

Examining Participation of Expropriated Owners in Compulsory Land Acquisition for the Western Corridor Gas Infrastructure Project in Ghana

Wisdom Quaiku¹, John Victor Mensah², Joseph Agyenim Boateng³

¹Takoradi Technical University, Takoradi.

^{2,3}School for Development Studies, University of Cape Coast.

ABSTRACT

The participation of expropriated owners in compulsory land acquisition processes is necessary to maximise benefits, minimize the negative consequences, and prevent actions or omissions associated with the implementation of the expropriation order. The procedure for compulsory land acquisition in Ghana starts with the government declaring an intention to acquire any parcel(s) of land within the territory of Ghana and ends with the resolution of inconsistencies and conflicts arising out of the acquisition. The main objective of the study was to investigate the extent of participation by expropriated owners of the Nzema East Municipality and the Ellembelle District in the compulsory land acquisition process for the Western Corridor Gas Infrastructure Project. Underpinned by the citizen participation theory, the study adopted the mixed methods research design. The quantitative data was collected through a survey from sampled expropriated persons in 24 affected communities of the study area while the qualitative data was obtained through focus group discussions and key informant interviews. The study revealed that the mode of engagement between the expropriated persons and the expropriators was through information sharing, thereby limiting the participation exercise to the first rung of the citizen's participation theory. As a recommendation, the Lands Commission should improve community participation in the expropriation order by ensuring information flow and feedback at any stage of the acquisition process.

Keywords: Expropriators, Expropriated owners, Participation, Compulsory land acquisition

1.0 Introduction

Globally, land is one of the most essential assets for addressing socio-economic development and poverty alleviation (Gilbert, 2013). Landlessness among citizens and even states can create vulnerability and socio-economic insecurity (FAO, 2012). The significance of land in the provision of infrastructure such as electricity, roads, hospitals, and schools is not in doubt (Adu-Gyamfi, 2012). In the developing world, land represents about 75 percent of wealth (Deininger, 2003; UNDP, 2005). Ghana has a total land size of 239,460 km² comprising customary authorities, stools/skin, families, and clans, 78 percent of the total

¹Takoradi Technical University, Takoradi.

² School for Development Studies, University of Cape Coast.

³ School for Development Studies, University of Cape Coast.

land area, the state follows with 20 percent, and the remaining 2 percent is jointly owned by the state and customary authorities (Larbi, 2008; Adu-Gyamfi, 2012). With the state owning a little over 20 percent of the total land area, and also clothed with the responsibility to provide basic infrastructure for the citizenry, the main option left for the state to increase its percentage of land holding is to resort to a compulsory land acquisition (CLA) order. CLA is the power the government exercises to acquire private property rights in land for the benefit of society without the willing consent of its legitimate owner or occupant for fair and adequate compensation (Adu-Gyamfi, 2012).

The participation of expropriated owners in the CLA process is necessary to not only maximise benefits and minimize the negative consequences associated with the implementation of the expropriation order but also to prevent actions or omissions that can push expropriated owners into poverty (Larbi, 2008). CLA often results in either economic or physical displacement or both with its accompanying socio-economic impact on people who have lost their parcels of land, their dependants, and landowners (Larbi, 2008). Implementing the CLA order requires the participation of key stakeholders in planning and implementing activities that can affect their lives (Beyir, 2013). Public participation accords credibility and fairness to the decision-making process by offering the opportunity to the individuals or groups who are affected by a particular decision to offer their opinions (Innes & Booher, 2004).

The procedure which encapsulates the various decisions and processes for CLA in Ghana as authored by Adu-Gyamfi (2012) starts with the government declaring an intention to acquire any parcel(s) of land within the territory of Ghana by depositing an application with the office of the Regional Minister of the region concerned. This is followed by the setting up of a Site Advisory Committee by the Regional Minister to determine the suitability or otherwise of the land in question. The application is then forwarded to the Lands Commission where an Executive Instrument is prepared and sent to the Minister for acceptance and endorsement. The publication of the Executive Instrument is done to formally notify the affected landowners and the general public of the government's decision to acquire the land in question. Those who have an interest in the affected parcels of land submit their claims while ensuring that their parcels of land have been valued. The payment of compensation then follows. The last stage of the acquisition procedure concentrates on the resolution of inconsistencies and conflicts including those arising out of multiple and conflicting claims.

The issues associated with project-affected persons' participation in the CLA order are underpinned by the citizens' participation theory, which holds that participation involves a deliberate process to permit vulnerable citizens in society to be involved in the economic and political process to enable them to influence decisions that border on their well-being (Arnstein, 1969; Bryson, Crosby & Bloomberg, 2014; Smith, 2003). The participation of expropriated owners in the acquisition process has mostly been limited to the determination of compensation claims (Aha & Ayitey, 2017; Ablo & Asamoah, 2018) which produces a knowledge gap and also raises certain philosophical concerns such as the rights of expropriated households to get involved in the decision-making process that culminates in the CLA from the beginning to the end, hence, the motivation to undertake this study. The general objective of this study is to investigate the extent of participation by expropriated owners in the CLA process for the Western Corridor Gas Infrastructure Project. The specific objectives are to:

1. Examine expropriated owners' knowledge about the Executive Instrument;
2. Describe the mode of engagement between expropriators and expropriated owners, and
3. Examine expropriated owners' involvement in key acquisition activities.

The paper is structured into five sections: Section one introduces the research work while Section two presents the theoretical and conceptual framework. Section three focuses on study area and research methods. Section four covers results and discussion while section five deals with conclusions and recommendations of the study.

2.0 Theoretical and Conceptual Framework

The theory underpinning this study is the citizen participation theory. The theory holds that participation is a process through which members of an organization or community get themselves involved in, and influence decisions that concern development activities that affect their livelihoods or standards of living (Arnstein, 1969; Bevir, 2013; IAPP, 2014). According to Arnstein (1969), participation consists of an intentional process that allows vulnerable citizens who are currently excluded from the economic and political process to be included in future political and economic processes. Beyir (2013) emphasizes redistribution of power and enabling environment as key ingredients required to facilitate citizens' participation in a deliberative manner. Arnstein (1969) establishes a typology of citizen participation known as "A Ladder of Citizen Participation". This typology is organized as rungs on a ladder, with each rung relating to the extent of control local people have within the process of developing a programme or undertaking activities that affect them (Beyir, 2013). Arnstein (1969) identifies eight rungs of a ladder namely: manipulation, therapy, informing, consultation, placation, partnership, delegated power, and citizen's control, as various levels of citizens' participation in all aspects of planning and decision-making responsibilities. Arnstein (1969) further breaks down the eight rungs into three stages: non-participation, tokenism, and citizen's power.

