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Toward Inclusive Land Governance: Examining Customary and Statutory Interactions in Post-Conflict Liberia

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Abstract

This study examines how customary and statutory land governance systems intersect in shaping land governance outcomes in post-conflict Liberia, with specific focus on Gbarnga City, Bong County. Despite the Land Rights Act of 2018 formally recognizing customary land ownership, significant gaps persist between legal provision and experienced tenure security, particularly for women and customary communities. Drawing on a qualitative case study approach, the research combines semi-structured interviews with document analysis, and is theoretically grounded in institutional theory and political ecology. The findings reveal three interconnected dynamics: a partial complementarity between customary and statutory systems that breaks down when centrally granted concessions bypass community participation; elite capture of land allocation processes facilitated by the presidential appointment of chiefs, which redirects customary accountability away from communities; and the persistent exclusion of women from practical land access despite formal legal recognition, driven by socio-cultural norms and financial barriers to statutory redress. The study concludes that inclusive land governance in post-conflict Liberia requires more than progressive legislation - it demands accountability mechanisms within both governance systems and recognition that formal rights alone cannot displace the barriers that reproduce exclusion in practice.

Key Words: Land governance, customary, statutory, Gbarnga, gender

List of Abbreviations

CLDMC	Community Land Development and Management Committee
CSI	Community Self-Identification
CSIG	Community Self-Identification Guide
FAO	Food and Agriculture Organization of the United Nations
GRC	Governance Reform Commission
GOL	Government of Liberia
LISGIS	Liberia Institute of Statistics and Geo-Information Services
LLA	Liberia Land Authority
LLAP	Liberia Land Administration Project
LLASR	Liberia Land Administration Systematic Registration
LRA	Land Rights Act
NGO	Non-Governmental Organization
NYP	National Youth Policy
SDG / SDGs	Sustainable Development Goal(s)
UN	United Nations
UNDP	United Nations Development Program
USAID	United States Agency for International Development

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1. Chapter One: Introduction

1.1 Background and Societal Context

In post-conflict Liberia, land is far more than an economic resource - it is the foundation of livelihoods, identity, and social order for the majority of the population. Yet persistent weaknesses in land governance continue to undermine sustainable development, fuel disputes, and deepen inequality among rural communities (CA, 2005a). Central to this study is the concept of land governance - understood as systems of policies, institutions, and practices that ensure equitable participation, recognition of diverse tenure rights, and meaningful access to land for all social groups, including women and customary communities (FAO, 2016; UNDP, 2014). From a development studies perspective, land governance occupies a critical position at the intersection of several global development agendas: the UN 2030 Agenda for Sustainable Development explicitly recognizes secure land rights and inclusive governance as foundational to achieving the SDGs, particularly SDG 1 (no poverty), SDG 2 (zero hunger), SDG 10 (reduced inequalities), and SDG 16 (peaceful, just, and inclusive institutions). In Liberia, achieving sustainable development is inseparable from resolving land governance challenges. Land is the primary basis of economic activity, food security, and community cohesion for the vast majority of the population. Liberia, a country emerging from prolonged civil wars (1989 - 2003), land represents not only a fundamental resource for livelihoods and identity but also a critical foundation for peace, stability, and sustainable development. Control over land has historically been a source of contention in Liberia, shaping patterns of inequality, access to natural resources, and power relations between different social groups. Estimates indicate that close to 70% of Liberians depend on land for agriculture and subsistence, yet formal land titling and governance mechanisms remain weak, contributing to persistent disputes and marginalization, particularly among rural and indigenous communities (FAO, 2018; USAID, 2021).

This underscores a broader development challenge: equitable access to land is intrinsically linked to poverty alleviation, food security, and social cohesion (Wily, 2012; Toulmin & Quan, 2000). Land governance is understood as formal and informal rules mechanisms, processes and institutions through which land is accessed, used, controlled, transferred, and land-related conflicts are managed, which is increasingly recognized as a central pillar of sustainable development,

social justice, and peacebuilding, particularly in post-conflict societies (Amanor, 2012). In post-conflict settings, land governance assumes heightened importance due to legacies of displacement, contested ownership, and institutional fragility. Land conflicts in such contexts are rarely technical issues alone; rather, they are deeply embedded struggles over citizenship, belonging, and historical exclusion (Boone, 2014; Li, 2014a).

Liberia presents a compelling case for examining these dynamics. The country's civil wars (1989 - 2003) severely disrupted land administration systems, displaced large segments of the population, and intensified long-standing disputes over land ownership and control. Long before the wars, scholars had already identified land tenure insecurity as a fundamental challenge in Liberia. Bruce et al. (1994) highlight widespread confusion over legal frameworks, administrative boundaries, ownership, and competing land claims as a defining feature of Liberia's land tenure system. Subsequent studies have reinforced this assessment, noting that land issues occupy a central and acutely problematic position in Liberia's post-conflict recovery (Unruh, 2005; Richards et al., 2005). Empirical evidence illustrates the scale of the problem: estimates suggest that between 75 and 90 percent of cases in Liberia's statutory courts - across civil, criminal, and appellate jurisdiction - are related to land and property disputes (Unruh, 2007b; GRC, 2007). These disputes frequently appear in national media and public discourse (Liberian Observer, 2023; Front Page Africa, 2006, 2009, 2021), underscoring the urgent need for land reform. Scholars have warned that unresolved and contentious land issues carry the potential to escalate into severe social and political crises if not addressed in a timely and inclusive manner (Daygbor, 2007; Johnson, 2007; Zelze, 2007)

The societal impact of weak land governance in Liberia is visible in frequent land disputes, particularly between local communities and commercial investors, as well as between customary authorities and government agencies. Media reports and civil society organizations' campaigns have documented recurrent tensions over concessions for logging, mining, and rubber plantations - often exacerbating communities' grievance over loss of access to agricultural lands and natural resources (Global Witness, 2019; Liberian Observer, 2023). Such public concerns highlight the urgency of understanding how land governance processes either reinforce exclusion or enable meaningful inclusion, especially for marginalized groups such as women and local communities. Addressing these challenges requires more than technical solutions to land administration - it

demands a fundamental rethinking of how governance systems are structured, who they serve, and how they can be made genuinely inclusive. Understanding what makes that rethinking so difficult in practice begins with the particular conditions Liberia's post-conflict landscape has produced.

1.2 Research Problem and Knowledge Gap

Land in Liberia is not merely a legal or administrative category - it is the foundation of rural livelihoods, a marker of identity, and a primary site through which social inequalities are reproduced or contested. Yet persistent insecurity over land access, ownership, and governance continues to undermine post-conflict recovery, deepening structural vulnerability among rural communities, customary groups, and women. Weak titling systems, fragmented institutions, and overlapping customary and statutory frameworks have left these groups structurally exposed (FAO, 2018; USAID, 2021; Landesa, 2019). Although the LRA 2018 formally recognizes customary land ownership, implementation has proven deeply challenging. Customary and statutory systems coexist without a shared understanding of land authority, generating administrative ambiguity, institutional mistrust, and persistent tensions - particularly where both systems are simultaneously active (Ribot et al., 2008; Toulmin, 2009). Land disputes rooted in civil war displacement remain unresolved, compounded by elite capture, while overlapping claims and inequitable access persist despite formal legal recognition (USAID, 2021; Landesa, 2019; Yankey & Reddock, 2020; Nelson, 2022). Scholars argue that such exclusionary practices can entrench social inequalities and reignite tension in fragile post-conflict contexts (Sikor & Müller, 2009; Andersson & Ostrom, 2008).

Existing scholars illuminate important but partial dimensions of this problem. Howard and Faal (2018) demonstrate that post-war reforms have reproduced structural inequalities, yet their analysis remains at the policy level, leaving unexamined how these dynamics are experienced by communities on the ground. Richards et al. (2005) argue for customary recognition but stop short of empirically examining how both systems interact in everyday governance practice. Neither study provides empirical analysis of how customary authorities and state institutions navigate this intersection in practice. There remains insufficient empirical understanding of how the intersection of customary and statutory systems - shaped by political, institutional, and socio-cultural dynamics - influences land governance conditions in post-conflict Liberia. Without such understanding, land reform policies risk being designed on institutional assumptions that do not reflect the governance

realities communities actually inhabit - perpetuating the very exclusions the LRA 2018 was intended to resolve and leaving customary communities and women structurally vulnerable to disputed claims, elite capture, and displacement despite formal legal recognition of their rights. This study addresses that gap through a qualitative case study in Gbarnga City, Bong County – the traditional homeland of the Kpelle group (Bledsoe, 1980). Post-war population growth, with a current population of 86,031 across a land area of 3,387 square miles (LISGIS, 2022), and increasing peri-urban land pressure have intensified the tensions between customary and statutory governance that this study seeks to understand.

1.3 Aim and Research Question

The research aims to examine how customary and statutory land governance systems intersect - specifically through land allocation processes, dispute resolution mechanisms, and concession governance - in shaping land governance outcomes in Gbarnga City, using qualitative case study approach. In particular, the study seeks to understand how political, institutional, and socio-cultural factors shape the relationship between customary authorities and formal state land administration structures, and how these interactions constrain access to land for women and customary landholders. In this context, intersect and interact refer to how statutory and customary land governance systems operate together in practice, and how chiefs, local elites, and state actors interpret and enforce land rules differently, influenced by norms, traditional practices, cultural values, both formal and informal rules. These differences also reflect how the state views land versus how traditional communities perceive it, all with the shared goal of achieving effective land governance. In this study, formal rules refer to the LRA 2018, while informal rules refer to traditional practices.

The research is guided by the following research questions:

1. *How do customary and statutory land governance systems interact in land administration and dispute resolution processes in Gbarnga City?*
2. *How do political authority and elites influence land allocation and access to customary land in post-conflict Gbarnga?*
3. *To what extent do socio-cultural norms limit women's access to land despite formal recognition under the Land Rights Act of 2018 in Gbarnga?*

1.4 Delimitations

The research focuses on land governance institutions and practices in the peri-urban setting of Gbarnga City, with particular attention to how customary and statutory systems interact through land allocation, dispute resolution, and conflicts arising from centrally granted concessions that bypass community participation. It does not provide a comprehensive analysis of all land categories, nor a detailed legal analysis of all land tenure laws. While political authority and elite capture are examined as key factors shaping land access, the study does not provide a comprehensive analysis of national-level political structures beyond their direct influence on local land governance. Gender is examined specifically through the lens of socio-cultural norms and their effect on women's practical access to land under the LRA 2018, rather than as a standalone gender analysis. Youth dimensions, while recognized as an important facet of land access, fall outside the empirical scope of this study and represent an area for future research. The empirical scope is limited to Gbarnga and does not aim to offer a nationwide comparative assessment. The study engages with the LRA 2018 but does not provide a detailed legal analysis of land legislation, focusing instead on how customary and statutory systems interact in practice at the community level.

1.5 Thesis Outline

Chapter one introduces the study by presenting the background, research problem, aim, research questions, and delimitations. Chapter Two reviews relevant literature on land governance, customary tenure, post-conflict reconstruction, and development. Chapter Three presents the research methodology and case study approach. Chapter Four outlines the theoretical framework. Chapter Five presents the data analysis and interpretation. Chapter Six provides a summary of key findings, discusses the results in relation to theory and existing literature, outlines implications for land governance and future research in Liberia, and presents policy implications.

2. Previous Research

This chapter reviews previous research relevant to inclusive land governance in post-conflict contexts, organized across three levels of analysis: global perspectives, African experiences, and Liberia-specific dynamics. Key concepts used throughout this review - land governance and customary tenure - are defined in Chapter One. The tensions that arise from the interaction between customary and statutory understandings of these concepts provide the analytical foundation for this review.

2.1 Global Perspectives on Land Governance

Land occupies a foundational position in how societies are organized - shaping food production, resource distribution, cultural heritage, and social order - while simultaneously generating conflict, inequality, and environmental instability when governed poorly (Chowdhury et al., 2019; Chigbu et al., 2024). This explains why land governance has emerged as a central concern within development studies and global development policy. The UN 2030 Agenda explicitly recognizes secure land rights and inclusive land governance. Understanding what makes land governance inclusive - and what makes it fail - is therefore not merely an academic question but a development imperative with direct consequences for the world's most marginalized populations. A first central claim emerging from the global literature is that land governance cannot be reduced to legal and administrative frameworks alone. Cotula (2012) demonstrates that genuine land governance extends beyond statutory frameworks to include social legitimacy, accountability mechanisms, participation, and transparency - dimensions that formal legal instruments frequently fail to capture. When these social dimensions are absent, even progressive land reforms can be captured by elite interests and turned against the communities they were designed to protect (Sawyer, 2005; Li, 2014a).

A second central claim is that land is not merely an economic instrument but a social and human rights concern. While governments have historically prioritized land for its economic value - as a basis for agricultural production, resource extraction, and investment - scholars within development studies have long argued that this framing fundamentally misrepresents what land means to rural communities (Daniel & Mittal, 2018). Secure land tenure is increasingly understood as a human right, inseparable from dignity, identity, and the capacity to participate in development processes (Daniel & Mittal, 2018; Hall et al., 2011). This distinction matters practically:

governance reforms designed around economic optimization tend to produce different institutional arrangements - and different winners and losers - than reforms designed around rights, recognition, and social inclusion. A third central claim concerns the relationship between land rights, identity, and power. Hall et al. (2011) argue that land rights are deeply intertwined with historical power hierarchies and that land reforms which ignore these social dimensions risk reinforcing existing inequalities rather than resolving them. This insight challenges a common assumption in policy discourse - that formal legal recognition of customary tenure automatically improves land governance outcomes. In practice, recognition without accountability mechanisms can entrench the very inequalities it claims to address, particularly where local governance structures are themselves sites of exclusion. Ribot et al. (2008) reinforce this argument by demonstrating that decentralization reforms across Africa frequently transfer administrative authority to local elites without establishing accountability to ordinary community members - revealing a critical distinction between the decentralization of power and the genuine democratization of governance. However, Ribot et al. draw primarily from forestry and natural resource governance contexts and do not fully account for the additional complexity of post-conflict institutional fragility, where both state and customary structures simultaneously lack legitimacy and capacity. This study therefore extends their accountability framework into a post-conflict land governance context where the baseline conditions for meaningful decentralization have yet to be established.

