‘Forestry officials don’t have any land or rights here’: Authority of politico-legal institutions along Ghana’s charcoal commodity chain

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Property theory suggests that in legal pluralist societies people secure rights to resources by seeking out institutions that can sanction and validate their claims. This validation legitimates their property claims. Simultaneously, the institutions build and solidify their authority as property-granting entities vis-à-vis competing authorities. In Ghana, the charcoal commodity chain involves rights recognized by both formal and customary institutions. Based on interviews with 650 actors, we do a detailed study of property and authority in the context of Ghana’s charcoal chain by focusing on institutions that mediate people’s access to resources, how these institutions mediate access, and how the authority of institutions have changed over time. This article shows how chiefs, having no legal mandate in trees, are gaining authority over Ghana’s charcoal production. Chiefs’ authority is drawn from long-established customs and social structures in land/tree management, as well as validating of claims by establishing policing groups to enforce fees. Chiefs contest each other, and at the same time, contest and push the state out from village areas. Consequently, the Forestry Commission has very limited de facto authority over trees despite their de jure mandate in this arena. The legitimacy of institutions stems from the coercive and customary-social ability to control access to resources and opportunities. The study illuminates how vetting of property is part and parcel of legitimizing processes that serve as means for state building and formation. It highlights successful legitimizing processes that provide guidance to governments to embark on policies that draw from successful practices to expand authority of state institutions.