The non-participation component (first stage) of the ladder of citizen participation consists of manipulation and therapy which are the first and second rungs of the ladder respectively (Arnstein, 1969; Bryson et al., 2014). Manipulation involves exerting influence and gaining the support of the public through propaganda (Arnstein, 1969) while therapy assumes that the public is not able to decide for itself and that those in authority must necessarily subject their citizens to paternalistic education exercises (Bryson et al., 2014). This stage suggests that citizens do not make input into planning and decision-making processes, rather they are mere passive recipients of what officialdom dumps on them.

The second stage (tokenism) consists of the next three rungs of the ladder namely: informing, consultation, and placation (Arnstein, 1969; Bryson, Crosby & Bloomberg, 2014; Bovaird, 2007). The third rung of the ladder, informing, provides a one-sided information flow from public officials to citizens without any corresponding channel through which citizens can negotiate or feedback (Arnstein, 1969; Quick & Feldman, 2011). Consultation, the fourth rung of the ladder, offers a two-way flow of information, citizens' input is seldom considered by public officials (Arnstein, 1969; Bovaird, 2007). The fifth rung, placation, is where citizens start to exert their influence but are usually overruled when their opinions do not tie in with those of public officials or professionals (Quick & Feldman, 2011). This second stage implies that although citizens are offered the opportunity to input into planning and decision-making processes, their contributions are usually considered by public officials as substandard or inferior.

The third stage comprises partnership, delegated power, and citizen's control termed citizen's power (Arnstein, 1969; Bryson et al., 2014; Bovaird, 2007). The sixth rung of the ladder, partnership, is where both citizens and public officials or authorities decide to share planning and decision-making responsibilities, and also develop mechanisms for addressing conflicts (Bovaird, 2007). The seventh rung of the ladder, delegated power, occurs when citizens achieve dominant decision-making power to

guarantee the accountability of programmes (Arnstein, 1969; Roberts, 2004). Finally, the eighth rung of the ladder, citizen’s control, is the desired level of citizens’ participation (Arnstein, 1969; Quick & Feldman, 2011). This third stage submits that public officials recognize citizens as partners in development, and are prepared to ultimately seed power to them to initiate, plan and develop their programmes or events. However, the Citizen Participation Theory has come under some criticism. The theory is criticized for focusing mainly on citizens’ power and further assumes that the major goal of participation is citizen’s control (Bovaird, 2007; Nabatchi, 2012). Bovaird (2007) suggests that the concentration of the theory on power is not adequate to explain participation at the practice level. Similarly, Nabatchi (2012) criticizes the citizen participation theory because citizens or individuals engage in decision-making processes for varied reasons, and not necessarily to acquire control. Irrespective of the above criticisms, the appeal of the theory resides in both its simplicity and ability to unearth the power agenda hidden in many established narratives as well as the differences or dissimilarities in the forms and strategies of participation desired by citizens (Bryson et al., 2014).

Property owners’ participation in the acquisition process is recorded at the point where the Executive Instrument is published (Kotey, 2002). Figure 2 presents the conceptual framework of expropriated owners’ participation in the acquisition process. The publication of the executive instrument in the newspapers and any other appropriate media brings to the notice of persons who have an interest in the land, and also the general population to be aware of the expropriation order.

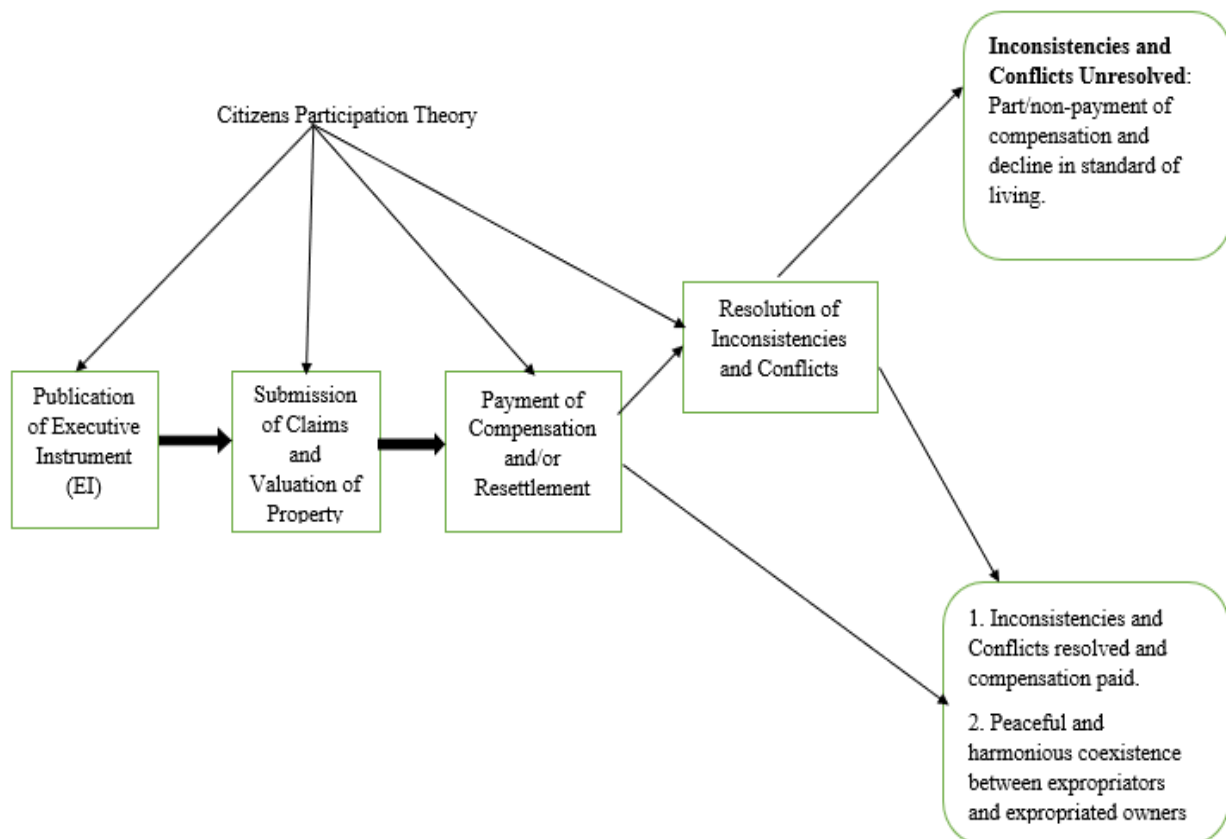


Figure 1: Conceptual Framework of Expropriated Owners Participation in the Compulsory Land Acquisition process.