A fourth central claim is that land governance requires active community participation rather than passive legal recognition. Ho et al. (2023a) demonstrate that community participation in land administration processes drives sustainable rural development and strengthens the durability of land reforms - findings that align with a broader development studies consensus that people-centered governance produces more equitable and sustainable outcomes than technocratic top-down approaches (Chigbu, 2022; Escobar, 1995). Taken together, these four claims establish the conceptual foundation for this review: effective land governance must combine formal legal recognition with social legitimacy, accountability mechanisms, and meaningful community participation. A significant debate within the global land governance literature concerns whether land formalization - the legal registration and titling of land rights - improves tenure security for rural and customary communities or accelerates their dispossession. Advocates of formalization argue that legal titling transforms informal and insecure customary claims into recognized property rights, enabling smallholders to access credit, invest in their land, and defend their holdings against

encroachment. Platteau (1996) demonstrates that land registration in Sub-Saharan African contexts has frequently accelerated dispossession rather than preventing it, as formalization processes are captured by local elites and political actors who possess the social capital, institutional access, and financial resources to navigate registration bureaucracies that ordinary community members cannot. Cotula (2007) extends this critique by arguing that formalization without prior strengthening of community governance capacity tends to individualize and commodify land that was previously managed collectively - dismantling the very social arrangements through which vulnerable groups, including women, accessed land under customary systems. Although these observations were made over decades ago, their arguments remain analytically relevant to this study. This debate is directly relevant to evaluating Liberia's LRA 2018. The Act represents a formalization instrument that grants statutory recognition to customary land - but whether this recognition translates into genuine tenure security or creates new opportunities for elite capture and displacement depends precisely on the institutional conditions and community governance capacity within which formalization occurs. The study contributes empirical evidence to this debate by examining how formalization plays out in the specific governance context of Gbarnga, where peri-urban land pressures, dual institutional authority, and post-conflict fragility create conditions that neither advocates nor critics of formalization have fully examined.

2.2 Land Governance in Africa: Customary Systems and Post-Conflict Experiences

Across Africa, indigenous communities have governed land and natural resources for generations through customary systems that align land use with social, cultural, economic, and ecological functions - arrangements that predate colonial statutory frameworks and continue to structure rural life across the continent (Aina et al., 2024). These long-standing governance arrangements are now under sustained pressure. Climate change, commercialization, and demographic growth are driving significant land-use transitions that customary systems were not designed to manage alone, with consequences that extend well beyond the economy into the social and cultural dimensions of community life (Kpeebe & Asibey, 2026; Chigbu et al., 2024). In Ghana, for instance, where land is deeply tied to livelihood, identity, and socio-political power, these transitions have exposed the fragility of customary tenure arrangements when confronted with external commercial pressures and state-driven development agendas (Kpeebe & Asibey, 2026). African governments have responded by calling for strengthened land governance frameworks - but these demands

frequently require the appropriation of large tracts of customary land, creating direct conflicts between state development objectives and community tenure security, much of which falls under customary systems (Awuah-Nyamekye, 2019; Dugasseh et al., 2024; Isyaku et al., 2017).

Customary land tenure governs the majority of land in Sub-Saharan Africa and remains central to rural and peri-urban land management, with chiefs and elders administering land through lineage-based systems that predate colonial and post-colonial statutory frameworks (Knight, 2010; Ribot et al., 2008; Arko-Adjei & Akrof, 2019). However, the scholarly literature is divided on whether these systems represent an asset or a liability for good land governance - a debate that sits at the heart of this study. On one side, scholars such as Amanor (2009; 2012) argue that customary tenure systems possess inherent strengths that statutory frameworks cannot replicate: they are locally legitimate, flexible enough to accommodate changing social circumstances, and rooted in community relationships that provide accessible dispute resolution, making efforts to replace them with statutory frameworks a risk of dismantling functioning governance arrangements that communities actually trust. On the other side, Whitehead & Tsikata (2003) and Berry (2002) argue that customary systems are not neutral governance arrangements but are themselves sites of power - reflecting and reproducing social hierarchies, gender inequalities, and generational exclusions, where chiefs and elders who administer land are predominantly male and embedded in networks that systematically advantage some community members. A third position, advanced by Cotula (2007) and Pagdee et al. (2006), argues that neither wholesale endorsement nor wholesale rejection of customary systems is analytically defensible. Rather, what matters is the specific institutional conditions under which customary and statutory systems interact - whether harmonization produces accountability and inclusion, or whether it creates new opportunities for jurisdictional manipulation by powerful actors. The study takes this third position as its point of departure, treating customary systems as governance arrangements whose inclusivity depends on the political, institutional, and socio-cultural conditions within which they operate - a question this study empirically investigates in Gbarnga.

Land's significance in African societies cannot be reduced to its economic value - it underpins social organization, environmental stewardship, and community well-being in ways that purely economic governance frameworks fail to capture (Ndugwa & Omusula, 2025). States that prioritize land as a productive asset tend to design administration systems that systematically

undervalue the relational and cultural dimensions of tenure that matter most to indigenous communities. Where governments pursue development agendas framed around land productivity and investment, indigenous communities experience the same land as the foundation of lineage, cultural memory, and social identity - a source of belonging that cannot be compensated through market mechanisms (Ndugwa & Omusula, 2025). This fundamental divergence in how land is understood helps explain why statutory governance reforms so frequently generate community resistance even when they appear administratively rational and legally progressive. In this context, land functions as the material and symbolic foundation of indigenous identity - sustaining livelihoods, social organization, and cultural memory in ways that make territorial dispossession experienced not merely as economic loss but as an assault on community existence (UN, 2025). Many African governments have pursued hybrid land governance approaches that integrate customary practices with statutory recognition - but the central challenge lies in achieving genuine harmonization rather than mere coexistence (Pagdee et al., 2006; Cotula, 2007). Where harmonization is pursued as a technical administrative exercise rather than a political negotiation, it tends to privilege statutory frameworks by default - effectively subordinating customary systems under the appearance of integration. The coexistence of customary and statutory land systems is a phenomenon extensively theorized under the concept of legal pluralism - the simultaneous existence of multiple normative orders within a single social field. Legal pluralism scholars agree that in many African contexts, state law and customary law do not operate as separate, self-contained systems but rather as overlapping and mutually constitutive normative orders that local actors navigate strategically depending on context, interest, and power. However, the literature is divided on a fundamental question: does legal pluralism empower communities or does it primarily advantage powerful actors?

On one side, von Benda-Beckmann (2001) argues that the existence of multiple legal orders gives ordinary community members strategic flexibility - the ability to invoke whichever normative system best protects their interests. However, pan-African evidence complicates this optimism. Amanor (2009) demonstrates that legal pluralism has primarily benefited chiefs and political elites who exploit jurisdictional ambiguity to capture customary land, while ordinary farmers bear the cost of overlapping claims. Similarly, in Uganda and Mozambique, post-conflict legal pluralism has been shown to advantage those with institutional access while leaving women and marginalized communities structurally exposed across both systems. A widow, for example, might

invoke statutory law to assert inheritance rights that customary norms deny her, or invoke customary authority to resist a statutory land transaction she did not consent to. On the other side, Sikor & Lund (2009) offer a more skeptical analysis, arguing that the strategic navigation of multiple legal orders is not equally available to all community members. Those with social capital, political connections, and institutional literacy - typically male elites, chiefs, and state-connected actors - are far better positioned to exploit jurisdictional ambiguity than women, youth, and marginalized community members who lack access to both systems. From this perspective, legal pluralism in practice tends to reproduce and amplify existing power inequalities rather than democratizing land governance. This debate has direct implications for this study. If von Benda-Beckmann is right, then the coexistence of customary and statutory systems in Gbarnga may provide marginalized groups with governance resources they would lack under a single unified system. If Sikor and Lund are right, then legal pluralism in Gbarnga may be systematically working against the very communities the LRA 2018 was designed to protect. When multiple legal orders govern the same land simultaneously, tenure security becomes contingent not only on formal legal recognition but on the social legitimacy of whichever system a claimant can effectively invoke - and on whether that claimant has the power to invoke it at all. Legal pluralism therefore provides not only an analytical lens for understanding why good land governance remains elusive in post-conflict settings, but also a framework for asking what pluralism actually is - a question this study empirically investigates in Gbarnga.

Knight (2010) argues that land reform in post-conflict contexts must simultaneously address restitution of displaced persons' claims, reconciliation of competing ownership histories, and institutional strengthening of governance bodies. Without any one element, these reforms risk deepening rather than resolving tensions. Knight's framework is analytically useful because it insists on the political and social dimensions of land reform rather than treating it as a purely technical administrative exercise. However, Knight's analysis draws primarily from Southern and Eastern African post-conflict experiences - Rwanda, Mozambique, and Uganda - where state capacity and customary governance structures differ significantly from Liberia's fragmented institutional landscape. In particular, Knight does not account for contexts where both statutory and customary institutions simultaneously lack the capacity and legitimacy to lead reform processes. This study takes Knight's tripartite framework as a useful starting point while recognizing that in Liberia, restitution, reconciliation, and institutional strengthening must be

understood as ongoing and contested processes rather than sequentially achievable policy goals. Dupuy (2014) shows that Rwanda's systematic land registration program achieved significant improvements in documentation and tenure formalization, but faced sustained criticism for its top-down implementation, which sidelined grassroots participation and produced reforms that communities experienced as imposed rather than negotiated (Escobar, 1995). In Sierra Leone, by contrast, Tappan & Onyango (2015) find that community-based dispute resolution mechanisms operating alongside statutory reforms significantly improved local legitimacy and reduced conflict recurrence - suggesting that hybrid governance approaches, which draw on both customary authority and formal legal frameworks, can outperform purely statutory solutions in post-conflict contexts. These insights directly inform this study's focus on how communities in Gbarnga experience and navigate land governance processes rather than simply what formal rules prescribe.

Across Africa, gender inequality in land access represents one of the most consistently documented failures of land governance, as women's land rights are structurally undermined by the very customary systems often celebrated for their flexibility and local legitimacy (Whitehead & Tsikata, 2003). While customary tenure can provide accessible and socially recognized pathways to land for men within lineage systems, women's access is typically derivative - mediated through fathers, husbands, or male relatives - and therefore contingent, revocable, and insecure (Benschop, 2004; Lastarria-Cornhiel et al., 2014). Further, statutory reforms, despite formally granting women equal land rights, frequently fail to displace customary norms in practice, as local enforcement remains embedded in the same social structures that perpetuate exclusion.

This produces a persistent implementation gap between legal equality on paper and experienced inequality on the ground. In post-conflict contexts, this gap is compounded by conflict's specific vulnerabilities for women: war systematically dismantles the household and kinship structures through which women previously accessed land - through widowhood, displacement, and the death or absence of male relatives who held recognized land rights on women's behalf. The result is a double dispossession: women lose both their physical access to land and the social relationships through which customary systems recognized their claims, leaving them without reliable protection under either statutory or customary governance frameworks. Meintjes et al. (2001) argue that this double dispossession is not an accidental byproduct of conflict but reflects the gendered structure of both customary and statutory systems - systems that were never designed to

recognize women as primary landholders in their own right. In Liberia, where the civil wars (1989-2003) produced mass displacement and widespread household disruption, these vulnerabilities are not historical but ongoing - with many women still navigating land claims in the absence of the male relatives through whom their customary rights were previously mediated. While the LRA 2018 explicitly recognizes women's rights to customary land, customary authorities - predominantly male - retain significant discretion over how those rights are administered in practice, and whether statutory recognition has meaningfully altered women's experienced access to land is therefore a central concern of this study.

2.3 Land Governance in Liberia: Historical Evolution and Structural Legacies

Understanding Liberia's land governance challenges requires situating them within the post-conflict state reconstruction literature: Putzel & Di John (2012) argue that post-conflict state building is characterized by simultaneous crises of authority, legitimacy, and capacity that differ qualitatively from those confronting fragile but non-conflict-affected states. Liberia's land governance landscape is shaped by a long and contested tenure history that predates the civil wars and continues to define post-conflict governance challenges. Hartman et al. (2018) argue that community land within customary institutions is the most dominant land tenure system in rural Liberia, estimating that customary land covers approximately 60% of the country's total land area - though reliable figures remain difficult to establish given the absence of comprehensive land surveys. An estimated 30% of Liberia's land area is formally deeded customary land (Dewit & Stevens, 2014), reflecting a historical pattern of partial and uneven recognition that has left the majority of customary holdings legally ambiguous. Liberia has a surprisingly long-standing history of formal recognition of community land rights: dating back to 1876, the government issued statutory deeds for commonly held land, making Liberia arguably the first African nation to formally recognize customary land ownership (Dewit & Stevens, 2014). Despite this early recognition, subsequent policies sought to regulate and gradually weaken customary institutions - a pattern common across Africa as governments have struggled to balance customary land systems with the demands of statutory governance and commercial development (Stevens, 2014). Ambiguous policies and persistent land conflicts have therefore historically defined Liberia's land governance, creating a legacy of institutional confusion that the civil wars intensified but did not create (Stevens, 2014). Land tenure security for local communities has remained fragile due to

sustained government interference in customary land management, weak local governance capacity, and the periodic capture of customary land by political elites for private use (Dewit & Stevens, 2014; Entwistle & Nyantakyi-Frimpong, 2025). The foundational challenge of Liberia's land tenure system - widespread confusion over legal and administrative boundaries, overlapping ownership claims, and the absence of reliable documentation - was identified as far back as 1994.

