and random sampling approach. In
6 closing, we call for more empirical studies that examine the economic and social cost of
7 landguardism in Ghana, individuals and groups involved in and sustaining the phenomenon as
8 a business opportunity especially in both GAMA and GKA to yield more nuanced insights into
9 the phenomenon.

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LIST OF TABLES

TABLE 1. List of arguments capturing specific and potential drivers of landguardism in Ghana

Argument number	Arguments regarding drivers of landguardism in Ghana	Type	Source
1	The growing housing deficit in Ghana	G	(Acquah, 2018)
2	Government's failure to pay compensation claims to communities, clans and families whose lands were compulsorily acquired	G	Kasanga et al., 1996; Larbi, 2009)
3	Government's allocation of compulsorily acquired lands to relatives and political party favourites	G	(Kasanga et al., 1996; Larbi, 2009)
4	Government's use of compulsorily acquired lands for private businesses.	G	Kasanga et al., 1996; Larbi, 2009)
5	The pluralistic land ownership types in Ghana	G	The pluralistic land ownership types in Ghana
6	The expensive land title registration in Ghana	G	(Baffour Awuah et al., 2013; Ehwi & Asante, 2016)
7	Undue delay in processing land title certificate	G	(Ehwi & Asante, 2016; Sittie, 2006)
8	The unofficial fees demanded by some officials at the Lands Commission	G	(Abubakari et al., 2018; Ehwi et al., 2019)
9	The inability of land title certificate to safeguard against multiple land sales in Ghana	S	(Bartels et al., 2018; Ehwi et al., 2019)
10	Frequent adjournment of land cases in court	G	(Abdulai and Owusu-Ansah, 2014; Crook, 2005)
11	Corrupt practices of court clerks and judges	G	(Ordartey-Wellington et al., 2017) Ubink, 2008
12	Non-objectivity of judges when deciding land cases	G,S	(Crook, 2005; Gordon, 2017)
13	Weak enforcement of court rulings	S	(Bansah, 2017; Darkwa and Attuquayefio, 2012)
14	The high urban youth unemployment	S	(Bansah, 2017; Darkwa and Attuquayefio, 2012)
15	The ready supply of land-guard services	S	(Asafo 2020, Bansah, 2017)
16	The reliability of land-guards in responding to request	S	(Asafo, 2020, Bartels et al. 2018)
17	The low service charges of using land-guards compared to using the police	S	(Bansah, 2017; Darkwa and Attuquayefio, 2012)
18	The under-resourced state of police personnel during emergency circumstances	G,S	(Bansah, 2019; Darkwa and Attuquayefio, 2012; Tankebe, 2008)
19	Poor-accountability of chiefs in customary land administration	G	(Akaateba, 2019; Obeng-Odoom, 2014)
20	Over concentration of lands in the hands of traditional authorities	G	(Akaateba, 2019; Ubink and Amanor, 2008b)
21	Government policy of non-interference in customary land administration	G	(Anyidoho et al., 2007; Ubink and Quan, 2008)
22	Sale of large tracts of communal lands to real estate developers	S	(Gough and Yankson, 2000)
23	Unguided urban spatial development in Ghana	G	(Agyemang et al., 2019; Larbi, 1996)
24	Lack of coordination between urban planning officials and traditional authorities in land administration	G	(Siiba et al., 2018; Yeboah and Obeng-Odoom, 2010)
25	Growing land speculation at the peri-urban areas of Accra and Kumasi	S	(Asafo, 2020)

Note: G denotes general argument related to land administration challenges in Ghana while S denotes specific argument related to landguardism in Ghana