The participation of the property owners in the acquisition process is required to enable them to understand the purpose of the acquisition, and the processes to follow through. Property owners are required to submit their claims to the Lands Commission, and also ensure that the valuation of their properties is done within the sixty-day stipulated period allowed by law.

The Lands Commission upon receipt of documentation from the property owner does the estimates of the compensation based on defined principles after which payment is affected to property owners. Sometimes resettlement is also done when financial compensation may not be appropriate or adequate to reinstate the expropriated owners to the positions they were in before the acquisition happened. In situations where expropriated owners are not satisfied with the turn of events, they are offered the opportunity to send their complaints to the land tribunal or the High Court for the matter to be resolved. In instances, where property owners are satisfied with the compensation package and/or are also able to resolve inconsistencies and conflicts upon which compensation is paid, the result is peaceful and harmonious coexistence between expropriators and expropriated owners. However, if the inconsistencies and conflicts that may arise are not resolved satisfactorily, expropriated owners may not receive their compensation and their standard of living can deteriorate.

3.0 Study Area and Research Methods

The study area covers the Ellembelle District and the Nzema East Municipality of the Western Region of Ghana. It used to constitute the erstwhile Nzema East District. The Ghana Statistical Service (2014) provides data on the geographical location, demographic characteristics, and occupation of the study area. The study area (Fig. 2) shares boundaries with the Jomoro Municipality to the West, Wassa Amenfi West District to the North, Tarkwa-Nsuaem, Prestea-Huni Valley, and Ahanta West municipalities to the East, and the Gulf of Guinea to the South. It has sandy beaches of about 79 km. The population and growth rate of the Nzema East Municipality are slightly higher than that of the Ellembelle District. The population of Nzema East Municipality is 88,096 with an annual growth rate of 2.4 while that of Ellembelle District is 87,501 with an annual growth rate of 2.3 percent. The average household sizes of both the Municipality and the District are 4.0 and 4.6 respectively. The Ellembelle District is 79.4 percent rural as compared with 66.0 percent of Nzema East Municipality. The major occupation of the inhabitants is agriculture which employs over 65% of the economically active population.

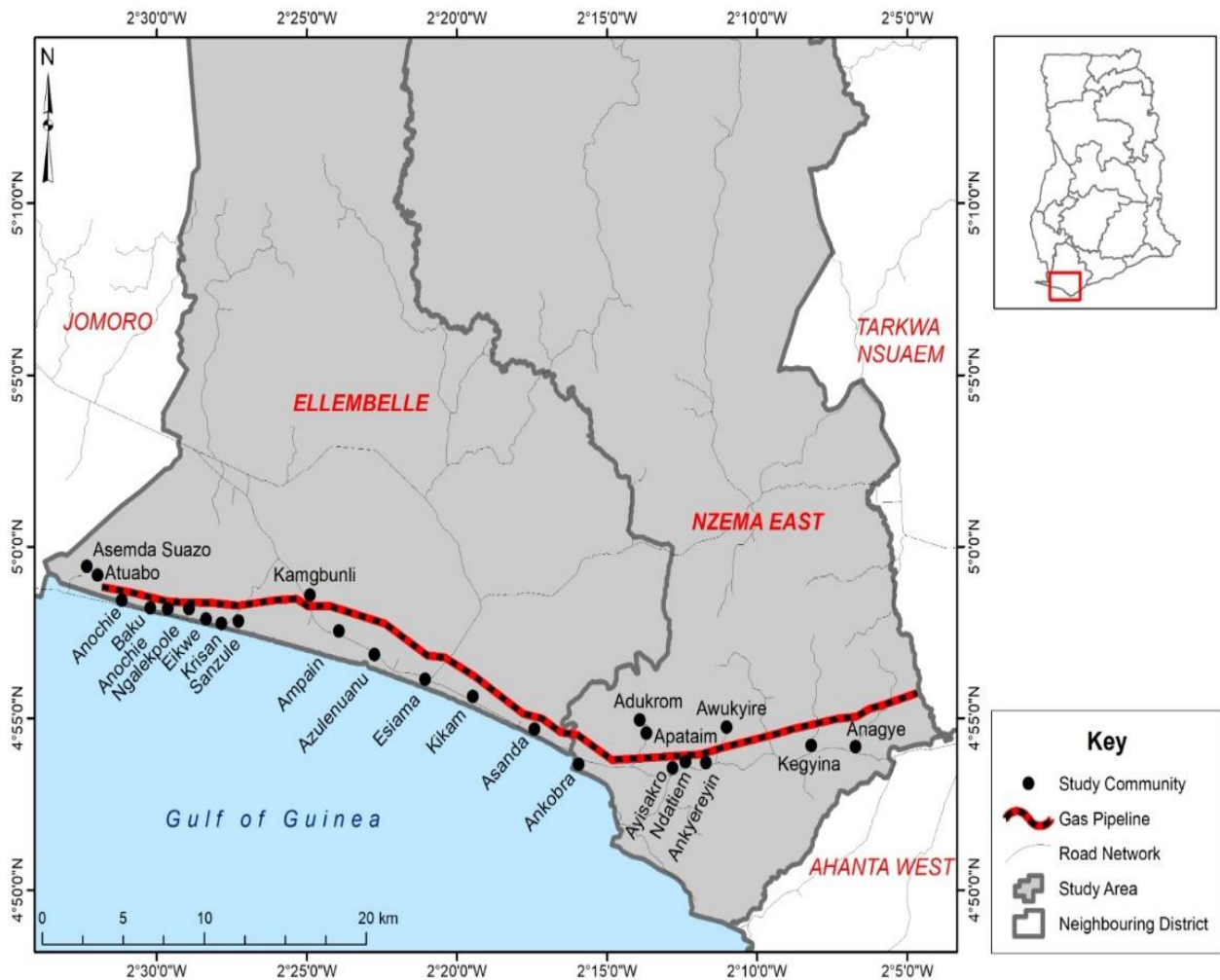


Figure 2: Map of Nzema East Municipality and Ellembelle District

Source: Department of Geography and Regional Planning, University of Cape Coast (2020).

The study employed the mixed methods research design, which combined both qualitative and quantitative research assumptions (Creswell, 2003; Zohrabi, 2013). The quantitative data was collected through a survey from sampled expropriated persons in 24 affected communities in the study area. The qualitative data was gathered through focus group discussions and key informant interviews. Six focus group discussion sessions (three for each local government area) were held. The focus group discussions helped to explore in much detail the experiences of expropriated owners about their participation in the CLA exercise. Four key informants comprising an official each from the Lands Commission and Ghana Gas Company and two representatives each from traditional authorities representing the Nzema East Municipality and the Ellembelle District were sampled due to their in-depth knowledge of the acquisition exercise. Therefore, the study population comprised expropriated communities and households of the Western Corridor Gas Infrastructure Development Project, officials of the Lands Commission, officials of Ghana Gas Company, and Traditional authorities in the study area. The expropriated households were mainly farmers. The total number of expropriated households and communities affected by the CLA order in the study area was 711 and 24 respectively (Land Commission, 2014).