Bruce et al. (1994) argued that this confusion was not incidental but structurally embedded in a dual tenure system that had never been coherently integrated. Unruh (2005), Richards et al. (2005), and Richards (2005) independently demonstrate that land disputes occupy a central and destabilizing role in Liberia's post-conflict political landscape, with unresolved claims serving as persistent fault lines along which social tensions re-emerged. Although these studies were conducted over two decades ago, their core arguments retain analytically relevance. The structural conditions they identified have not been resolved, and the patterns of tenure confusion, disputed claims, and governance fragmentation they documented remain active features of land governance in Gbarnga today. Institutional analysis by the Governance Reform Commission (GRC, 2007) provide empirical scale to this picture, estimating that between 75 and 90 percent of cases across Liberia's statutory courts involve land and property disputes - a figure that illustrates how comprehensively land contestation has saturated the formal justice system. Daygbor (2007), World Bank (2006), Johnson (2007), and Zelze (2007) extend this argument by warning that without timely and inclusive resolution of these structural tensions, land disputes carry genuine potential to re-escalate into social and political crisis - a warning that lends urgency to the kind of localized empirical investigation this study undertakes. Liebenow (1969) and Sawyer (1992) trace these governance weaknesses to Liberia's historical land tenure system. They argue that the dual land tenure structure (customary and statutory) established during the nineteenth and twentieth centuries institutionalized inequalities between Americo-Liberian settlers and indigenous communities. Under this system, tribal lands were legally categorized as public land, enabling the state to allocate large concessions to private investors and political elites, a practice that continues in modern-day Liberia. This legal ambiguity weakened customary ownership claims and facilitated widespread dispossession.

Land alienation in Liberia was not merely an administrative byproduct of weak governance but a deeply political process through which elite dominance was actively reinforced and rural

communities systematically marginalized (Gobewole, 2016b). These structural inequalities were dramatically intensified by the civil wars (1989-2003), which simultaneously destroyed land records, displaced large segments of the population, and created conditions in which opportunistic land grabbing could expand without administrative accountability. The wars did not create Liberia's land governance problems - they inherited and amplified a system already defined by jurisdictional ambiguity and elite capture. Unruh (2007b), BrotteM and Unruh (2009), and Corriveau-Bourque (2010) independently document how the combination of overlapping jurisdictions between customary and statutory units, chronic absence of record keeping, and mass displacement produced a post-conflict land governance landscape in which customary landholders were structurally exposed. These landholders lacked the documentation, institutional access, and political connections necessary to defend their claims against better-resourced competitors. The LRA 2018 marked a transformative shift in Liberia's land governance framework by granting legal recognition to customary land ownership, providing communities with authority over ancestral lands. However, Yeakula & Williams (2018) caution that legal reforms do not automatically translate into effective land governance implementation - a warning that has proven prescient in Liberia's post-2018 experience. They identified weak institutional capacity, limited financial resources - corruption in land surveying processes, and political interference as the primary mechanisms through which progressive statutory reforms are neutralized in practice. Their analysis locates the implementation gap not in the content of the LRA itself, which they regard as genuinely progressive, but in the structural conditions of governance within which implementation must occur - meaning that evaluating the LRA requires examining not only what the law says but how institutions, communities, and power relations shape what it actually does on the ground. This study builds directly on Yeakula and Williams by providing empirical analysis of how this implementation gap manifests in the specific context of Gbarnga, where peri-urban land pressures and dual governance structures create particular challenges for translating statutory recognition into experienced tenure security. Vinck et al. (2011) also note that customary authorities are often more trusted than state officials in resolving land disputes, particularly in areas such as Gbarnga where urbanization pressures complicate governance structures. While much of the existing literature emphasizes institutional weaknesses at the national policy level, fewer studies examine how communities operationalize reforms in practice - particularly in peri-urban areas where customary systems face simultaneous pressure from urbanization, commercialization, and

demographic change. Unlike rural settings where customary systems operate with relative coherence, or urban centers where statutory frameworks dominate, peri-urban zones are characterized by the active collision of both systems under conditions of rapid change. In Gbarnga, post-war population growth has intensified demand for peri-urban land, drawing both customary and statutory institutions into governance contests that neither system is fully equipped to resolve alone.

2.4 Synthesis: What the Literature Establishes and What Remains Unknown

Across the three levels of analysis reviewed in this chapter, a coherent picture emerges of what the existing literature has established and where it falls short. At the global level, scholars have demonstrated that effective land governance requires more than formal legal frameworks - it demands social legitimacy, accountability mechanisms, and meaningful participation from the communities it governs (Cotula, 2012; Ribot et al., 2008; Ho et al., 2023a). Legal pluralism scholarship has further shown that where customary and statutory systems coexist, land claims become embedded in broader contests over authority and recognition that formal law alone cannot resolve. At the African level, comparative evidence from Rwanda, Sierra Leone, Ghana, and across Sub-Saharan Africa confirms that the gap between progressive land reform legislation and experienced tenure security on the ground is both persistent and gendered - with women and customary communities bearing the greatest burden of implementation failures (Dupuy, 2014; Knight, 2010). At the Liberian level, historical and policy analyses have established that the country's land governance challenges are structurally rooted in a dual tenure system that has never been coherently integrated, intensified by civil war disruption, and only partially addressed by the LRA 2018 (Bruce et al., 1994; Gobewole, 2016b; Yeakula & Williams, 2018).

What the literature has not established is how these dynamics actually manifest at the community level in specific post-conflict peri-urban settings where both customary and statutory systems are under simultaneous pressure. This localized empirical dimension remains insufficiently examined, and it is precisely these questions that this study addresses through a qualitative case study in Gbarnga - contributing empirical grounding to a literature that has thus far theorized the problem of land governance more confidently than it has observed.

3. Methodology

This chapter presents the methodology employed in the study. It outlines the research design adopted to address the research questions and achieve the objective of the thesis. The chapter describes the methods used for data collection, including semi-structured interviews and document analysis, and explains the procedures applied for data analysis. It also discusses ethical considerations, researcher positionality, and issues related to reliability and limitations of the study.

3.1 Research Design and Method

The study adopts a qualitative research approach to examine how customary and statutory land governance systems intersect in shaping land governance in post-conflict Liberia, with specific focus on Gbarnga, in ways that meet high academic and methodological standards characterized by credibility, reliability, sincerity, and rigor for accurate data collection (Mason, 2002:1; Tracy, 2010:840-841). Land governance in Liberia operates within a pluralistic institutional environment where customary authorities coexist with formal statutory land administration structures. These overlapping systems create complex governance dynamics in which authority, legitimacy, and access to land are negotiated among state institutions, customary authorities, and community members. A qualitative approach was particularly appropriate for this research because it enables an in-depth exploration of socio-political and institutional interactions and practices shaping land governance, the lived experiences of actors involved in land administration processes, and participatory practices (Kpeebe & Asibey, 2026:3). The study was informed by an interpretive epistemological perspective, which examines how social reality is constructed through human interaction, shared meanings, and everyday practices. From this perspective, institutions and governance arrangements are not understood solely as formal structures defined by legal frameworks, but also as socially constructed systems shaped by actors' beliefs, experiences, and interpretations within particular cultural contexts (Wiesner, 2022; Acharya, 2025). In the context of land governance, this perspective recognizes that land rights and authority are negotiated through interactions among different actors - including state institutions, customary authorities, and local communities - who may interpret institutional roles, legitimacy, and land claims differently depending on their own social positions and experiences (Aprimadya, 2025). Given the focus on meanings and interpretations, a qualitative approach allows examination of how actors

understand land governance processes, perceive legitimacy and authority, and navigate overlapping institutional arrangements - providing deeper insight into how governance operates in everyday post-conflict contexts where formal and customary institutions coexist (Faro et al., 2024).

The design also aligns with the nature of the research questions, which seek to understand how land governance systems interact and how these interactions affect access to land. Addressing the research questions requires examining perspectives, institutional processes, and governance relationships between statutory and customary authorities - rather than measuring variables - which enables the study to capture rich data on people's experiences, the complexity of land governance processes, and the meanings attached to land rights and authority by different actors (Entwistle & Nyantakyi-Frimpong, 2025:2).

3.2 Researcher Positionality and Reflexivity

Qualitative research of an interpretive orientation requires the researcher to critically examine their own position in relation to the research setting, participants, and data - recognizing that the researcher is not a neutral observer but an active participant in the production of knowledge (Mason, 2002). Prior to conducting the research interviews, I completed an internship with ForumCiv, a Swedish civil society organization working on land governance and customary practices in Liberia, during which I worked directly with customary authorities, statutory institutions, civil society organizations, and women's groups. This experience shaped my access to the field in an important way. ForumCiv and Parley-Liberia facilitated introductions to key participants - but it also created a dual role that requires methodological reflection. My affiliation with ForumCiv may have influenced how participants responded - either aligning their answers with assumed expectations or being more candid due to organizational trust. I remained attentive to this throughout the data collection process, making deliberate efforts to frame questions in open and non-leading ways, and to invite perspectives that diverged from or complicated the institutional framings I had encountered during my internship. My prior fieldwork exposure also shaped my analytical sensibilities, as I arrived at the analysis stage with existing impressions of which issues were significant. To manage this, I applied thematic analysis systematically and returned repeatedly to the raw data during coding to ensure that themes were grounded in participants' own accounts rather than in my prior observations.

I also recognize my position as a Liberian researcher examining governance challenges in my own country. This insider dimension provided cultural familiarity, linguistic ease, and an understanding of local governance dynamics that strengthened the depth of the interviews. At the same time, it required ongoing reflexive awareness of how shared cultural assumptions between myself and participants may have left certain practices unquestioned that an outsider might have probed further. Together, these positionality considerations do not undermine the credibility of the findings - they are part of the interpretive context within which the findings were produced, and transparency about them strengthens rather than weakens the integrity of the research (Tracy, 2010; Israel, 2015).

3.3 Data Collection

The study relies on two methods for data collection: semi-structured interviews as the primary method, and document analysis as a supplementary method. Combining these methods allows the research to capture both the perspectives of actors involved in land governance and the institutional framework that shapes land administration processes.

3.3.1 Semi-Structured Interviews

Semi-structured interviews were selected to allow participants to describe their experiences and perspectives while providing the researcher with the flexibility to explore emerging themes - enabling more natural conversations than written questionnaires (Duranti, 2011). This method was particularly suited to examining institutional practices, social norms, and power relations in land governance, as follow-up questions could evolve based on participants' responses, allowing deeper insight into their experiences and understanding of the research topic (Hammett et al., 2014:139 - 158; Clark et al., 2021).

The interviews were conducted using an interview guide containing open-ended questions to discuss land governance practices and interactions between customary and statutory systems (Hancock et al., 2007:16). Participants were encouraged to discuss their experiences and provide examples of how customary and statutory systems interact and how land disputes are managed within their communities. The interviews were conducted at locations convenient to the participants, including offices and community meeting spaces. With participants' consent, interviews were audio-recorded to enhance the accuracy and completeness of the data, as recording

allows for detailed transcription and minimizes reliance on memory or selective note-taking (McMullin, 2021; Stuckey, 2014). A total of nine interviews were conducted with individuals who were directly involved in land governance processes. The participants were selected through purposive sampling to identify individuals with relevant knowledge and experience related to the research topic, and to ensure that a quality sample was located without bias, thereby increasing the reliability and trustworthiness of the findings (Nyimbili & Nyimbili, 2024:90; Nicholls, 2009). While nine interviews represents a modest sample, the selection was guided by the principle of informational depth rather than numerical breadth. In purposive qualitative sampling, the goal is to reach a point at which additional interviews yield diminishing new insight into the phenomenon under investigation (Patton, 1990). Given the bounded scope of the study - a single peri-urban governance context with a defined set of institutional actors - nine purposively selected participants with direct and varied involvement in land governance provided sufficient depth to address the research questions without overstating the scope of the findings.

3.3.2 Document Analysis

In addition to the field interviews, the study incorporates document analysis as a complementary method to examine written materials in order to understand the institutional framework, policies, and legal structures that regulate land governance. The documents served as secondary sources that complemented primary interview data and supported methodological triangulation, allowing the researcher to cross-verify findings from the interviews and strengthened the credibility of the analysis through convergence of information from different sources (Ho et al., 2023b:136; Bowen, 2009; Carter, 2014:545). Documents were selected according to three criteria: relevance to the research questions, direct connection to the customary-statutory governance interface in Liberia, and institutional authority - meaning documents produced by government bodies, established civil society organizations, or recognized development partners with direct involvement in Liberia land governance reform. Particular attention was given to the LRA 2018, which provides the legal foundation for recognizing customary land rights and regulating community land governance; the Community Self-Identification Guide (CSIG) for customary land in Liberia, a guide for implementing the first process for the legal recognition of the land rights of customary land-owning communities nationwide; and the Liberia Land Administration Project field manual for systematic registration of customary land (LLAP) of 2023. Additional materials included reports

produced by government institutions, civil society organizations, and development partners involved in land governance reforms.

3.4 Data Analysis

The empirical materials were analyzed using thematic analysis to identify patterns and themes within qualitative data (Hartmann et al., 2023:29; Fereday & Muir-Cochrane, 2006). The analysis was conducted in two stages. First, the interview transcripts and relevant documents were carefully reviewed to familiarize the researcher with the empirical materials (Braun & Clarke, 2006:77-78; Nowell et al., 2017:1-3). During this stage, preliminary observations and recurring issues related to land governance practices and institutional interactions were noted. In the second stage, the data were systematically coded using a hybrid approach that combined inductive and deductive coding (Saldaña, 2021). Deductive codes were derived from the theoretical concepts established in the literature review - including legal pluralism, institutional legitimacy, and inclusive governance - and applied to identify how these frameworks manifested in the empirical material. Inductive codes emerged directly from participants' own accounts, capturing themes and patterns that arose from the data itself rather than from prior theoretical expectations. This hybrid approach allowed the analysis to remain grounded in participants' experiences while also connecting empirical findings to the broader theoretical conversation established in Chapter Two. The coding process was documented systematically, with a codebook maintained throughout the analysis to ensure consistency in how codes were applied across interview transcripts and documentary sources (Kiger & Varpio, 2020; Saldaña, 2021).

The coding process focused on key issues such as customary land allocation practices, statutory land administration procedures, institutional coordination, land access, and mechanisms for resolving land disputes (Saldaña, 2021:3-4). Through this process, key themes emerged regarding the interactions between customary authorities and statutory institutions in land administration, including recurring patterns in how these actors engage in land governance - particularly in contexts where their roles overlap, complement one another, or generate tensions. Factors influencing these interactions - such as institutional capacity, socio-cultural norms, and political dynamics - were also identified. Applying the lens of institutional theory and political ecology, the analysis examines how formal legal systems interact with deeply embedded social norms and power relations, and how these dynamics shape land governance in practice. It is acknowledged

that this sample comprises predominantly institutional and community leadership actors rather than ordinary community members - meaning the findings reflect governance processes as experienced and interpreted by those directly involved in land administration rather than by those subject to its outcomes at the grassroots level. The empirical findings are presented across three thematic sections: section one examines the coexistence and interaction of dual land governance systems; section two analyses power dynamics, elite capture, and political influence; and section three explores socio-cultural norms and gender exclusion.