TABLE 2. Respondents' socio-demographic information

Socio-demographic information	Frequency	%
<i>Place of residence</i>		
Accra and its environs	127	73.8
Kumasi and its environs	45	26.2
<i>Ethnicity</i>		
Akan	83	48.3
Ga-Dangme	15	8.7
Ewe	45	26.2
Guan	3	1.7
Mole-Dagbani	10	5.8
Other	11	6.4
Non-Ghanaian	5	2.9
<i>Gender</i>		
Male	109	63.4
Female	63	36.6
<i>Age bracket (in years)</i>		
18 – 34	118	68.6
35 – 44	30	17.4
45 – 60	23	13.4
Above 60	1	0.6
<i>Marital status</i>		
Never married	82	47.7
Married	81	47.1
Divorced	3	1.7
Consensual union	2	1.2
Separated	2	1.2
Widowed	2	1.2
<i>Educational attainment</i>		
Secondary/Vocational/Technical	13	7.6
Tertiary	159	92.4
<i>Employment status</i>		
Employed	153	89.0
Unemployed	16	9.3
Retired	3	1.7
<i>Sector of employment</i>		
Private formal sector	72	46.5
Private informal sector	6	3.9
Public sector	50	32.3
Self-employed/voluntary sector	25	16.1
Other	2	1.3
<i>Income bracket (in Ghc)</i>		
< 1,000	4	2.6
1,000 – 2,000	45	29.2
2,001 – 3,000	34	22.1
3,001 – 4,000	24	15.6
>4,000	47	30.5

Source: Authors' online survey (May 2019)

TABLE 3. Respondents' knowledge about land-guards and participation in the land market

Knowledge of landguards and participation in the land market	Frequency	%
<i>Have you ever heard about landguards?</i>		
Yes	172	100
No	0	0
<i>Have you ever come into contact with a landguard?</i>		
Yes	101	58.7
No	71	41.3
<i>Have you ever used a landguard?</i>		
Yes	13	7.6
No	159	92.4
<i>How did you used the landguard?</i>		
As a defensive mechanism for warding off potential encroachers	6	46.2
As an offensive mechanism to reclaim my land which has being encroached, resold or occupied by someone else	4	30.7
Both as a defensive and an offensive mechanism to secure my interest in land	3	23.1
<i>What functions do landguard perform? (Select all that applies)</i>		
For extorting informal levies from builders (e.g. digging fees)	171	99.4
For vandalising developments on land (e.g. walls & buildings)	172	100
To perpetrate multiple land sales with chiefs	171	99.4
For preventing non-Ga natives Access to land	169	98.3
For carrying out criminal activities like robber, theft, murder etc	170	98.8
Employed as farm hands	170	98.8
Complements efforts by community watch dogs	70	40.7
As political party vigilante group	169	98.3
<i>Do you own land?</i>		
Yes	89	51.7
No	83	48.3
<i>Which of these applies to you?</i>		
I have owned land for the past 5 years	45	26.2
I have owned land for between 5 – 20 years	34	19.8
I have owned land for more than 20 years	8	4.7
I am aspiring to own land	88	44.8
None of the above	8	4.7
<i>Where is your land located?</i>		
Accra and its environs	56	69.9
Kumasi and its environs	30	33.7
Both urban metropolises	3	3.4

Source: Authors' online survey (May 2019)

TABLE 4. Descriptive statistics of arguments regarding drivers of landguardism in Ghana

Arguments regarding drivers of landguardism in Ghana	N	Mean	SD	Min.	Max
The pluralistic land ownership types in Ghana	172	4.56	0.86	0	5
The inability of land title certificate to safeguard against multiple land sales in Ghana	172	4.38	1.07	0	5
Poor accountability of chiefs in customary land administration	172	4.36	1.02	0	5
Undue delay in processing land title certificate	172	4.28	1.12	0	5
Frequent adjournment of land cases in court	172	4.27	1.02	0	5
The high urban youth unemployment	172	4.27	1.11	0	5
Weak enforcement of court rulings	172	4.22	1.09	0	5
The ready supply of land-guard services	172	4.21	0.98	0	5
The reliability of land-guards in responding to request	172	4.20	1.00	0	5
Overconcentration of lands in the hands of traditional authorities	172	4.19	1.11	0	5
Growing land speculation at the peri-urban areas of Accra and Kumasi	171	4.18	1.08	0	5
Lack of coordination between urban planning officials and traditional authorities in land administration	172	4.09	1.18	0	5
The under-resourced stage of the police personnel during emergency circumstances	172	4.03	1.13	0	5
Unguided urban spatial development in Ghana	172	4.03	1.13	0	5
The unofficial fees demanded by some officials during land title registration	172	4.03	1.26	0	5
The low service charges of using land-guards compared to using the police	172	4.02	1.22	0	5
The expensive land title registration process in Ghana	172	4.02	1.20	0	5
Government policy of non-interference in customary land administration	172	3.94	1.30	0	5
Corrupt practices of court clerks and judges	172	3.94	1.25	0	5
(Perceived) Non-objectivity of judges when deciding on land cases	172	3.94	1.27	0	5
Sale of large tracts of communal lands to real estate developers	171	3.87	1.21	0	5
Governments' allocation of compulsorily acquired lands to relatives and political party favourites	172	3.82	1.29	0	5
The growing housing deficit in Ghana	171	3.70	1.46	0	5
Government's use of compulsorily acquired land for private businesses	172	3.68	1.32	0	5
Government's failure to pay compensation claims to communities, clans and families whose lands were compulsorily acquired	172	3.58	1.38	0	5