A combination of stratified and simple random sampling procedures was employed. The stratified random sampling was used in selecting expropriated persons of the Western Corridor Gas Infrastructure

Development Project (WCGIDP) from the sampling frame based on the study area. The purpose of stratifying the population according to the Nzema East Municipality and the Ellembelle District was due to the heterogeneity of the population. The stratification ensured that at least one project-affected person within all affected communities was covered. After the stratification, simple random sampling was employed in selecting the right sample for each stratum on a proportional basis. With the aid of officials of the Lands Commission, the sampling frame was developed. The selection process of the respondents involved the use of the lottery method. An initial sample size of 248 for households affected by the CLA was determined using the sample size formula developed by Krejcie and Morgan (1970). However, to account for attrition, Fernandez et al. (2009) recommend that 15 percent of the sample size should be added to the computed sample size. The computed 15 percent of the 248 was approximately 37 and therefore, the sample size for this study was 285. Focus groups consisted of expropriated persons who were not sampled for the survey. Women and men groups were formed for a thorough exploration and comprehension of the themes under discussion. The Assembly members assisted the researchers in identifying expropriated persons who constituted the sample size for the survey and those for the focus group discussion. The choice of Assembly members as first contact was important due to their unique roles in community development initiatives.

Three field data collection instruments namely; interview schedule, interview guide, and focus group discussion guide were used to collect primary data. The interview schedule assisted in the collection of data from the project-affected persons, and the justification for its use was that most of the affected persons were illiterates, thereby allowing the research team to administer the instruments. The interview schedule covered issues on the extent of participation of the affected households in the CLA process. The interview guide was used to collect qualitative data from the key informants on issues bordering on the extent of participation of expropriated owners. The instrument was not only easy to administer but also offered the opportunity to observe the non-verbal behaviour of key informants, ensured completeness, and facilitated the collection of in-depth information. The focus group discussion guide was used to gather data from men and women groups in five of the affected communities namely; Asemda Suazo, Anochie, and Esiana, of Ellembelle District, and Awukyire and Keqyina of Nzema East Municipality where some key installations of the WCGIDP were located. These selected communities were also impacted in terms of the number of affected households. Group discussions provided the opportunity to elicit a wide range of ideas at a single platform where discussants engaged in a debate on the issues of interest. The group discussions helped to collect rich and in-depth data to address the research objectives.

The pre-testing of the interview schedule was done in the nearby Ahanta West Municipality with a similar study population connected with the WCGIDP. The interview schedule was administered to 20 expropriated households. The pre-test helped to determine the suitability of the instrument, to ensure face, content, and construct validity as well as to guarantee reliability of the instrument. Therefore, it helped to identify weaknesses and ambiguities in the instrument to aid in reshaping some of the issues before the actual administration of the instrument in the study area. Twelve enumerators who were natives of the study area were trained on items on the interview schedule and afterward equipped with the knowledge to interpret the items on the instruments uniformly, and appropriately to ensure ease in data collection, address language barrier issues as well as prevent unethical behaviours. Interviews were conducted in the homes of expropriated owners. The researchers monitored the progress of the work of the enumerators on the field and also personally conducted the key informant interviews. Focus group discussions were mainly held on days, venues, and times at the discussants' convenience.

The entire data collection team undertook the collation and editing of the interview schedules. The quantitative data was edited, coded, imputed into the computer, and cleaned before analyses were undertaken using the Statistical Package for Social Sciences (SPSS) version 26. The analysis of the data involved the use of statistical techniques such as descriptive statistics, and the Chi-square test of independence. The quantitative results were presented in tables while the qualitative data analysis was done through a manual process using thematic analysis, and presented in the form of texts. There was an integration of both quantitative and qualitative analysis under each of the objectives to provide a clearer and more general picture of issues.

4.0 Results and Discussion

The results and discussion are presented in line with the specific objectives of the study: examining expropriated persons’ knowledge about the Executive Instrument, the mode of engagement between expropriators and expropriated persons, and expropriated persons’ involvement in key acquisition activities. However, they begin with the background characteristics of the respondents to put the study into context.

Background Characteristics of Respondents

The characteristics considered were age, sex, level of education, and location of origin. Age can influence expropriated persons’ physical and mental abilities to effectively participate in the acquisition processes (Gall & Parkhouse, 2004). The data were analysed based on sex and location of origin (Table 1) to determine whether differences existed in the ages of the respondents. Analysis of the sex of the respondents did not only show that over 60% of the male (66.7%) and the female (62.4%) expropriated persons were 50 years and above but also the majority (64.6%) of the 285 respondents were male. The sex variable influences to a large extent, an individual’s involvement in the decision-making processes (Bovaird, 2007; Bryson, Crosby & Bloomberg, 2014).

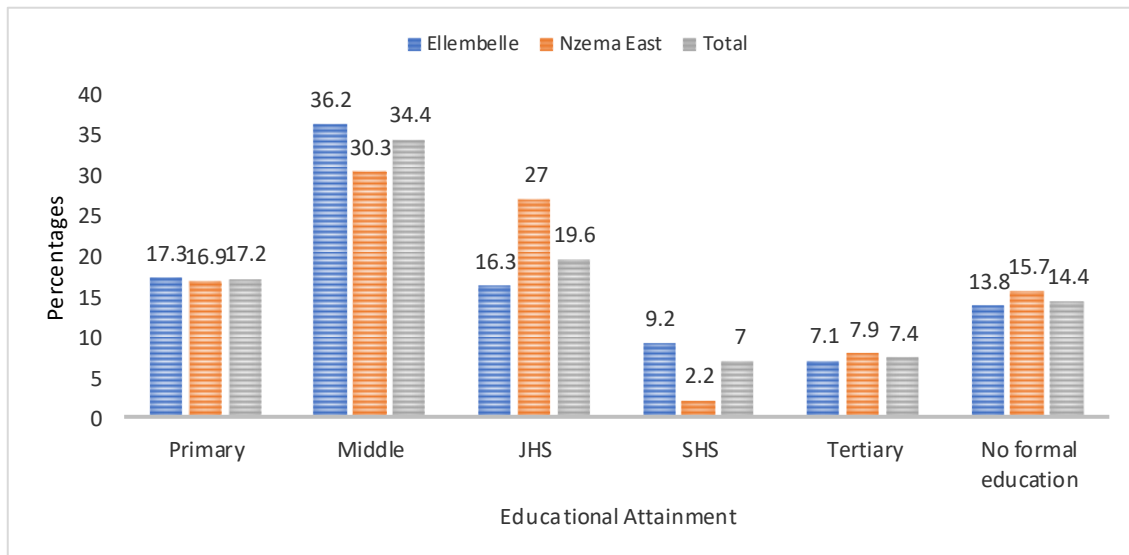
Table 1: Age of Respondents by Location and Sex