3.5 Ethical Considerations

Ethical considerations were an important component of this study, as ethical behavior helps protect individuals, communities, and environments (Israel, 2015:105). Participants were informed about the purpose of the research through emails before the interviews were conducted, including that participations were voluntary and they had the right to decline or withdraw at any time, to avoid any possible harm (Laryeafio & Ogbewe, 2023:95). Confidentiality was maintained throughout the research process to respect participants' autonomy (Bos, 2020:47). Although participants held public or community leadership roles, their identities are not disclosed in the thesis to protect their privacy, dignity, and safety (Scheyvens, 2014:161); and interview responses are therefore presented in anonymized form. Throughout the research, I remained attentive to the sensitive nature of land governance issues in Liberia, which involved recognizing local communities' voices, historical grievances, customs, and community tensions (Tilley, 2017:29). For this reason, interviews were conducted respectfully and participants were given the opportunity to share their perspectives without pressure or interruption. All data were anonymized and securely stored, and were deleted from all devices after they were used. The research aimed to promote transparency, safeguard participants' welfare, and contribute meaningfully to Liberia's land reform by integrating ethical reflection and ensuring data security (Laryeafio et al., 2023:102).

3.6 Reliability and Limitations

The study is based on a relatively small number of interviews, which means that the findings cannot be generalized to all parts of Liberia. Instead, the research provides an in-depth understanding of land governance dynamics within the specific local context of Gbarnga. Another limitation relates to the potential influence of participants' institutional positions on their perspectives, as customary authorities and government official may interpret land governance

challenges differently based on their roles and responsibilities. The use of document analysis strengthens the reliability of the findings by providing additional sources of information beyond interviews. By comparing interview responses with policy documents and reports, the research is able to triangulate data and identify consistent patterns in the empirical materials. Despite these limitations, the qualitative approach allowed the research to capture the complexity of governance processes and the meanings that actors attached to land rights and institutional authority.

4. Theoretical Framework

4.1 Introduction

Understanding land governance in post-conflict Liberia requires a theoretical framework that captures both the structural organization of governance systems and the power relations that shape access to land. This study draws on two complementary perspectives: institutional theory and political ecology. Drawing on Faundez (2016), this study employs institutional theory to examine how land governance emerges from the interaction between statutory law and customary authority - shaping how chiefs, local elites, and state actors interpret and apply land rules differently. Political ecology analyzes how power, inequality, and competing claims influence land control and access, helping explain the persistence of overlapping systems, the continued exclusion of women, and the ongoing challenges in implementing the LRA 2018. Together, these frameworks illuminate who controls land, who benefits, and who is marginalized in post-conflict Liberia.

4.2 Institutional Theory: Understanding Land Governance Systems

Institutions can be understood as the rules of the game - constraints that structure social, political, and economic behavior through formal and informal rules (Amidu et al., 2026: 3; Helmke & Levitsky, 2012: 727; Jepperson & Meyer, 2021). These include formal institutions such as laws, policies, and state agencies, as well as informal institutions such as customs, traditions, and social norms (Amidu et al., 2026: 2-3; North, 1990: 4-9). However, institutional theory in this study extends beyond understanding institutions as rules alone. Drawing on Jepperson & Meyer (2021), institutions are also socially constructed systems shaped by actors' beliefs, shared experiences, and interpretations of what is legitimate and appropriate - not only what is formally permitted or informally practiced. In Gbarnga, customary communities do not follow customary land norms simply because they are rules, but because those norms are embedded in deeply held beliefs about

identity, authority, and belonging that statutory law cannot reach through rule-making alone. North (1990) further contributes the concept of path dependency: institutions carry historical legacies that constrain what actors can do today, regardless of what new formal rules prescribe. This explains why the LRA 2018 cannot simply replace existing institutional arrangements - it must operate within a landscape already shaped by colonial land policy, civil war disruption, and governance fragmentation. Ostrom (2005) adds a third dimension through her concept of rules-in-use: what institutions actually do in practice frequently diverges from what formal or informal rules prescribe on paper - a gap this study empirically investigates in Gbarnga.

Following Helmke & Levitsky (2012: 725), informal institutions are socially shared, usually unwritten rules created and enforced outside officially sanctioned channels. In the context of this study, informal institutions refer to the cultural traditions and customary practices through which land is governed in Gbarnga - norms that operate outside statutory law yet carry significant authority within customary communities. Formal institutions, by contrast, are rules enforced through officially recognized channels (Helmke & Levitsky, 2012: 727), such as the LRA 2018, the LLASR for customary land, and the CSI process. In Gbarnga, informal institutions function as problem-solving and complementary mechanisms that fill gaps in formal governance and support social coordination, but can also be problem-creating when they undermine formal rules (Helmke & Levitsky, 2012: 728-729). They become more analytically significant when formal rules exist only on paper but are ineffective in practice ((Helmke & Levitsky, 2012: 730) - precisely the condition this study documents in Gbarnga, where local authorities do not trust that statutory laws work for them. Institutional theory's key contribution to this study is its ability to analyze how customary and statutory systems are enforced, applied, and operationalized in practice. Formal institutions are embedded in policies, laws, and agencies, while informal institutions are embedded in social practices and cultural traditions (Odoyi & Riekkinen, 2025; Helmke & Levitsky, 2012: 725). In Liberia, statutory institutions are represented by national land laws and policies, while customary institutions are governed by traditional authorities and community-based norms - systems that frequently overlap in jurisdiction and differ in function, authority, and legitimacy (Mushinge & Mulenga, 2016: 8). Their interaction may take the form of cooperation, complementarity, accommodation, negotiation, or conflict, depending on context (Helmke & Levitsky, 2012: 728-729) - where cooperation, complementarity, and accommodation refer to

situations where both systems support one another, and negotiation and conflict refer to situations where overlap generates disputes and requires resolution.

Since Liberia operates with multiple institutional systems, institutional theory offers the lens of institutional pluralism to examine their coexistence within a single governance framework (Mushinge & Mulenga, 2016: 8). In Gbarnga, this coexistence presents both opportunities and challenges. On one hand, institutional pluralism allows governance systems to be more flexible and responsive to local contexts, as customary institutions reflect deeply rooted social norms and practices (Manara & Pani, 2023: 2). On the other hand, overlapping systems generate ambiguity in authority, competing claims, and disputes over legitimacy - particularly when the same land is simultaneously subject to statutory title and customary usage rights, a situation that generates conflicts which complicate and weaken governance effectiveness (Tchatchoua-Djomo, 2018: 3-5). Understanding institutional pluralism is therefore essential for analyzing how land rights are defined, negotiated, and enforced within complex, multi-layered institutional environments (Tchatchoua-Djomo, 2018: 3).

4.3 Political Ecology: Power, Access, and Inequality

As Bryant (1998) argues, resource governance in post-conflict contexts reflects political contests that formal legal frameworks alone cannot explain. Political ecology addresses this gap by examining how power, inequality, and competing interests shape land access and control in practice - moving beyond institutional design to interrogate the socio-political conditions that determine who benefits from governance arrangements and who does not. This makes it particularly well-suited to analyzing land governance in post-conflict Liberia, where overlapping customary and statutory systems operate within deeply unequal political and social terrain. A central contribution of political ecology to this study lies in its ability to explain why formal land rights consistently fail to translate into actual land access for marginalized communities in Gbarnga. While institutional theory can describe the coexistence of customary and statutory systems, it cannot explain why some actors benefit from that coexistence while others are systematically excluded. Political ecology fills this gap by directing analytical attention to the power relations, inequality, and competing interests that shape who actually controls and benefits from land. The key concept through which this is operationalized in this study is Ribot and Peluso's (2003: 153-154) distinction between ownership and access - defined as the ability to benefit from

resources, which extends beyond formal rights to include authority, social identity, economic resources, knowledge, and social networks. In Gbarnga, this distinction is analytically essential: women hold formal ownership rights under the LRA 2018 but cannot access those rights due to customary enforcement mechanisms; communities hold customary land rights but lose practical control when centrally granted concessions bypass their participation; and marginalized residents hold legal entitlements but cannot afford the legal processes through which those entitlements are enforced. Political ecology therefore enables this study to move beyond asking what the law says to asking who actually benefits from land governance arrangements - and why. This analytical distinction operates across three dimensions examined in this study: political authority shaping land allocation, elite capture redirecting governance institutions, and socio-cultural norms enforcing women's exclusion from land - dynamics examined empirically in Sections 5.2 and 5.3 respectively.

Political ecology is employed here because, as Hein (2018) demonstrates, land governance analysis necessarily requires identifying the actors involved and confronting key questions: what role does power play, what explains conflict, who owns the land, and who controls it? Land is at the center of these questions in Liberia. As Lund (2016: 1217) argues, providing and legitimizing access to land is an important source of political authority for every government - making land governance not merely an administrative matter but a fundamentally political one. Since land is inherently political, power relations determine who controls resources, whose claims are recognized, and whose are denied. It is therefore important to examine who holds power over land allocation and under what conditions that power determines access, exclusion, and conflict. Local elites, traditional leaders, government officials, and external actors are therefore central to understanding how land access is structured and contested in Gbarnga. This dynamic is illustrated by Amanor's (2009) analysis in Ghana, where state-customary arrangements redirected chiefs' accountability away from communities toward elite and state interests: chiefs facilitated the expropriation of land for commercial investors while farmers received only compensation for their crops. As Lund (2016: 1214) argues, this pattern persists because governments continue to take land in trust from customary authorities whenever needed, with chiefs retaining local allocation authority in ways that systematically disadvantage ordinary land users - a dynamic directly mirrored in Gbarnga through the presidential appointment of chiefs.

A further justification for political ecology is its capacity to account for the role of historical and structural factors in shaping contemporary resource governance. In Liberia, the legacy of colonial land policies, the impact of prolonged civil conflict, and post-conflict reconstruction efforts have all contributed to the current land governance landscape. These historical dynamics continue to influence patterns of land ownership, access, power, and conflict. Power operates at multiple levels, from local community dynamics to national and international influences. In land governance, power determines whose claims are recognized, whose voices are heard, and whose interests are prioritized. This draws attention to processes such as exclusion, marginalization, and elite capture. As Blaikie (2012) argues, even where institutional frameworks are designed to be inclusive, power imbalances may result in unequal outcomes. For example, marginalized groups such as women and rural populations may face barriers to accessing land despite the formal recognition of their rights. By focusing on these dynamics, political ecology enables this study to critically examine the distribution of land and the factors that shape access to it. It moves beyond a purely institutional analysis to consider the broader socio-political context in which land governance operates - as unequal power relations are an important explanatory factor for uneven access to natural resources, including land (Bohle and Funfgeld, 2007; Bryant, 1998; Forsyth, 2008; Rodríguez de Francisco and Boelens, 2014).

4.4 Integrating Institutional Theory and Political Ecology

Although institutional theory and political ecology originate from different academic traditions, they are complementary in the analysis of land governance. As Bixler et al. (2015) argue, land governance is not merely a technical process but a political and institutional one shaped simultaneously by power and rules. Different actors - states, communities, and organizations - compete over land unequally, while dominant narratives shape policies and institutional rules that frequently favor stronger actors. These rules operate at multiple levels, from national laws to local practices. The key insight of their integration is that institutional theory identifies overlapping authority between customary and statutory systems, while political ecology explains which system prevails in practice and why. Similarly, institutional theory describes the formal recognition of land rights, while political ecology reveals whether those rights translate into actual access - exposing the gap between policy design and lived governance reality that this study empirically investigates in Gbarnga.

5. Data Analysis and Interpretation: Land, Institution, and Power in Gbarnga

5. Background

Liberia's primary land tenure challenge stems from the uneasy relationship between statutory and customary systems, intensified by rapid shifts in land use driven by urbanization, industrialization, and population growth (Deininger et al., 2012: 11). In Gbarnga, land serves simultaneously as a material resource and a foundation of social relations - encompassing livelihood, identity, and cultural and spiritual significance for indigenous communities (Li, 2014b). These pressures are particularly acute in peri-urban Gbarnga, where post-war population growth has intensified competition over land, drawing both systems into governance contests that neither is fully equipped to resolve alone. The LLAP Field Manual institutionalizes dual engagement by mandating simultaneous introduction of formalization processes to both county authorities and traditional leaders (section 3.0). The empirical analysis that follows reflects the coexistence of formal and informal institutional arrangements as conceptualized by Helmke and Levitsky (2012: 728–729).

5.1 Dual Land Governance Systems and their Interaction

5.1.1 The Coexistence of Customary and Statutory Systems

The Community Land Development and Management Committee (CLDMC) in Gbarnga plays an intermediary role in negotiating land access for project implementation, land acquisition, and broader governance processes both for customary practices and statutory enforcement. It is important to acknowledge that the CLDMC is a relatively recently introduced institution - established under the LRA 2018 - and that the findings therefore capture an institution still in its early implementation phase. The patterns of complementarity and conflict documented here may therefore evolve significantly as the institution matures and communities develop greater familiarity with its processes and authority. It is a body set up by each self-identified community to manage and govern its customary land in line with the LRA 2018 (LRA, 2018; LLAP, 2023:1). While customary land governance had long functioned as the established way of life for communities in Gbarnga, successive governments sought to formalize and strengthen this system by introducing a statutory layer alongside existing customary practices. The coexistence of these two systems implies that traditional communities must develop an adequate understanding of how

both frameworks operate and how they are intended to complement one another (LLAP, 2023). Land in Gbarnga is managed, administered, and protected through norms and cultural practices long before formal governance structures existed (Hartman, 2018). Statutory systems are managed, administered, and enforced by the government through legal instruments. Local communities follow traditional rules, obey norms, and implement their cultural rules in preserving their lineage heritage. The government of Liberia introduced the CLDMC to allow both customary and statutory systems to work together - respecting both traditional norms and statutory laws, to advance and promote land governance. Although land administration was entirely conducted through the leadership of the customary system, in keeping with full traditions and cultural norms, the CLDMC comprises customary leaders, women's representation, and traditional leaders, to ensure that the customary system does not conflict with the statutory system when enforcing land governance. One interview participant highlighted the CLDMC as a system that bridges the gap between customary and statutory systems.