Cronbach's Alpha (a) = 0.893

Note: SD denote Standard Deviation, Min. Sc and Max. Sc denotes Minimum and Maximum Scores respectively.

TABLE 5. Summary of the stages involved in setting up and running an Exploratory Factor Analysis

Stage No.	Stage Name	Stage breakdown	Examples from the paper
1	Safety checks	Data adequacy, minimum number of variables, Sampling adequacy, intercorrelations between variables	N = 172, 25 arguments KMO = 0.86, intercorrelations > 0.3 (n= 23 arguments)
2	Data processing and initial analysis	Selecting extraction method, rotation method, Number of factors to retain	Principal component Extraction, varimax rotation, Eigenvalue > 0.1
3	Factor construction	Presenting a matrix of all relevant factors and Their factor loadings	Table reporting results from the EFA.
4	Factor naming	Analysing the factors that cluster together and naming them.	Distinct names given to the five factors identified.
5	Factor reporting	Expounding on the factors identified	Discussion about each of the five factors identified.

Source: Authors' construct following Cohen et al. (2018)

TABLE 6. Factors generated from the variables and their factor scores

Arguments regarding factors driving landguardism	Factors generated				
	1	2	3	4	5
The growing housing deficit in Ghana	-	-	.609	-	-
Government's failure to pay compensation claims to communities, clans and families whose lands were compulsorily acquired	-	-	.727	-	-
Governments' allocation of compulsorily acquired lands to relatives and political party favourites	-	-	.805	-	-
Government's use of compulsorily acquired land for private businesses	-	-	.777	-	-
The pluralistic land ownership types in Ghana	-	.544	-	-	-
The expensive land title registration in Ghana	.670	-	-	-	-
Undue delay in processing land title certificate	.752	-	-	-	-
The unofficial fees demanded by some officials during land title registration	.660	-	-	-	-
The inability of title certificate to safeguard against multiple land sales in Ghana	.717	-	-	-	-
Frequent adjournment of land cases in court	-	-	-	-	.626
Corrupt practices of court clerks and judges	-	-	-	-	.719
Non-objectivity of judges when deciding land cases	-	-	-	-	.729
Weak enforcement of court rulings	-	-	-	-	.652
The high urban youth unemployment	-	-	-	.663	-
The ready supply of landguard services	-	-	-	.786	-
The reliability of landguards in responding to request	-	-	-	.785	-
The low service charges of using land-guards compared to using the police	-	-	-	.746	-
The under-resourced stage of the police personnel during emergency circumstances	-	-	-	.359	-
Poor accountability of chiefs in customary land administration	-	.706	-	-	-
Overconcentration of lands in the hands of traditional authorities	-	.750	-	-	-
Government policy of non-interference in customary land administration	-	.672	-	-	-
Sale of large tracts of communal lands to real estate developers	-	.493	-	-	-
Unguided urban spatial development	-	.473	-	-	-
Lack of coordination between urban planning officials and traditional authorities in land administration	-	.336	-	-	-
Growing land speculation at the peri-urban areas of Accra and Kumasi	-	.531	-	-	-
Eigen values of each factor	9.0	2.0	1.80	1.78	1.75
% of Total variance each factor explains	13.68	12.88	11.89	11.53	11.40
Cumulative Total variance explain	13.68	26.56	38.46	49.98	61.38
KMO Measure of Sampling Adequacy = 0.892					
Bartlett's Test of Sphericity (Approx. Chi-Square = 2018.560, df = 300, p < 0.01)					

Source: Analysis from authors' online survey data (May 2019)