Age (Years)	Location				Sex			
	Ellembelle		Nzema East		Male		Female	
	n	%	n	%	n	%	n	%
20-29	4	2.1	0	0.0	2	1.1	2	2.0
30-39	25	12.9	8	9.0	22	12.1	11	10.8
40-49	42	21.4	23	25.8	38	20.9	25	24.8
50-59	52	26.8	26	29.3	55	29.9	25	24.8
60-69	41	21.1	19	21.3	38	20.9	22	21.8
70+	32	16.5	13	14.6	29	15.9	16	15.8
Total	196	68.8	89	31.2	184	64.6	101	35.4
χ^2 (P-Value)	3.65 (0.602)				1.35 (0.930)			
Phi	0.11				0.07			

Source: Field survey, 2020.

Over 60% of the respondents in both the Ellembelle District (64.4%) and the Nzema Municipality (65.2%) were 50 years and above. Differences in age by location and sex are statistically insignificant as indicated by their corresponding chi-square values and p-values (See Table 1).

The educational qualification of the respondents shows that on aggregate 34.4 percent of the respondents completed middle school, 19.6 percent ended their formal education at the JHS level, 14.4 percent did not acquire any formal education with 7.4 and 7.5 percent obtained tertiary and SHS qualifications respectively (Figure 3). Analysis of educational attainment by location of origin did not reveal much difference except for the JHS and SHS results where 27.0 percent of the respondents in Nzema East Municipality as against 16.3 percent of that of Ellembele District obtained JHS qualification. Notwithstanding the differences, the data, on the whole, suggests that the highest educational qualification of most of the respondents in the study area was at the basic education level. The low education attainment of the respondents implies that affected households may not be able to fully appreciate the complex acquisition processes to enable them to make informed decisions. This finding is consistent with the assertion of the first rung of the citizen participation theory (Bryson et al., 2014) that project-affected persons do not input into the decision-making processes but are merely passive recipients of what officialdom dumps.



Source: Field survey, 2020

Figure 3: Educational Attainment of Respondents by Location

The analysis of the educational qualification of respondents based on sex indicates that 34.7 percent of women unlike men (3.3%) did not attain formal education (Table 2). Middle school

Table 2: Educational Qualification of Respondents by Sex

Educational Attainment	Male		Female		χ^2 (P-Value)	Phi
	N	%	N	%		
Primary	25	13.6	24	23.8	68.88*	0.49
Middle	77	41.8	21	20.8	(0.000)	
JHS	40	21.7	16	15.8		
SHS	16	8.7	04	20.0		

Tertiary	20	10.9	01	4.8		
No formal education	6	3.3	35	34.7		
Total	184	100.0	101	100.0		

Source: Field survey, 2020

*Statistically significant

education was the highest qualification for both men (41.8%) and women (20.8%). The result suggests that the difference in the educational qualification of project-affected persons (PAPs) by sex was statistically significant as shown by a chi-square value of 68.88 (p-value = 0.000) which was lower than 0.05. The implication is that comparatively, men stand a better chance of participating in the acquisition processes than women.

Expropriated persons’ knowledge about the Executive Instrument

The publication of the executive instrument is a formal notice to expropriated persons about the acquisition exercise (Adu-Gyamfi, 2012). On aggregate, 62.1 percent of the respondents revealed that they had information on the publication of the Executive Instrument (acquisition instrument), while the rest indicated that they did not receive any information (Table 3). The finding confirms the views (19th June, 2020) expressed by an official of the Lands Commission, Sekondi-Takoradi that:

“The Lands Commission in partnership with Ghana Gas Company shared the information on the executive instrument with the affected farmers and community leaders, and also posted the document on the notice boards of the project affected communities (PAC).”

The official also indicated that the Commission did not only educate the affected farmers on the requirements for the submission of claims but also admonished them to ensure that the stipulated 60 days for compliance was respected to avoid unnecessary delay that could impact negatively on negotiation for land compensation.

This suggests that officials of the Lands Commission and Ghana Gas Company made an effort to bring to the attention of expropriated persons, the publication of the Executive Instrument to aid them in submitting their land compensation claims within the stipulated time which contradicts the finding of King and Sumbo (2015) in Ghana that, affected households were not seized with information on the publication of the Executive Instrument before the marking of their structures for demolition.

While in the Ellebelle District, 73.0 percent of the project-affected persons had information about the publication of the executive instrument, that of Nzema East Municipality recorded 38.2 percent (Table 3). The result indicates that the difference in knowledge of the executive instrument by location of origin was statistically significant as shown by a chi-square value of 0.35 with p-value = 0.000 which is lower than 0.05. The results also show that over 60 percent of expropriated persons who never had formal education (61%) and those who obtained primary education (61.2%) got information about the publication of the acquisition

Table 3. Knowledge of Executive Instrument by Location and Educational Level

Executive Instrument	Location				Educational Level										Total				
	Ellebelle		Nzema East		No Formal Education		Primary		Middle		JHS		SHS				Tertiary		
	N	%	n	%	N	%	n	%	N	%	n	%	n	%	n	%	n	%	

Have knowledge	143	73.0	34	38.2	25	61.0	30	61.2	62	63.3	37	66.1	7	35.0	16	76.2	177	62.1
No knowledge	53	27.0	55	61.8	16	39.0	19	38.8	36	36.7	19	33.9	12	65.0	5	23.8	108	37.9
Total	196	100.0	89	100.0	41	100.0	49	100.0	98	100.0	56	100.0	19	100.0	21	100.0	285	100.0
χ^2 (P-Value)	2.48* (0.000)				2.26* (0.000)													
Phi	0.93				0.87													

Source: Field survey (2020)

*Statistically significant

instrument. The difference in knowledge of the acquisition instrument by educational attainment of respondents was also statistically significant as revealed by a chi-square value of 2.26 with p-value = 0.000.