"the CLDMC regulates land-related activities, particularly customary land ownership, and ensures respect for community norms. through the CLDMC, we coordinate with the LLA when community members need to formalize land through the statutory system."

As the quote suggests, the CLDMC may function as a complementary institution in intra-community disputes, yet it appears to become a conflicting institution when customary authority and centrally granted statutory concessions pursue incompatible goals over the same land. This conflict is especially evident where concessions granted from the capital do not reflect customary community involvement, enforcing a top-down approach. This suggests a fundamental procedural gap - the CLDMC, as a community-level institution, is structurally excluded from decisions made at the central government level, revealing that while the CLDMC is formally recognized, its authority does not extend to concession-related matters and implementation remains weak in practice. The CLDMC can bridge two systems when both systems recognize its authority, but a concession granted from Monrovia operates under a legal framework that bypasses the CLDMC entirely. It should also be acknowledged that the CLDMC's bridging function may partly reflect donor-driven institutional design rather than community governance evolution - its effectiveness may therefore depend on continued external support rather than self-sustaining institutional legitimacy. The CLDMC can no longer bridge customary and statutory systems in concession

conflicts because concessions are granted by the central government in Monrovia, outside the CLDMC's jurisdiction and without community input. This often brings about conflict between the community and the concession companies, where the community may claim long-term occupation while companies claim legal ownership - a contradiction the CLDMC has no jurisdictional power to resolve. Following Helmke & Levitsky's (2012) analysis, the CLDMC functions here as a conflicting institution - not because formal rules are absent or ineffective, but because the customary authority it embodies produces outcomes fundamentally incompatible with centrally granted statutory concessions. This tension is an expression of institutional pluralism (Mushinge & Mulenga, 2016) - the condition in which multiple legitimate institutional systems coexist, overlap, and diverge in their interpretations of land rights, authority, and legitimacy over the same jurisdictional space. Where both systems assert legitimate authority over the same land, the result is not institutional complementarity but institutional incompatibility, with communities bearing the cost of a jurisdictional gap the CLDMC has no power to close. It is precisely within this pluralist landscape that the CLDMC's structural exclusion from concession-related decisions becomes most consequential - recognized formally, yet rendered ineffective in practice when statutory and customary systems pursue incompatible goals. This is exactly what Ribot and Peluso (2003) argue regarding power relations, as access to land is mediated through authority, social networks, and economic resources - not formal rights alone. Those with stronger ties to traditional leadership are better positioned to engage the CLDMC, while those at the margins, particularly women, encounter it as a further site of exclusion rather than a gateway to their rights.

This account captures two distinct functions that the CLDMC performs simultaneously. First, it upholds and enforces customary norms within the local community. The committee provides guidance on how land is owned and managed according to customary practices, and ensures respect for community norms. Customary communities therefore place greater trust in the CLDMC, which serves as a traditionally established system that governs how land is managed. Second, it acts as an institutional bridge to the statutory system, facilitating formalization where community members require it. The CLDMC helps communities register customary land through the LRA's legal processes. This is to ensure, as required by the LRA 2018, that all land in Liberia is registered. Since customary land registration requires a different process, the CLDMC serves communities well in this regard. As one interview participant representing the female leadership at the CLDMC reveals,

"when a community member wants to register their land, they first identify what registration they want to do - statutory or customary, the type of land says what process to follow."

As the quote indicates, the choice between statutory and customary registration may appear to be a straightforward procedural matter - determined by the nature of the land itself. However, it reflects Lund's (2016) argument that access to land is not simply a matter of formal entitlement but is shaped by power - specifically through the political authority that regulates and legitimizes access, and through the social relations that determine who can effectively engage governance institutions. The capacity to identify the appropriate registration pathway and navigate it successfully is itself a function of these powers. Community members with stronger ties to the CLDMC, greater legal literacy, or closer relationships with traditional leaders are better positioned to exercise this choice. For those at the margins - particularly women with weaker customary standing - navigating between systems may not be a neutral administrative act but a site of exclusion. This reflects Ostrom's (2005) distinction between formal institutional design and rules-in-use: what appears procedurally simple on the surface operates through social relations but not equally. The quote thus points not to seamless institutional complementarity, but to a pragmatic duality whose accessibility is unevenly distributed. From a political ecology perspective, Hein (2018) frames this precisely - land governance is not a neutral technical process but one shaped by power, raising the fundamental question of who controls land and under what conditions access is granted or withheld. Rather than choosing between governance frameworks, community members navigate both - engaging the CLDMC for customary land matters and the LLA for statutory formalization procedures, depending on the specific nature of their land issue. The CLDMC serves as a bridging mechanism that customary communities use to accommodate the statutory system of governance.

The local community remains deeply respectful to the preferences and decisions of their traditional leaders. This reflects an underlying distrust of the statutory system, rooted in historical experiences of land dispossession reinforced by ongoing concerns about the implications of commercial concession agreements for customary land tenure security (Daygbor, 2007; World Bank, 2006). One interview participant described the relationship between statutory and customary authority:

‘you know we live under customary systems, and we follow our traditional authorities. customary leaders remain the closest authority to the people, even though the law assigns authority to state institutions.’

As the quote suggests, customary communities in Gbarnga may hold deep reservations about the statutory system, possibly because it appears to have historically been used to appropriate customary land through concessions granted without community input. As Lund (2016) argues, land allocation is a key source of political authority for governments - and in Gbarnga, this may be evidenced by the central government's practice of granting concessions without community input and appointing chiefs, suggesting that the state may be effectively extending its control over customary land governance without meaningful community participation.

This observation suggests a persistent disjuncture between legal authority and social legitimacy. From a political ecology perspective, Bryant (1998) - though dated, offers a foundational argument on power and resource governance that remains analytically relevant in post-conflict Liberia. He argues that resource governance consistently reflects broader political contests over authority, with marginalized communities losing control to those with greater institutional power. This is precisely what the quote reveals: statutory law exists on paper, but political power in practice rests with customary leaders. Although statutory institutions hold formal mandates over land administration, customary leaders are widely regarded as more accessible and more trusted in practice. The observation aligns with Vinck et al. (2011), who argue that customary authorities are more accessible and dependable than state institutions in the resolution of land disputes, particularly in post-conflict Liberia where formal systems and documents were disrupted due to civil wars. The participant's framing - that customary leaders remain "the closest authority to the people" despite formal statutory mandates - reveals a tension that is not merely perceptual but structurally embedded in how customary communities in Gbarnga engage with governance institutions.

When a land matter arises, the aggrieved party first approaches the chief or head of the local community to formally report the issue and seek redress. The chief subsequently convenes a town meeting, bringing together community members to deliberate on the matter. Following a thorough investigation, the chief, in consultation with the council of elders, renders a decision. Where a party is found to be in violation of customary norms, a fine or penalty is imposed in accordance with established traditions and cultural practices. In this case, no fees are charged to either party

for the case to be heard; financial obligations arise only for the party adjudicated as guilty. This process has governed customary land matters in Gbarnga for generations and continues to serve as the primary mechanism through which land is allocated and managed. By contrast, the statutory system in Gbarnga requires land disputes to be taken to government agencies and, in many cases, to formal courts - a process that is characterized by protracted procedures and considerable financial burden. This institutional difficulty generates a strong discouragement among customary communities to engage with statutory mechanisms, effectively establishing a preference for customary dispute resolution. This suggests that land cases within customary communities rarely reach statutory authorities; when they do, it is almost exclusively in instances involving disagreements between commercial concessionaires and customary landholders.

5.1.2 Complementarity and Community Participation

Customary and statutory systems mutually reinforce one another to enhance land governance efficiency in Gbarnga. Gbarnga has extensive land resources for agriculture and commercial concession purposes governed by traditional practices, and presents a governance context in which the majority of land is sacred, held collectively by customary communities, family units, and individuals (LRA, 2018). This tenure structure creates a significant practical constraint on government-approved investments, which cannot proceed without prior engagement with customary authorities and observance of established cultural norms. Historically, most land in Gbarnga was under customary ownership before Liberia's independence in 1847 (Dewit & Stevens, 2014). Consistent with this tradition, any party seeking to use customary land in Gbarnga - whether a concession company, a community member, a government agency, or a private investor - is required to obtain the approval of the customary authority. Customary authorities practice these norms to ensure that traditional and cultural beliefs are duly observed and respected. Traditional leaders thus perform a dual governance function: they administer customary land and simultaneously protect community interests against external encroachment. This system is so deeply rooted that the Government of Liberia formally acknowledges its legitimacy and actively seeks to work within it. During the fieldwork, the CLDMC emerged as a critical bridging institution that facilitates regular inter-institutional meetings at which both customary and statutory leaders jointly participate in land-related decision-making. This reflects broader findings in the literature that hybrid governance arrangements frequently emerge through practical coordination

and negotiation rather than through top-down design (Sikor & Müller, 2009). The perspectives of customary communities on whether they actually experience the CLDMC as accessible and effective remain largely uncaptured within the study's empirical scope. In Gbarnga, the CLDMC represents a formally introduced but community-managed institution that enables both governance systems to function cohesively. When a customary community seeks to formalize its land, it engages the statutory system through the CLDMC; conversely, when a concession company seeks to invest in Gbarnga, it accesses customary land approval through the same institutional channel. This operational dynamic directly challenges the prevailing assumption that the coexistence of multiple governance systems inevitably produces conflict, or institutional disorder (Sikor & Müller, 2009; Toulmin, 2009). Instead, the fieldwork findings revealed that in Gbarnga these systems actively collaborate at the local level to produce coherent governance outcomes. One participant described the formalization process as a joint institutional endeavor:

"when communities want to formalize land, they work with the Land Authority. there are formal steps and procedures to follow in the statutory system."

This suggests that in several documented cases, customary communities in Gbarnga collectively approached the LLA to formalize their customary land holdings. Through a coordinated process involving boundary identification, documentation, and land mapping, their land was formally recognized as customary land under the LRA 2018. The case reveals how collaboration between customary communities and statutory institutions produces tangible governance outcomes - translating oral and customary claims into legally recognized tenure categories without displacing the underlying systems of land ownership. This observation is in line with the theoretical arguments of Andersson & Ostrom (2008), concerning institutional complementarity, in which customary institutions support the functioning of statutory systems rather than undermining them. From a political ecology perspective, however, Rodríguez de Francisco & Boelens (2014) caution that what appears as institutional complementarity can mask unequal power relations - formal procedures that seem neutral in design systematically disadvantage those without financial resources, institutional access, or technical knowledge to navigate them. Although traditional leaders hold significant authority over land-related decision-making, customary community members - particularly family units who are not represented on the traditional council yet maintain deeply ancestral and material attachments to the land - expect to be meaningfully included in

decisions that directly affect customary land governance in their communities. Prior to the introduction of the CLDMC, land-related conflicts among concessionaires, local communities, investors, smallholder farmers, government agencies, and customary authorities were often unresolved. The CLDMC's institutionalization of inter-system coordination appears to have contributed to reducing such conflicts, though the limited empirical evidence available within this study's scope does not permit a definitive assessment of its impact. This reveals that institutional interaction can, under certain conditions, contribute to greater governance stability (Unruh, 2005, 2007b). This is operationally reflected in the LRA 2018, which formally institutionalizes collaborative governance through mechanisms such as the CLDMC - suggesting that these provisions are actively shaping governance practices on the ground. However, as Helmke & Levitsky (2012) remind us, the effectiveness of formal institutions depends on whether communities can meaningfully engage with them in practice. Ostrom (2005) further distinguishes between formal institutional design and rules-in-use - the gap where governance often fails the vulnerable. In Gbarnga, where statutory procedures demand considerable time and financial resources, formal steps function less as a pathway and more as a barrier. As Ribot & Peluso (2003) argue, what appears as neutral administrative procedure is in fact a site where power operates - determining whose land rights are ultimately secured and whose are not.

5.1.3 Competing Claims and Concession Conflict

Despite instances of cooperation between the CLDMC and the LLA, tensions arising from overlapping institutional claims over concessions granted in Monrovia to work in customary communities remain a challenge in Gbarnga. Beyond these institutional tensions, customary authority also plays a critical role in maintaining traditional heritage, norms, cultural values, and opposing actions that conflict with customary interests. In contrast, the statutory system seeks to ensure that government institutions guide land governance for all communities, whether urban or rural. Customary communities in Gbarnga are particularly concerned with how their land is used and managed, as most of their livelihoods depend on it (Li, 2014b). Women use the land for farming, elders use it for traditional war dance and meeting places to consult deities and perform rituals. Water resources support agriculture, while forests are used for hunting and other subsistence activities. When concession operations encroach on customary land and its resources, these livelihood functions are directly disrupted: communities can no longer rely on water sources

for washing, fishing, or drinking, and access to forests for cultural and subsistence activities is curtailed. A central point of contention identified during the fieldwork is land concessions granted by the central government in Monrovia without meaningful community participation. These concessions frequently generate conflicts between long-standing customary occupations and formally recognized legal ownership. Communities often assert historical and customary claims to land that are simultaneously claimed by private companies through legally valid concession agreements. In such cases, neither claim can be dismissed as illegitimate within its respective governance framework. For example, in 2023, conflicts emerged between communities and concession companies in Gbarnga, where community members reported that companies were digging holes everywhere, disrupting access to water, farming, movement, and encroaching on sacred forests despite community objections. These tensions escalated to the point where community members seized company equipment, forcing civil authorities to intervene and create dialogue between the company and community members.

This example reveals the direct consequences of absent or ineffective coordination between customary and statutory systems in the context of commercial concessions. The seizure of company equipment suggests how challenging institutional claims - customary occupation on one side, statutory concession agreements on the other - can produce open and destabilizing conflict when coordination mechanisms fail. The available example does not establish whether communities attempted to engage formal participation channels before resorting to direct action - the sequence between institutional failure and community response therefore remains inferential rather than directly evidenced within this study.