Mode of engagement between expropriated persons and expropriators

The main modes of engagement between expropriated persons and expropriators were information sharing, consultation, decision-making, and initiation of action. Table 4 reveals that the acquiring agency shared information with 54.7 percent of the respondents. The rest of the modes of engagement were consultation (21.8%), decision-making (10.9%), and initiation of action (10.2%). While Ellebelle District recorded 51 percent for information sharing, and 25 percent for consultation, the Nzema East Municipality on the other hand had 62.9 percent for information sharing and 14.6 percent for consultation. Chi-square analysis emerging from the study reveals that the difference in the mode of engagement between expropriated persons and expropriators by location of origin was statistically insignificant as indicated by a chi-square value of 16.43 (p-value = 0.006) which was higher than 0.05. During a focus group discussion with men in the Ellebelle District, the group (15th June 2020) said that during the acquisition, staff of Ghana Gas Company held community meetings to share information about the expropriation exercise.

Table 4: Mode of Engagement by Location

Mode	Ellebelle		Nzema East		Total		χ^2 (P-Value)	Phi
	N	%	n	%	n	%		
Information Sharing	100	51.0	56	62.9	156	54.7	16.43	0.24
Consultation	49	25.0	13	14.6	62	21.8	(0.006)	
Decision-making	27	13.8	4	4.5	31	10.9		
Initiation of action	14	7.1	15	16.9	29	10.2		
Others	6	3.1	1	1.9	7	2.5		
Total	196	100.0	89	100.0	285	100.0		

Source: Field survey (2020)

The finding implies that expropriated persons' involvement in the decisions that informed the implementation of the CLA order was limited which is similar to the finding of Ablo and Asamoah (2018)

in Ghana that, expropriated persons were always informed of decisions that had been arrived at by the expropriators. During a key informant interview (20th June, 2020) with an official of the Lands Commission, Sekondi-Takoradi, he revealed that some of the decisions on CLA had already been prescribed by statute.

The main modes of communication between expropriated persons and mediating institutions were the community public address system, telephone, and WhatsApp platform (Figure 4). The majority (89%) of the respondents cited the community public address system as the main mode of communication. In both the Ellembelle District and the Nzema East Municipality, the community public address system constituted the main mode of communication recording 89.3 percent and 91.0 percent respectively.

During a key informant interview (21st June 2020) with a traditional ruler in the Ellembelle District, the chief intimated that the use of the public address system as a medium of communication enabled him and his elders to summon the community members to meetings, where they shared with them information from the officials of Ghana Gas Company and the Lands Commission. The indication is that the most accepted mode of getting information across to expropriated community members was through the community’s own instituted medium of communication. However, during a focus group discussion with men (16th July 2020) in the Ellembelle District, the group indicated that their understanding of what was communicated was different from what was implemented by the officials of Ghana Gas Company. The suggestion is that though the popular mode of communication was chosen, effective communication was not achieved.

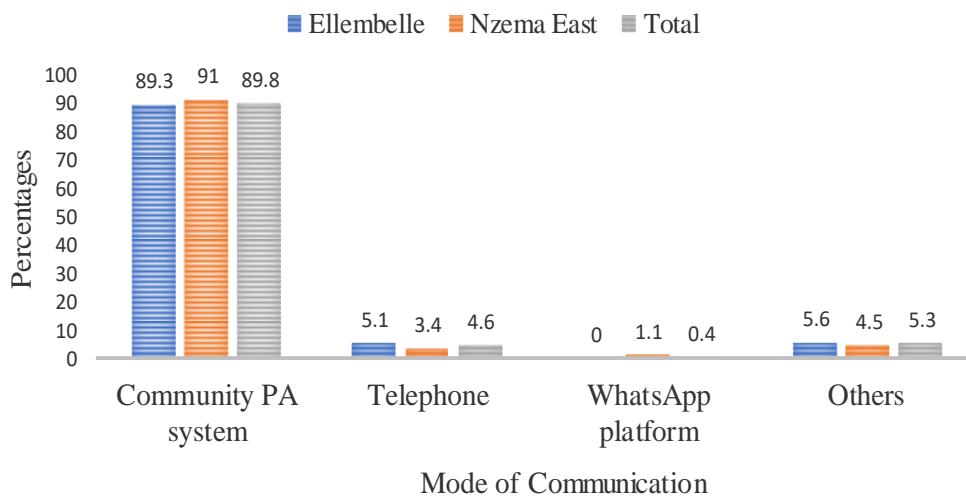


Figure 4: Mode of Communication by Location

Source: Field survey (2020)

Expropriated persons’ involvement in key acquisition activities

An expropriated person’s participation in the acquisition activities is required to ensure transparency as well as minimize issues of conflicting claims and claimant dissatisfaction (Larbi, 2008). Table 5 shows that out of the 708 multiple responses, the dominant citations were boundary demarcation (32.9%), valuation of crops (15.3%), submission of claims (14.3%), and determination of crop compensation (14.1). While with the results of Ellembelle District, out of the 469 multiple responses, boundary demarcation (34.3%) attracted the most responses, followed by valuation of properties (15.1%), submission of claims (13.0%) and determination of crop compensation (12.6%), that of Nzema East Municipality with 239

multiple responses reported the following results: boundary demarcation (30.1%), determination of crop compensation (17.2%). submission of claims (16.7%) and valuation of properties (15.5%).

During key informant interviews (15th June 2020), a staff member of the Lands Commission, Sekondi-Takoradi, reported that messages were sent to the leaders of the expropriated communities to inform affected farmers to join the team from the Lands Commission to undertake the boundary demarcation exercise. The implication is that expropriated persons were allowed to identify their farms and this is consistent with Arnstein’s (1969) citizen participation theory that citizens should be involved in making decisions on issues that affect them. However, this level of involvement restricts expropriated persons to the third rung (informing) of the ladder of citizen participation.

Table 5: Participation in Land Acquisition Activities by Location

Activity	Ellembelle		Nzema East		Total	
	N	%	n	%	n	%
Boundary demarcation	161	34.3	72	30.1	233	32.9
Valuation of crops	71	15.1	37	15.5	108	15.3
Submission of claims	61	13.0	40	16.7	101	14.3
Determ. of crop compensation	59	12.6	41	17.2	100	14.1
Determ. of compensation PS	46	9.8	18	7.5	64	9.0
Docum. of affected properties	41	8.7	19	7.9	60	8.5
Determ. of land compensation	30	6.4	12	5.0	42	5.9
Total	469*	100.0	239*	100.0	708*	100.0

* Multiple responses; Determ = Determination, PS = Payment schedule

Source: Field survey (2020)

On the issue of valuation of the expropriated parcels of land for compensation, about 33 percent out of the 285 respondents indicated that they had their land valued by private valuation companies while the majority (67%) said they never sought the services of any valuer. A staff of the Lands Commission, Sekondi-Takoradi said: “*The law requires expropriated persons to appoint their own valuation companies to determine the value of their parcels of land for compensation. The law has also made provision for the absorption of the valuation fees by the acquiring institution*” (A staff of the Lands Commission, 21st June, 2020).