In Gbarnga, land is not only a vital resource for livelihoods and identity but also a crucial foundation for traditional heritage, norms, and cultural practices (FAO, 2018; USAID, 2021). Traditional systems in Gbarnga are particularly influential when concession-related disputes arise. For example, in instances of customary and concession-related conflict, traditional elders enter sacred forests and engage in customary rituals to assert ancestral authority over the land in question. These practices are widely known within the communities and carry significant cultural weight. Resolution does not occur solely through central government authorities or companies, but also through traditional arrangements. Within the customary system, the Ministry of Local Government addresses such matters in collaboration with the LLA through the customary elders'

council, often convening in sacred forests identified by the elders as sites of ancestral significance. During these meetings, the two systems may sometimes be reconciled, with compromises reached in the interests of both customary authority and statutory institutions. This case suggests that while overlapping jurisdiction between customary and statutory systems may produce competing claims and institutional tensions (Cotula, 2007; Knight, 2010), such tensions do not necessarily result in permanent governance breakdown. Rather, as this case appears to indicate, hybrid arrangements that draw simultaneously on customary legitimacy - through sacred forest convening and elder councils - and statutory authority - through the Ministry of Local Government and the LLA - may offer a more culturally grounded and practically effective pathway to resolution than either system could achieve independently. Yet these hybrid resolutions operate within a structurally unequal terrain. As Lund (2016: 1217) argues, providing and legitimizing access to land is itself a source of political authority - meaning that when the central government grants concessions, it does not merely administer land but exercises political authority over customary land, bypassing the institutional bridge the CLDMC was designed to provide. The concession is not merely an economic transaction but a political act that asserts statutory supremacy over customary jurisdiction without community input. This may be the reason why conflicts intensify to the point of equipment seizure and sacred forest rituals - communities are not simply disputing land ownership but contesting whose authority over land is legitimate. The hybrid resolutions that emerge, while pragmatically valuable, do not resolve this underlying asymmetry. They represent negotiated compromises within a system that structurally favors statutory concession rights over customary claims.

In Gbarnga, customary institutions continue to operate as traditional rules-in-use (Ostrom, 2005; Amidu et al., 2026: 3), governing everyday land relations despite the formal authority assigned to statutory institutions. Customary institutions simultaneously function as complementary systems - depending on the context - supporting rather than simply opposing statutory governance (Helmke & Levitsky, 2012: 725–729). These dynamics produce a governance landscape that is neither purely customary nor purely statutory, but continuously negotiated between actors drawing on both frameworks. The CLDMC cannot bridge customary and statutory systems in concession conflicts because concessions are granted by the central government in Monrovia, outside the CLDMC's jurisdiction and without community input - meaning the community resorted to direct

action precisely because formal channels for participation had not been meaningfully activated. This reflects what Lund (2016: 1214) further illustrates through Amanor's work in Ghana: when the state recognizes external authority over land while sidelining community claims, communities are left without institutional recourse, bearing the cost of a jurisdictional gap they have no legitimate power to close. Entwistle & Nyantakyi (2025) reinforce this point, noting that in Liberia, concessions have been particularly prone to generate precisely this kind of overlap - where statutory decisions made at the center override customary governance at the community level.

5.1.4 Differential Legitimacy and Implementation Gaps

During the fieldwork, a legitimacy gap was revealed, whereby customary institutions appear to be perceived as more legitimate and trustworthy than formal state institutions in managing everyday land matters. While this perception was noted during the interviews, it is important to acknowledge that the findings are based on a small purposive sample and therefore represent an indicative rather than definitive pattern. One participant highlighted the disconnect between formal legal provisions and actual governance practices.

"there is a gap between what is written in the law and what is actually practiced. the systems exist on paper, but implementation is weak."

As the quote suggests, this gap may manifest practically in Gbarnga in several concrete ways. The LRA 2018 formally recognizes customary land rights and women's entitlements, yet communities continue to resolve land disputes through chiefs and elders rather than engaging the land authority. Statutory registration procedures exist but remain financially and procedurally inaccessible to most community members. The CLDMC is formally established under the LRA 2018 but lacks jurisdictional authority when concessions are granted from Monrovia without community input. In practice therefore, communities do not experience the statutory system as a functional governance tool but as a distant institutional framework that does not reach them in their everyday land relations. Political ecology explains why this gap is not accidental. Forsyth (2008) argues that environmental and resource governance failures persistently reflect underlying power inequalities - those without political influence or economic resources bear the cost of weak implementation while powerful actors benefit from the same institutional gaps. This suggests a specific institutional failure and weak enforcement: the statutory system exists at the level of legal text but

has not been translated into accessible, functional governance at the community level. It is not that customary communities are unaware of the law, but that the law does not reach them in practice. The statutory system may be formally dominant, but in practice, customary communities continue to rely on customary institutions because they are accessible, socially embedded, and responsive to local norms in ways that formal institutions are not. While the government formally recognizes customary authority to manage customary land through the CLDMC, decisions over concessions and commercial land use continue to be made in central Monrovia without meaningful community participation. This differential legitimacy is also sustained through deep cultural socialization. In Gbarnga, customary authority is not only enforced through governance structures but is reproduced through community-based educational practices. For example, men are traditionally initiated into the Boro society, where they are taught to uphold and defend customary practices, while women are taught to respect customary decisions (Sawyer, 2005). Whether women in Gbarnga have equivalent socialization institutions that reinforce their subordinate position within customary land governance - or whether their socialization occurs through less formalized mechanisms - remains empirically unclear within this study's scope. This gap matters analytically because the absence or presence of parallel female socialization institutions would significantly affect how the reproduction of gendered exclusion is understood and addressed in practice. These socialization processes mean that customary authority retains a foundational legitimacy than statutory institutions - however formally empowered - have not yet been able to replicate.

The legitimacy gap persists despite the LRA 2018 because institutions like the Boro society reproduce customary norms across generations through socialization processes that operate entirely outside officially sanctioned channels. Statutory law cannot reach these processes - it can recognize customary rights on paper but cannot displace the authority that customary institutions reproduce in practice. As Helmke & Levitsky (2012) argue, informal institutions become most relevant when formal rules exist only on paper. In Gbarnga, the Boro society demonstrates this by reproducing customary land norms across generations through socialization processes that statutory institutions cannot reach, ensuring that customary authority retains practical legitimacy regardless of what the LRA 2018 prescribes. This suggests that customary authorities may often retain higher levels of trust and social legitimacy compared to state institutions, particularly in post-conflict Liberia (Vinck et al., 2011). Similarly, Ribot et al. (2008) caution that decentralization reforms may formally transfer authority without ensuring accountability and local

legitimacy, thereby reinforcing continued reliance on customary structures. These overlapping governance arrangements frequently result in conflicting interpretations of land rights and authority (Bruce et al., 1994; Unruh, 2005), particularly in contexts where legal ambiguity and weak institutional coordination prevail. The LRA 2018 partially acknowledges the importance of customary legitimacy by incorporating provisions that recognize oral testimony as valid evidence of land ownership (Article 9(4)) and by assigning transitional roles to traditional leaders (Article 69(1)). However, this suggests that these provisions have not fully resolved the underlying tensions between statutory authority and customary legitimacy. Instead, they reveal an ongoing negotiation between competing institutional logics, where formal recognition coexists with persistent implementation gaps. During the fieldwork, a study participant reflected on this challenge:

laws change faster than people's understanding and trust. So you have to work with the system that people trust, not just the system that exists on paper.

This observation captures an important challenge for institutional reform: legal change must be accompanied by sustained community engagement and trust-building if statutory frameworks are to achieve practical legitimacy alongside their formal authority. As the interview data suggests, customary communities in Gbarnga appear to maintain strong attachment to customary land governance systems, rooted in deeply embedded cultural beliefs, traditional practices, and generational socialization processes that statutory institutions have not been able to replicate or displace. From a political ecology perspective, Blaikie (2012) argues that resource governance systems that ignore locally embedded power structures and cultural authority will consistently fail marginalized communities - not because communities resist change, but because reforms are designed around institutional assumptions that do not reflect the political realities communities actually inhabit. Literacy rates in Bong County remain low, with a significant proportion of the rural population having limited formal education (LISGIS, 2022), restricting meaningful engagement with written statutory frameworks and legal documents. Laws are expected to be implemented once passed, but it requires proper education in local context to help customary communities understand and adapt - from the old system to the new system. Sometimes, when communities violate cultural norms and traditions, illness is believed to appear in the town, women and children die. This makes it very difficult for customary communities in Gbarnga to lose trust in the traditional system. This aligns with broader insights from previous research, which

emphasizes that effective land governance must combine legal recognition with social legitimacy, participation, and accountability (Cotula, 2012; Chigbu, 2022). Without addressing these dimensions, statutory reforms may risk remaining formally progressive but practically limited in achieving inclusive land governance. The differential legitimacy documented here is not simply a challenge to be overcome but a structural feature of land governance in Gbarnga: working with, rather than attempting to override, customary legitimacy emerges as a critical implication for land governance reform.

5.2 Power Dynamics, Elite Capture, and Political Influence

5.2.1 Political Authority and Land Allocation

During the interview, it was revealed that land allocation in Gbarnga is a concentration of political authority operating across multiple institutional levels. Political leaders at the national, county, and local levels - including the President, County Superintendent, Commissioners, and Chiefs - were identified as key actors whose influence frequently circumvents formal procedures. This appears to be a structural dynamic rather than merely an individual failing: political elites leverage financial resources and institutional positions to acquire land; and politicians acquire extensive parcels for farms, schools, or estates in ways that communities are often entirely unaware of. As one participant captured directly:

"when we used to elect our chiefs, they were listening to us...now that the president can elect them, they only listen to what the president, the senator, and representatives say."

As this quote suggests, a structural dimension of this pattern concerns the appointment of chiefs. Until 1985s, chiefs were elected by their customary communities, which allowed them to withstand external pressures in governing customary land. From the 1985s to the present, however, chiefs have been appointed by the president of Liberia. This indicates that customary communities fear that this shift undermines the independence of customary leaders and creates conditions under which political elites can influence their decision-making - placing them in a more compromised position than ever before when governing customary land. It should be acknowledged, however, that appointed chiefs may not always be less accountable than elected ones - where electoral processes were historically captured by local ethnic factions, appointment may in some contexts introduce a different rather than necessarily weaker form of accountability. The concern identified

here is therefore not with appointment in particular but with the absence of community-based accountability mechanisms that ensure chiefs remain responsive to those they govern regardless of how they assume office. This account is significant as Helmke & Levitsky (2012) identified a specific type of institutional interaction in which formal institutions do not replace informal ones but instead penetrate and subordinate them - producing what they describe as a competing institutional relationship, where one system undermines the effective functioning of the other. The presidential appointment of chiefs is precisely the kind of interaction that affects accountability: the state does not abolish customary authority but embeds itself within it, redirecting chiefs' accountability away from their communities and toward the state.

Political ecology illuminates the consequences of this shift. Bohle & Funfgeld (2007) argue that when political authority penetrates local governance structures, it systematically redirects resource control away from marginalized communities toward those with state connections - making elite capture not an exception but a structural feature of governance. What was once an independent informal institution - customary leadership elected by and answerable to the community - becomes a transmission mechanism for statutory political authority. The informal institution survives in name while its functional independence is hollowed out from within. As a result, communities retain formal customary rights but lose the independent authority through which those rights were previously protected. As Lund (2016: 1217) argues, legitimizing access to land is itself a source of political authority - and here, that legitimating power shifts from the community to the state through the figure of the appointed chief, a dynamic Amanor (2009) similarly identifies in Ghana through state-customary arrangements that redirect chiefs' accountability away from the communities they govern. Access to customary land governance therefore becomes dependent not on community norms but on whether appointed chiefs prioritize community or state interests - a condition captured with precision during the fieldwork: the chiefs still exist, but they no longer listen to customary communities.

One respondent outlined the levels at which political authority shapes land allocation in practice:

"political elites have money and influence, and they use it to acquire our land. the problem is we cannot challenge these people because we don't have money."

This testimony reveals that exclusion operates not only at the point of allocation but also at the point of redress: the mechanisms that exist to challenge unjust allocations are themselves

structured by inequalities of economic power. Customary community residents in Gbarnga may not have the resources to challenge land matters in court. Sometimes customary communities are simply told that their land is occupied - people are building on it and farming on it. As a result, they stop using the land and take their complaints to the chiefs and elders. This illustrates a growing sense of alienation among younger residents, many of whom already face limited access to land and employment opportunities. While they trust their customary system, they sometimes feel that their chiefs and customary elders have been compromised by political elites and business people - whom they fear could cost chiefs their appointed positions if they resist the allocation of customary land. This reflects Amanor's (2009: 109) analysis of how state-customary arrangements systematically direct land governance authority toward those with political and institutional connections rather than the communities who depend on land - a pattern in which those who control authority over land also control access to redress. As Hein (2018) identifies, the central question of resource governance - not who formally owns land, but who controls it and under what conditions access is granted or denied. In Gbarnga, the answer may be determined by financial resources and political connections rather than by formal legal entitlements. This dynamic was further illustrated through a specific historical case that continues to shape land relations in Gbarnga. For example, a prominent family acquired approximately 142 acres of land in the 1950s through a presidential-level agreement in which manipulated or misunderstood documentation meant land transfers exceeded what traditional leaders and communities intended to give. The consequences of this transaction continue to be felt by current generations, who face difficulties when seeking to farm or develop land that others now claim was legally acquired from their community decades ago. The 142-acre case illustrates how political authority, combined with information asymmetry and documentation manipulation, produces land concentration whose consequences are experienced as immediate material hardships by present-day communities. This case is presented as illustrative rather than as a verified historical record. Its analytical value lies in what it reveals about how communities understand and experience land dispossession across generations.

Land alienation is not merely administrative but deeply political, rooted in historical inequalities. In line with political ecology, these inequalities may continue to shape contemporary land allocation by reinforcing elite control and limiting communities' ability to influence decisions over their land. The intergenerational dimension is analytically significant: elite capture does not require

ongoing active effort - past institutional arrangements continue to produce exclusion over time. This suggests how political authority, combined with asymmetries of information and bargaining power, can produce long-term patterns of land concentration. Land was given to family members for multiple purposes, after which it would be returned to the customary community. Within this system, many people would go to customary authorities and ask for a parcel of land to be returned. Land could be borrowed, but not for sale. Many people, especially politicians and elites, took advantage of this situation since there were no documents to support such arrangements. Land was allocated through oral communication rather than formal documentation. This pattern reflects what Gobewole (2016b) identifies as a defining feature of land governance in Liberia: that land alienation is not merely administrative but deeply political, rooted in historical inequalities between Americo-Liberian settlers and indigenous communities (Liebenow, 1969; Sawyer, 1992). In line with political ecology, these historical inequalities continue to shape contemporary land allocation by reinforcing elite control and limiting the ability of communities to influence decisions over their land.

When a participant was asked directly who benefited and who lost from such historical arrangements, the response was unequivocal:

"the elites benefit, and we continue to lose. even though the law provides a solution, access to justice remains unequal."

As this testimony suggests, a significant tension may exist within land governance reform in post-conflict Liberia - whereby the LRA 2018 appears to formally provide communities with legal remedies against elite land capture. Yet the very communities most likely to require those remedies appear to be precisely those least able to access them due to financial exclusion. Customary communities continue to lose their land to politicians and elites. When local communities decide to reclaim land that was once taken or misused through what began as a gesture of goodwill, politicians often use financial influence in court to retain control. Much of the land given by customary communities to individuals or politicians was later abandoned, during and after the civil wars. In such cases, local communities can reclaim the land in court under the LRA 2018. However, this may be difficult for customary communities, as these cases can only be handled through the formal legal system. The LRA 2018 provides formal remedies for historical injustices. Access to justice here mirrors access to land itself - determined not by formal entitlement but by

economic resources, political connections, and institutional power. As Ribot and Peluso (2003) remind us, those who captured land through elite networks retain the same advantages when defending those claims in court, leaving communities structurally exposed on both fronts. The LRA contains formal safeguards against political interference, including Article 48(2)'s requirement for community inputs through the CLDMC during any post-enactment concession review, and Article 36(2)(a) and (b) requirement for a two-thirds community vote to approve the sale, lease, or transfer of customary land. However, the effectiveness of these provisions is constrained by the continued influence of political actors over land allocation processes. From a political ecology perspective, this suggests that legal reforms alone are insufficient to transform land governance where underlying power relations remain unchanged.

5.2.2 Elite Capture and Gatekeeping in Land Access Systems

Elite capture and gatekeeping are key determinants of land access in Gbarnga (Gobewole, 2016b) - dimensions that are not widely addressed in previous research but were identified during the fieldwork. Elite capture operates through networks of well-connected individuals who are able to influence land-related decisions, often in their own favor, while gatekeeping functions through actors who control access to technical knowledge and information about undocumented customary land. Many residents in rural Gbarnga have limited or no formal education on land management, while land governance is largely conducted through traditional practices. Much of the land is accounted for through oral history rather than formal documentation. Between the 1940s and 1970s, there were no formal processes for land registration, and land allocation was often determined by traditional leaders through informal means (Dewit & Stevens, 2014). As a result, there is little documented evidence of historical land ownership across large parts of the area. In recent times, a new generation with greater exposure to formal systems - particularly those connected to urban centers - have begun to leverage these advantages to access land differently. By exploiting connections with surveyors and other technical actors, some individuals are able to acquire multiple parcels of land in Gbarnga, further reinforcing patterns of inequality in land access (Hall et al., 2011; Aina et al., 2024). During the fieldwork it was revealed how elite status serves as an explicitly structural term, disconnecting it from education and linking it instead to financial resources and access to information. One study participant from the local community explained:

‘‘the most privileged are the elite - people with money and influence, and it is not about education because somebody without education but with money can still influence, and these people get information easily because others bring opportunities to them’’

This account is significant because it redefines who may constitute an elite in the context of land governance: the determining factor is not formal credentials but connectivity - the ability to attract information and opportunity. This reflects what Ostrom (2005) identifies as the gap between formal institutional design - informal networks and resource advantages determine who effectively engages institutions and who does not. Power over land in Gbarnga therefore operates through connectivity and resource networks rather than formal credentials - those who control information flows control access. This reinforces Ribot and Peluso's (2003) argument that access to land is shaped not by formal entitlement but by the authority, economic resources, and social networks through which control over land is actually exercised. This has direct implications for how land governance reforms are designed, since targeting only formally educated actors would miss a substantial portion of those who exercise gatekeeping power over customary land. Those with access to information and financial networks often take advantage of customary land systems in Gbarnga, and are aware that much of the customary land was never formally registered or documented during earlier traditional periods. Elites have direct access to information about land, especially land that is not documented. Most land in Gbarnga remains undocumented due to traditional practices.

Gatekeeping, as described by interview respondents, operates primarily at the level of technical knowledge and procedural authority. Surveyors occupy a critical position in the land administration process for several interconnected reasons. First, as the only technically trained actors who physically demarcate land boundaries on the ground, they possess specialized knowledge that neither customary communities nor statutory institutions can independently verify or replicate. Second, their repeated presence in communities over time builds social trust and familiarity, giving them privileged access to both documented and undocumented land information that outside actors cannot easily obtain. Third, because land formalization under the LRA 2018 legally requires surveying as a mandatory procedural step, surveyors become institutional gatekeepers - controlling the entry point through which customary land claims must pass to achieve statutory recognition. As one participant indicated:

"they have more knowledge and can change land information ...they change land deeds in ways that are not always visible within formal governance frameworks."

Surveyors may convert information asymmetry into land access advantage by exploiting their knowledge of undocumented customary land. In some cases, this involves producing falsified documentation that turns such land into legally transferable property, enabling elite capture while remaining largely invisible within formal governance frameworks. This finding rests primarily on testimony from a single institutional participant and should therefore be read as indicative rather than definitive - pointing to a pattern that warrants further empirical investigation rather than establishing surveyor manipulation as a comprehensively documented governance feature. As Bixler et al. (2015) argue, dominant actors do not simply break rules - they selectively invoke and manipulate institutional frameworks to advance their interest. In Gbarnga, surveyors exploit their position at the interface of customary and statutory systems by producing such documentation. This reflects structural power - not merely the power to acquire land, but the power to control the terms on which land claims are made and challenged, leaving communities unable to contest ownership even when it is established through falsified documentation.

This observation suggests a mechanism that the preceding narrative described in general terms but had not yet grounded in a specific actor. It is surveyors, not politicians or chiefs, who serve as the operational actors through whom information asymmetry is converted into land access advantage. The analysis suggests, however, that surveyors are not the only actors through whom elite land capture operates. Lawyers who handle land documentation and judges who adjudicate disputes may be equally implicated in facilitating elite capture - yet these actors fall outside the empirical scope of this study. The focus on surveyors therefore reflects the boundaries of what this study's participant identified rather than a claim that surveyors are the sole or primary gatekeepers in Liberia's land governance system. This reflects what Ribot & Peluso (2003) describe as access through knowledge and technology - the ability to control technical information becomes itself a form of power, enabling surveyors to determine whose land claims are formalized and whose are not, entirely outside the visibility of formal governance frameworks. This reflects what Ostrom (2005) identifies as the gap between formal institutional design and rules-in-use. Surveyors operate within formally sanctioned processes yet exploit them in ways the formal framework neither anticipates nor controls. Their invisibility within formal frameworks makes them particularly

difficult to hold accountable. This raises a question the study cannot fully resolve - why the LRA, as the statutory body responsible for overseeing land registration, fails to detect or prevent such manipulation? This suggests weak institutional oversight capacity rather than deliberate complicity, though the boundary between the two remains analytically unclear within this study's empirical scope.

Surveying process is often controlled by sellers and their preferred surveyors, leading to a lack of transparency that further increases the financial and procedural barriers faced by communities. In some cases, when surveyors identify that nearby land is undocumented and held through customary systems, they contact buyers so that the land can be sold. Surveyors may produce falsified documents claiming that the land was acquired years earlier, and customary communities often struggle to challenge such claims, as traditional systems do not always provide formal mechanisms to prove ownership. Elites and surveyors who exploit customary systems often approach communities through elders to survey land they claim to have acquired through family inheritance or third party. This practice may result in multiple individuals repeatedly claiming ownership of the same parcels of land. This dynamic reflects how access to land is shaped by control over knowledge, technology, and expertise (Chowdhury et al., 2019). It also illustrates how power and information asymmetries between local communities, elites, and surveyors continue to determine land governance outcomes (Lund, 2016; Amanor, 2009). The richness of customary land in Liberia and its undocumented history has long shaped how both statutory and customary systems have intersected and worked together (Entwistle & Nyantakyi-Frimpong, 2025). These asymmetries enabling privileged actors to access information, opportunities, and decision-making spaces while local community members continue to be excluded from control over their customary land.

5.3 Socio-Cultural Norms and Gender Exclusion

Women in Gbarnga have formal ownership rights under the LRA 2018 but lack access because they face traditional punishments for seeking statutory recourse, financial exclusion from legal processes, and a lack of institutional support to enforce their rights in practice. As Ribot & Peluso (2003) argue, access to land extends beyond formal rights. In Gbarnga, women's exclusion may reveal that formal ownership under the LRA 2018 is insufficient without freedom from customary

punishment, financial resources to pursue legal processes, and institutional support to enforce those rights in practice.

Cultural norms and gender exclusion represent a key dimension of how customary and statutory systems intersect in Gbarnga. Customary norms reinforce the exclusion of women from participation in land governance, limiting their access to land and their voice in land-related decision-making processes (Global Witness, 2019; Liberian Observer, 2023). During the fieldwork it was observed that effective land governance in Gbarnga must integrate legal recognition with social legitimacy, respect for cultural and traditional practices, and strong consideration of women's participation in land governance. Traditional leaders administer land to males through customary norms and lineage-based systems that systematically exclude women (Knight, 2010; Ribot et al., 2008). These patterns are not unique to Liberia: Benschop (2004) and Lastarria-Cornhiel et al. (2014) demonstrate that women's access to land is frequently mediated through male relatives, with inheritance and ownership constrained by prevailing social norms. These practices significantly restrict how women use land: women engaged in farming are frequently required to seek permission to use land and to surrender a portion of their harvest to the landowner, which ultimately lowers agricultural production carried out predominantly by women. Prevailing customs in Gbarnga treat women's exclusion from land-related decision-making as deeply normative: traditional leaders are perceived as custodians of land and authority, and land discussions are typically conducted in settings that consistently exclude women.

This exclusion may be tied to traditional beliefs surrounding marriage. In many rural communities in Gbarnga, women have historically been excluded from land ownership and decision-making on the basis that they would marry and leave the community, meaning that land allocated to a woman risked being transferred outside the family or lineage. When a man marries from another community, the woman moves to the man's community and becomes part of his family. Traditions therefore strongly hold that women should not own land in their place of birth. In contrast, men are widely permitted to marry and bring their wives into their communities, enabling them to own land without the expectation of sharing usage rights with women. These norms affect how customary and statutory land governance systems intersect and reinforce one another, creating overlapping conflicts that directly affect the implementation of the LRA 2018 (Entwistle & Nyantakyi-Frimpong, 2025).

The persistence of women's exclusion is further reinforced by social controls that actively discourage women from seeking statutory recourse. Despite the LRA 2018 - which enforces the full participation of women in land governance and their rights to own land - customary authorities continue to warn women in local communities not to disclose their exclusion from land governance decision-making to any statutory institution, NGO, or researcher. One participant described the nature of these enforcement mechanisms:

"women in this community are not allowed to communicate with anyone on matters of land rights.... when we do, there are traditional punishments - sometimes we are not allowed to farm for years or more."

Customary authorities in Gbarnga exercise structural power not only by excluding women from land ownership but also by limiting women's ability to access the statutory and civil society channels through which their formal rights could be protected, thereby ensuring that the gap between formal ownership and practical access remains closed off from challenge. This reflects what Helmke & Levitsky (2012) identified as informal institutions at their most consequential - operating entirely outside officially sanctioned channels yet more powerfully enforced than any statutory provision. The threat of traditional punishment ensures that formal rights guaranteed by the LRA 2018 remain inaccessible in practice, as the cost of claiming them exceeds what most women can bear. This reveals the limits of complementarity as a description of how these systems interact when women's rights are at stake. A more complete picture requires acknowledging, however, that women's exclusion may not operate solely through external enforcement. Some women may actively uphold customary land norms as protectors of lineage heritage - where exclusion is partly self-reinforcing through internalized norms rather than purely imposed from outside. This complexity does not diminish the structural character of women's exclusion but suggests that addressing it requires cultural engagement alongside legal and institutional reform.

This testimony suggests how customary enforcement mechanisms may limit the exercise of rights formally guaranteed by statutory law - though the extent to which such practices are uniformly applied across all customary communities in Gbarnga cannot be established from a single account. It should be noted that this account derives from a single participant's testimony and cannot be taken as representative of all customary communities in Gbarnga. However, its alignment with women's exclusion documented in existing literature on customary land governance in Liberia - particularly Benschop (2004) and Lastarria-Cornhiel et al. (2014) - suggests that this reflects a

wider structural condition rather than an isolated incident. Women who seek statutory support risk facing traditional punishments that carry severe economic and social consequences - including loss of farming rights and social isolation - making the formal exercise of their legal rights excessively costly in practice. Women continue to live under these traditional threats. Their land rights are compromised by traditional punishments, and many have become accustomed to this way of life. Even in families with both a son and a daughter, inheritance practices remain governed by male lineage, as the potential integration of daughters into other lineages through marriage is perceived as a threat to family or community land continuity. When women do challenge customary authority in court, they often do so with no intention of returning to the village, to avoid the threat of traditional punishment, and sometimes sell the property and relocate permanently to urban areas. This is contributing to depopulation in some rural communities, as more women seek the protection of statutory laws that uphold their rights to land ownership.

Across all three sections, the consistent pattern is that actors with access to political influence, financial resources, and technical knowledge are able to shape land governance outcomes in their favor, while communities lacking these resources are systematically excluded from controlling, protecting, and benefiting from their own customary land. The intersection of customary and statutory systems in Gbarnga does not produce a stable or equal partnership. Instead, it produces a governance landscape in which customary authority is systematically undermined through appointed chiefs, concessions bypassing community input, and surveyor gatekeeping. Communities lose control over their customary land, women lose practical access to formal ownership rights, and the cultural norms that bind communities to their land are eroded. Equitable access to land in Gbarnga is undermined by three interlocking factors. Politically, the presidential appointment of chiefs shifts customary authority toward state interests. Institutionally, the CLDMC is unable to bridge customary and statutory systems when central government concessions bypass community input. Socio-culturally, socialization mechanisms like the Boro society reproduce customary norms across generations, ensuring women and marginalized groups remain excluded from land governance in practice.