The implication is that the project affected persons who did not have their farmlands valued because they could not engage the services of private valuation firms may have difficulty in negotiating compensation. The reason is that the stipulated sixty days allowed for expropriated persons to put in their compensation claims had expired.

Regarding the valuation of crops for cash compensation, the majority (98%) of the respondents indicated that the Lands Commission did the assessment. During a focus group discussion with women (15th June 2021) in the Ellembelle District, the discussants revealed that parts of their farms were destroyed before officials from the Lands Commission and Ghana Gas approached them for the identification of farms. This suggests that expropriated persons might have lost some or all the crops on their farms before the crop valuation was done.

An official of Lands Commission, Sekondi-Takoradi, during a key informant interview (21st June 2020) remarked: “*We did the valuation to ensure that affected farmers receive prompt compensation for their lost crops*”. This quotation shows that the Lands Commission wanted to satisfy the statutory requirements provided for by the Fourth Republican Constitution of Ghana of 1992, and also advances the course of the principle of social justice (Nickel, 2007) that the plight of project-affected persons should not be worsened. The fact that some of the crops on the farms were not there during the valuation exercise negates the promptness and fairness that the Lands Commission sought to achieve.

Expropriated persons’ satisfaction with the valuation of the crops done by the Lands Commission was determined. The expropriated person is usually satisfied when the acquisition is devoid of conflict, just compensation is determined and paid promptly (Larbi, 2008). About 70.0 percent of the 285 respondents indicated they were not satisfied with the valuation while the rest expressed satisfaction. In the Ellembelle District and Nzema East Municipality, 73.0 percent and 72.0 percent of the respondents respectively were not satisfied with the valuation report. They cited issues such as inaccurate recording of expropriation activities, impatience on the part of officials to explain the processes to them, and loss of ancestral land. The inaccurate recording of expropriation activities was noted by expropriated persons as one of the reasons why they were not pleased with the implementation of the CLA order. Evidence from a focus group discussion (17th June 2020) with women in the Ellembelle District indicates that officials of the Lands Commission undertook the measurements, and recordings of the crops with limited involvement of expropriated persons, and in their view, some of the figures were not accurate. However, during the key informants’ interview (21st June 2020), with an official of Ghana Gas Company, Atuabo, the staff disagreed with the respondents’ claim of non-involvement and noted that expropriated persons were present during the identification and recording of crops.

The finding suggests that expropriated persons’ data on the acquisition activities might not be similar to that of the acquiring institution since there seems to be disagreement between expropriated persons and officials of the Lands Commission on the accuracy of data on crops. The implication is that since the Commission’s records served as the basis for crop compensation, any discrepancy that occurred could negatively affect expropriated persons.

Another issue of concern raised by expropriated persons was the impatience attitude exhibited by some officials of the Lands Commission. The focus group discussion (18th June, 2020) with women in the Ellembelle District revealed how the request for an explanation of the content of a document that was given to them by an official of the Lands Commission was refused. An official of the Lands Commission, Sekondi-Takoradi, during a key informant interview (21st June, 2020) admitted that there could be issues with the behaviour of some of their staff but he indicated that complaint mechanisms were put in place to address those concerns. This suggests that the attitude of some officials did not promote the involvement of expropriated persons during the implementation of the CLA order, an act that does not agree with the tenets of the citizens’ participation theory (Bryson, Crosby & Bloomberg, 2014), that citizens must be offered the chance to participate in any endeavour that can affect their standard of living.

Regarding the loss of ancestral land, the discussants (16th June, 2020) of the focus group discussion with women in Nzema East Municipality summed it up: “*We do not have any piece of land to bequeath to our children, even though we were privileged to inherit parcels of farmland from our grandparents.*” The results indicate that the discussants have failed in their responsibility to ensure that future generations have access to land for farming purposes. However, it should also be noted that with rapid urbanization and economic growth, agricultural land use is likely to succumb to residential, commercial, and industrial land

uses which corroborates the findings of Nguyen et al. (2017) in Central Vietnam that, 70 percent of agricultural lands were lost to residential and infrastructure development.

It emerged during key informants' interviews (21st June, 2020) with an official of the Lands Commission, Sekondi-Takoradi, that the determination of compensation does not have any specific component that represents the share of future generations. This implies that expropriated persons have the responsibility to ensure that part of the compensation is used to obtain similar parcels of land elsewhere which agrees with the findings of Syagga and Olima (1996) that expropriated persons who lost their land holdings had them replaced with their compensation.

In practice, compensation determination takes into account the produce on the land, the owner of the land, and the loss of opportunity to use the land for future production. Perhaps, what the compensation may not be able to address is the emotional attachment, and apparent break in the line of succession concerning the notion that land is held in trust for the dead, living, and unborn generations (Kasanga & Kotey, 2001).

5.0 Conclusions and Recommendations

The study provides evidence of the expropriated persons' participation in the land acquisition processes from the outset to the end. Expropriated persons' participation in the land acquisition processes was through information shared by the acquiring institutions. The information was mostly transmitted through the community public address system. Expropriated persons were involved in boundary demarcation, valuation of properties, submission of claims, and determination of land and crop compensations but they were dissatisfied with the processes and attitudes of the officials. The mode of engagement between the expropriated persons and the acquiring institutions was restricted to information sharing, thereby limiting the participation of affected households to the first rung of the citizen's participation theory.

Three recommendations emerged from the study. Firstly, the Lands Commission should improve decision-making processes on the expropriation in order to enhance community participation, especially information flow and feedback at any stage of the acquisition processes. Secondly, it should enhance the sensitisation of expropriated persons on CLA process to elicit the buy-in from project affected persons. The sensitization should cover all the key activities of the acquisition processes to ensure maximum participation from expropriated persons. Thirdly, the expropriated persons should enquire about the acquisition process to enable them to fully participate in the exercise. The enquiries could be done through the community leadership such as the Assembly members and chiefs.