6. Summary and Final Discussion

6.1 Summary of Key Findings

This study examined how customary and statutory land governance systems intersect in shaping land governance in post-conflict Liberia, using Gbarnga City as a qualitative case study. Three key findings emerged. First, the Community Land Development and Management Committee (CLDMC) - a bridging institution introduced under the Land Rights Act of 2018 - facilitates coordination between both systems in everyday land matters. However, this complementarity breaks down when centrally granted concessions bypass community participation, exposing a jurisdictional gap the CLDMC has no power to close. Second, land allocation is systematically shaped by elite capture: the presidential appointment of chiefs redirects customary accountability toward the state, surveyors exploit information asymmetries through falsified documentation, and communities lack the financial resources to contest these arrangements in court. Third, despite formal recognition under the LRA 2018, women remain structurally excluded from land ownership and governance through customary enforcement mechanisms, financial exclusion from legal processes, and the absence of institutional support. A persistent legitimacy gap further underpins all three findings: customary institutions are perceived as more accessible and trustworthy than state institutions, reproduced through generational socialization processes - such as the Boro society - that statutory frameworks have not been able to displace. Taken together, the findings indicate that legal pluralism in Gbarnga consistently advantages those with political connections, financial resources, and institutional access, while communities, women, and marginalized groups bear the cost.

On the first research question - *how customary and statutory systems interact in land administration and dispute resolution* - interaction is contextually variable. The CLDMC enables practical complementarity in everyday governance, but produces institutional incompatibility when concession decisions made in Monrovia bypass community input. This study suggests that communities prefer customary dispute resolution, which remains more accessible and socially legitimate than formal courts. Legal pluralism in Gbarnga therefore produces governance outcomes shaped by context, with coordination possible in everyday matters but structural incompatibility emerging wherever central statutory authority bypasses community-level institutions.

On the second question - *how political authority and elite capture influence land allocation* - capture operates through three interlocking mechanisms: the presidential appointment of chiefs hollows out customary accountability from within; centrally granted concessions assert statutory supremacy without community participation; and surveyors convert information asymmetries into land access advantage through falsified documentation. Financial exclusion from legal processes ensures communities cannot challenge these arrangements even when they are aware of them. Elite capture is therefore not incidental but structurally embedded in land governance in Gbarnga.

On the third question - *to what extent socio-cultural norms limit women's access despite formal recognition under the LRA 2018* - women's exclusion is substantial and structurally reproduced. Three barriers prevent the exercise of formally recognized rights: customary enforcement mechanisms including traditional punishments for seeking statutory recourse; financial exclusion from legal processes; and the absence of institutional support. Taken together, these barriers mean that the formal rights the LRA 2018 guarantees women remain rights on paper rather than rights in practice - a gap that legal reform alone, without addressing the structural conditions that reproduce exclusion, cannot close.

6.2 Discussion

The three findings converge on a single overarching conclusion: land governance in Gbarnga is structurally undermined not by the absence of formal legal provisions but by the persistence of power relations, institutional gaps, and socio-cultural norms that determine who benefits from those provisions in practice. At the global level, the findings confirm Cotula's (2012) argument that effective land governance requires social legitimacy, accountability, and meaningful participation beyond formal legal frameworks. These findings carry direct implications for SDG 10 (reduced inequalities) and SDG 16 (peaceful, just, and inclusive institutions), which cannot be realized where governance arrangements systematically advantage the already powerful. At the African level, the findings confirm Ribot et al. (2008) caution that decentralization transfers authority without ensuring accountability, and extend Knight's (2010) framework by demonstrating that restitution, reconciliation, and institutional strengthening are not sequentially achievable goals but ongoing contested processes. At the Liberian level, the findings confirm Yeakula & Williams (2018), Gobewole (2016b), Howard & Faal (2018), and Platteau (1996) - all of whom anticipated that formalization and post-war reform would be neutralized by elite capture,

political interference, and weak institutional capacity. While alternative explanations - cultural attachment to customary systems, economic poverty, and individual opportunism - cannot be dismissed, the structural consistency of these patterns across all three thematic sections makes power relations, institutional gaps, and socio-cultural norms the most analytically defensible account. Academically, the study makes two distinct contributions. Theoretically, it demonstrates that neither institutional theory nor political ecology, applied in isolation, is sufficient to explain how governance outcomes are produced in post-conflict peri-urban settings. Institutional theory reveals how formal and informal rules interact and diverge; political ecology reveals how power determines who benefits from those rules in practice. Applied together, they expose a dynamic that neither framework alone can capture: formal institutional design creates the architecture of inclusion, while power relations - operating through political authority, elite capture, and socio-cultural enforcement - systematically determine who accesses that architecture in practice. This combined application, demonstrated empirically in Gbarnga, is what the existing literature on post-conflict land governance in sub-Saharan Africa has theorized but not yet observed, extending institutional theory and political ecology into a setting where their combined application has not previously been demonstrated. Practically, the study demonstrates that the implementation gap between the LRA 2018 and lived community experience is not a technical problem of policy design but a political problem of power and accountability - one that requires confronting the structural conditions through which power operates, not merely refining the legal provisions through which inclusion is promised.

6.2.1 Implications for Land Governance and Future Research

The findings carry three immediate implications for reform. First, the presidential appointment of chiefs requires reconsideration: restoring chiefs' election would strengthen customary accountability and reduce vulnerability to political capture. Second, the CLDMC requires jurisdictional strengthening so that concession decisions cannot bypass community participation. Third, women's access requires not only formal legal recognition but financial support for legal processes and protection from customary enforcement mechanisms that suppress the exercise of statutory rights. Future research should address three gaps this study could not fill. First, the land governance experiences of youth - who constitute approximately 75% of Liberia's population (GOL, 2019; LISGIS, 2022) and are formally recognized under the LRA 2018 yet fall outside the

empirical scope of this study - warrant dedicated empirical focus. Second, comparative analysis across multiple peri-urban sites in Liberia is needed to test whether Gbarnga's patterns reflect broader national dynamics. Third, the role of surveyors as institutional gatekeepers requires further investigation, including the regulatory frameworks and oversight mechanisms that currently fail to constrain their gatekeeping function.

As Knight (2010) and Boone (2014) document across post-conflict African contexts, unresolved land disputes serve as fault lines along which grievances remobilize - making land governance a foundational condition for durable peace, not only a development priority. Beyond Liberia, the findings carry significance for the wider post-conflict African land governance context. The dynamics observed in Gbarnga - elite capture of decentralized institutions, customary authority redirected toward state interests, and women's formal rights hollowed out by socio-cultural enforcement - are not unique to Liberia. They are structural features of post-conflict land governance that recur across the region wherever legal pluralism operates in conditions of weak institutional capacity and unresolved historical land claims. What makes Gbarnga analytically significant is not its exceptionalism but its legibility: the qualitative depth of this case makes visible the mechanisms through which power operates in governance settings that aggregate quantitative data cannot access. The findings therefore speak not only to Liberia's LRA 2018 but to the broader challenges facing post-conflict states across sub-Saharan Africa that have pursued legal reform without addressing the structural conditions that determine whether those reforms benefit the communities they are designed to serve.

6.2.2 Reflections on the Research Process

The qualitative case study approach combining semi-structured interviews with document analysis was well-suited to explore land governance dynamics in Gbarnga. Though the modest sample of nine interviews limits the transferability of the findings, particularly regarding women's perspectives. My positionality as a Liberian researcher with prior ForumCiv fieldwork experience strengthened cultural familiarity and access but created risks of shared assumptions remaining unquestioned; sustained reflexivity mitigated but could not fully eliminate this risk. These limitations are part of the interpretive context within which the findings were produced, and transparency about them strengthens rather than weakens the integrity of the research.

Reflecting on the findings more critically, the question of chief appointment deserves deeper scrutiny than the analysis alone could provide. Article 56(b) of the 1986 Liberian constitution is unambiguous: it mandates that paramount, clan and town chiefs shall be elected by registered voters in their respective localities for a term of six years. Presidential appointment of chiefs is therefore not merely poor governance practice - it is a direct violation of the constitution. This raises a fundamental question that the study could only partially answer: why has a provision so clearly stated in the constitution gone unenforced for decades? The most analytically defensible explanation suggests that appointment serves presidential interests - it extends the reach of central political authority into customary governance without formally abolishing it, ensuring that chiefs remain accountable to the state rather than to their communities. The continuation of presidential appointment in the face of a clear constitutional mandate for election is therefore not an oversight or a legal gap - it is arguably a deliberate political choice. One that keeps customary land governance within the orbit of state control and raises serious questions about whether and where corruption may be operating in this arrangement. Yet enforcing constitutional elections of chiefs - while constitutionally required - is not without its own complications, and this requires honest reflection. Many rural communities in Gbarnga have low literacy rates, with a significant proportion of residents have limited or no formal education (LISGIS, 2022). This raises difficult questions: are chiefs and community residents literate and civically informed enough to make sound electoral decisions? Can communities critically evaluate candidates, resist patronage pressures, and hold elected chiefs accountable when the foundational conditions for meaningful democratic participation - literacy, civic education, and institutional knowledge - are largely absent? Without these foundations, community elections risk becoming exercises in which the most resourceful and politically connected candidates prevail, not the most accountable ones. The problem may therefore not be resolved simply by switching from appointment to election - it requires first investing in the civic and educational foundations that make genuine community choice possible, without which participation risks remaining symbolic rather than substantive (Cotula, 2012; Chigbu, 2022).

The persistence of unconstitutional presidential appointment also raises a broader question about political incentive and corruption. If chiefs control land allocation, and land allocation is a primary source of political patronage in Gbarnga, then it suggests that the presidency's interest in appointing chiefs is inseparable from its interest in controlling land. Appointment ensures that the

political networks through which land is distributed to elites, investors, and allies remain intact. The fact that this practice has persisted despite a clear constitutional prohibition suggests that those who benefit from it are powerful enough to ensure it continues - pointing not to institutional weakness alone, but to the active maintenance of a system in which political authority and land control reinforce one another. This suggests that land governance reform in Liberia cannot be addressed in isolation from the political economy of patronage that sustains it - a dimension that this study illuminated empirically but could not fully resolve analytically, and that future research must address directly.

The study presents the CLDMC as a bridging institution facilitating coordination between customary and statutory systems, but a more critical reflection reveals an important question: to what extent does the CLDMC's functioning depend on continued external donor support rather than self-sustaining community legitimacy? If the institution was designed and resourced through international development partnerships rather than emerging organically from community governance needs, then its bridging function may be more fragile than the findings suggest. The withdrawal of donor funding could render the CLDMC ineffective precisely at the moment communities need it most. This raises a broader concern about externally designed governance institutions in post-conflict settings - they may produce coordination in the short term while creating dependency rather than durable institutional capacity. Future research should examine whether communities in Gbarnga experience the CLDMC as genuinely their own institution or as an externally imposed structure they engage instrumentally.

While the study identifies surveyors as critical gatekeepers in land governance - capable of converting information asymmetries into land access advantage through falsified documentation - no surveyors were interviewed. This represents a notable limitation, as their perspectives and practices could not be directly examined. Future research would benefit from including surveyors as primary respondents. Interviewing surveyors directly would have allowed the study to examine whether gatekeeping practices are individually opportunistic or structurally normalized within the profession, and whether surveyors themselves experience institutional pressures that make manipulation rational or even expected. Their absence from the sample means the study can identify the phenomenon but cannot explain its internal logic - a limitation that future research

must address by deliberately including technical actors such as surveyors, lawyers, and land court judges whose gatekeeping roles remain largely invisible within formal governance frameworks.

6.3 Policy Implications

The findings of this study suggest several interconnected areas where reform is both necessary and urgent. These recommendations are not abstract policy proposals - they emerge directly from Gbarnga and are organized around three core themes: institutional reform, addressing elite capture and access to justice, and strengthening women's land rights in practice.

On institutional reform, the most fundamental change required is the restoration of community election of chiefs in line with Article 56(b) of the 1986 Liberian Constitution, which has been systematically violated through decades of presidential appointment. Restoring elected chieftaincy must, however, be accompanied by investment in civic education, transparent and independently monitored nomination processes, and community oversight structures - without which elections risk reproducing the same accountability deficits they are intended to resolve. Alongside this, the CLDMC requires meaningful jurisdictional strengthening so that concession decisions cannot bypass community participation. The current arrangement, in which concessions are granted from Monrovia without engaging community-level institutions, renders the CLDMC structurally ineffective in the governance contests that matter most. Mandating documented and verified community consent - not merely notification - as a legal precondition for any concession over customary land would close this jurisdictional gap and give the CLDMC the authority its bridging function requires.

On elite capture and access to justice, the findings suggest that formal legal remedies are structurally inaccessible to the communities that most need them. Establishing a government or donor-funded land dispute resolution mechanism to cover legal costs for customary communities would reduce the financial exclusion through which elite capture is currently sustained and defended in court. Equally important is the reform of surveyor oversight - professional regulatory frameworks must be strengthened to prevent falsified documentation, and surveyors must be made accountable to independent oversight bodies rather than operating invisibly at the interface of customary and statutory systems. A systematic community-led process to archive oral land histories would further reduce the undocumented tenure gaps that elites and surveyors currently

exploit, providing communities with an evidentiary foundation through which their customary claims can be protected and defended.

On women's land rights, the gap between formal entitlement under the LRA 2018 and lived access on the ground cannot be closed through legal reform alone. Dedicated legal aid funds, institutional protection from traditional punishments for women who seek statutory recourse, and gender-sensitive implementation guidelines that give the LRA 2018's gender provisions genuine enforcement are all required. These measures must be complemented by community education on the LRA 2018, delivered in partnership with customary authorities and adapted to low-literacy contexts - recognizing that laws change faster than people's understanding and trust, and that statutory reform can only achieve inclusive outcomes where communities are equipped to engage with it meaningfully.

Taken together, these recommendations reflect the central argument of this study: that land governance reform in Liberia requires not only progressive legislation but the structural, institutional, and social conditions through which legislation can be made to work for those it is designed to serve. The distance between what the LRA 2018 promises and what communities in Gbarnga experience is not a legal gap - it is a power gap, and it is that gap which these recommendations seek to address.

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