References

1. Abdulai, A. M., & Shamshiry, E. (2014). Linking sustainable livelihoods to natural resources and governance: The scale of poverty in the muslim world. Singapore: Springer Science Business Media Singapore.
2. Ablo, A. D., & Asamoah, V. K. (2018). A Local participation, institutions, and land acquisition for energy infrastructure: The case of the Atuabo gas project in Ghana: Energy Research and Social Science, Elsevier.
3. Adu-Gyamfi, A. (2012). An Overview of Compulsory Acquisition in Ghana: Examining its Applicability and Effects. *National Research Centre for Settlement*, 1(2), 187-203
4. Aha, B., & Ayitey, J. Z. (2017). Biofuels and Hazards of Land Grabbing: Tenure (in)Security and Indigenous Farmers' Investment Decisions in Ghana. *Land Use Policy*, 60:48–59

5. Akrofi, O. E., & Whittal, J. (2013). Compulsory Acquisition and Urban Land Delivery in Customary Areas in Ghana: *South African Journal of Geomatics*, 2(4), 280-295.
6. Anim-Odame, W. (2011). Compulsory acquisition and compensation in Ghana: Principles and practice, American Real Estate Society Conference in Seattle, Washington, USA, 2011.
7. Artur, L., & Hilhorst, D. (2014). Floods, Resettlement and Land Access and Use in the Lower Zambezi, Mozambique. *Land Use Policy*, 36, 361–368.
8. Arnstein, S. R. (1969). A ladder of citizen participation. *Journal of the American Institute of Planners*, 35(4), 216- 224.
9. Asante, S. K. B. (1975). Property Law and Social Goals in Ghana 1884-1966, Accra: Ghana Universities Press.
10. Ayitey, J. Z., Kidido, J. K., & Tudzi, E. P. (2010). Compensation for Land Use Deprivation in Mining Communities, the Law and Practice: Case Study of Newmont Gold Ghana Limited. *The Ghana Surveyor*, 4 (1):32-40.
11. Bhattacharyya, D. (2015). "The history of eminent domain in colonial thought and legal practice". *Economic and Political Weekly*. 50 (50), pages?
12. Benson, B. L. (2008). The evolution of eminent domain: A remedy for market failure or an effort to limit government power and government failure? *Independent Review*, 8(3), 423–432.
13. Bevir, M. (2013). *Governance: A very short introduction*, Oxford: Oxford University Press.
14. Bovaird, T. (2007). Beyond engagement and participation: User and community coproduction of public services, *Public Administration Review*, 67 (5), 846–860.
15. Bryson, J. M., Crosby, B. C., & Bloomberg, L. (2014). Public value governance: Moving beyond traditional public administration and new public management, *Public Administration Review*, 74 (4), 445–456.
16. da Rocha, B. J., & Lodoh, C. H. K. (1999). *Land law and conveyancing in Ghana*, Accra: Ghana.
17. Devas, N., & Grant, U. (2003). Local Government Decision-making — Citizen Participation and Local Accountability: Some Evidence from Kenya and Uganda.
18. Gilbert, J. (2013). Land rights as human rights: the case for a specific right to land. *Sur International Journal on Human Rights*, 10(18), 115-135.
19. Innes, J. E., & Booher, D. E. (2004). Reframing public participation: Strategies for the 21st century. *Planning Theory & Practice*, 5(4), 419–436.
20. International Association for Public Participation [IAPP] (2014). *Spectrum of public participation*, Thornton, CO: International Association for Public Participation.
21. Jonathan, M. L. (2012). Compulsory acquisition of land and compensation in infrastructure projects. *PPP Insights*, 1(3):1-10.
22. Kasanga, R. K., & Kotey, N. A. (2001). *Land management in Ghana: Building on tradition and modernity*, London: International Institute for Environment and Development.
23. King, R., & Sumbo D. K. (2015). Implications of compulsory land acquisition and compensation in Ghana: A case study of land acquisition for The Suame-Buoho Road Reconstruction in Kumasi, *Journal of Science and Technology*, 35: 100-113.
24. Larbi, W. O. (2008). Compulsory land acquisition and compensation in Ghana: Searching for alternative policies and strategies FIG/FAO/CNG International Seminar on State and Public Sector Land Management Verona, Italy, September 9-10, 2008.

25. Larbi, W. O. (2011). Ghana's Land Administration Project: Accomplishment, impacts and the way ahead. World Bank Conference on Land and Poverty Reduction. The World Bank 18-20 April. Washington D.C.
26. Larbi, W. O., Antwi, A. and Olomolaiye, P. (2004). Compulsory Land Acquisition in Ghana: Policy and Praxis, *Land Use Policy*, 1(2), 115 – 127.
27. Nabatchi, T. (2012). 'Putting the "public" back in public values research: Designing participation to identify and respond to values, *Public Administration Review*, 72 (5), 699–708.
28. Nguyen, P., van Westen, A., & Zoomers, A. (2017). Compulsory land acquisition for urban expansion: livelihood reconstruction after land loss in Hue's peri-urban areas, Central Vietnam, *International Development Planning Review*, 39(2):99-121.
29. Nickel, J. (2007). *Making sense of human rights*, (2nd ed.), Malden: Blackwell.
30. Ollenu, N. A. (1962). Principles of Customary Land Law in Ghana. Sweet & Maxwell, London.
31. Pham, H. T., Westen, M. V., & Annelies, Z. (2013). Compensation and resettlement policies after compulsory land acquisition for Hydropower Development in Vietnam: *Policy and Practice. Land*, 2:678-704. Accessed on: 18th May 2014, from www.mdpi.com/journal/land/
32. Quick, K. S., & Feldman, S. M. (2011). Distinguishing participation and inclusion, *Journal of Planning Education and Research*, 31 (3), 272–290.
33. Reale, A. (2009). Assisted theft: Compulsory land acquisition for private benefit in Australia and the US. *Alternative Law Journal*. 34 (3): 147 51.
34. Roberts, N. (2004). Public deliberation in an age of direct citizen participation, *American Review of Public Administration*, 34 (4), 315–353.
35. Schultz, D. (2009). *Evicted property rights and eminent domain in America: Property rights and eminent domain in America*. ABC-CLIO. ISBN 9780313353451
36. Smith, B. (2003). Public Policy and Public Participation Engaging Citizens and Community in the Development of Public Policy, *Political Science*.
37. Syagga, P. M., & Olima, W. H. A. (1996). The impact of compulsory land acquisition on displaced households: The case of the third Nairobi water supply project, Kenya, 20, 61–75.
38. Thao, N. (2016). Impact of land acquisition on the sustainable livelihoods in Ninh Thuan Province, Vietnam, *Sociology Study*, 6(11): 737-743
- Udry, C. (2011). Land Tenure. In *The Oxford Companion to the Economics of Africa*. United Nations Development Programme. (n.d.). Environmental Baseline...60 pages.
39. Wilbard, K. (2010). Land conflicts in Dar Es Salaam: Who gains? Who loses? Crisis States Working Papers Series No.2 ARDHI University. ISSN 1749-1797 (print) ISSN1749-1800 (online).