

Colonial rule and the power of chiefs over land resources

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Abstract

Property rights over land—a pivotal asset in developing countries—exhibit significant variations across economies. Nonetheless, the causes for such variations remain open empirical questions. We focus on colonial rule, as Africa’s colonial history suggests that British rule may have entrenched the power of chiefs over land resources. Using micro-data, we find that chiefs in anglophone countries have greater authority in land allocation than their francophone counterparts. This result holds across various specifications, including discontinuity analysis focusing on observations near anglophone–francophone borders. This effect increases with the intensity of British indirect rule and with the formal recognition of chieftaincy by postcolonial states. The findings highlight the enduring impact of colonial rule on contemporary land institutions.

Keywords: colonial origins; customary land tenure; land property rights.

JEL Classification: H1, K4, N5, O1

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1. Introduction

Land is a vital production input and a source of wealth in many developing countries, where agriculture plays a dominant role in the economy. Land property rights are thus crucial for development (Holden et al., 2009; Besley and Ghatak, 2010). Land ownership rights are governed by complex structures that vary across economies. A commonly prevalent case in many agricultural communities is “customary land tenures,” in which land claims are primarily governed by local chiefs rather than the state. Ownership rights tend to be communal and—although use and inheritance rights could be protected well—rights to rent, sale or use of one’s land as collateral are generally limited (Platteau, 1996; Gottlieb and Grobovšek, 2018).

The question of why many societies retain such customary land tenures remains a subject of much debate in the literature. Beginning with the classic study by Demsetz (1967), a strand of the literature seeks to rationalize existing ownership systems as optimal reactions by communities, such as maximizing risk sharing or lowering administrative costs (Baland and Francois, 2005; Huang, 2013). A second strand of the literature explains land property rights as outcomes of political equilibria that result from historical power structures in the society, instead of the objective to optimize the overall welfare of the community (Banerjee and Iyer, 2005; Fergusson, 2013; Finley et al., 2021; Shifa and Xiao, 2022). In line with the latter strand, we focus on the legacy of colonial history. Using micro-data from anglophone

and francophone countries in Africa, we examine the role of colonial history for the control of chiefs over land resources.

The African case provides a relevant and useful context to study the role of historical legacies for the control of chiefs over land resources. First, customary tenures are widespread in contemporary Africa, where agriculture is an important source of livelihood. According to the Round 4 of Afrobarometer surveys, which are nationally representative surveys of adult populations in several African countries, over a third of respondents report local chiefs as being the primary regulators of land allocation in their community (as opposed to, for example, the government).¹

Second, African historiography suggests that colonial rule may have had a lasting legacy for the control of chiefs over land resources. An important aspect of Britain's rule in Africa was a system of indirect control called "native administration" (Mamdani, 1996; Leeson, 2005; Ali et al., 2019, 2020; Müller-Crepon, 2020). Under this system of rule, "native rulers" (chiefs) were subdued by the British and used to indirectly control the population (Lugard, 1922). The chiefs were expected to maintain order in their jurisdiction and collect taxes. In return, Britain provided protection to the chiefs' control and allowed them significant autonomy in matters of local administration and resource allocation (Acemoglu et al., 2014).

Thus, for Britain, this symbiotic relationship with the chiefs helped minimize the administrative cost of controlling local populations. This indirect rule proved beneficial also for chiefs since, backed by the British colonial army,

they gained increased empowerment over their local populations. Chiefs were granted substantial autonomy to appoint subchiefs, collect taxes, and control the judiciary. A key aspect of chiefs' authority was land allocation. Land was regarded as a communal resource, and chiefs held the ultimate legal authority to allocate plots among their subjects, thus consolidating their dominance over this vital asset (Feder and Noronha, 1987).

In comparison, many scholars of African colonial history note that the French rule did not vest as much power in chiefs as that of Britain's native administration, neither in matters of general administration nor in land allocation (Crowder and Ikime, 1970; Lange, 2004). While there was "a minimal undermining of the traditional sources" of the chiefs' authority under British rule, France's policy was "the progressive suppression of the chiefs and the parceling out of their authority" (Crowder 1964, p. 199). The native administration is thus argued to have entrenched the control of land resources by chiefs (Amanor, 2012; Mwanza and Capps, 2015). Feder and Noronha (1987), for example, contend that the consequence of British native rule "was to raise the status of chief" and that "chiefs were quick to exploit their position to establish or strengthen their control over land" (p. 149).

The effect of colonial rule on Africa's contemporary land institutions remains a subject of much debate, warranting empirical investigation. On the one hand, many scholars argue that the different role of chiefs in British and French colonies may have a persistent effect on contemporary institutions (see, e.g., Neupert-Wentz and Müller-Crepon 2024). For example, Wily

(2011) notes that “the national law status of customary land rights today builds directly upon colonial constructions” (p. 741). Firmin-Sellers (2000) argues that the differences in farm consolidation between present-day Côte d’Ivoire and Ghana have resulted from the differences in British and French colonial land policies. Chanock (1991) blames the greater control of land resources by chiefs under the colonial state for impeding the “development of individual land tenure” (p. 88). In contrast, many scholars question the overall legacy of colonial rule, particularly the effectiveness of formal laws, citing the state’s limited effectiveness in rural Africa (Herbst, 2000; Bubb, 2013; Michalopoulos and Papaioannou, 2014).

In our empirical examination of the relationship between the identity of colonizers and the control chiefs over land resources, we source our dependent variable from the Afrobarometer surveys in anglophone and francophone countries across sub-Saharan Africa. The surveys provide information on a representative sample of adult respondents in a number of African countries. Importantly, Round 4 of the surveys asks respondents to choose—among agents such as chiefs, local government, and the central state—the one that is primarily responsible for land allocation in their community. Respondent responses to this survey question constitute our indicator for the power of chiefs over land resources.

We find a robust association between British rule and the contemporary role of chiefs in land allocation. The likelihood that chiefs (as opposed to, for example, the government) are in charge of land allocation is higher in

anglophone countries, as compared to francophone countries. While it is undoubtedly challenging to establish causal effects when estimating historical impacts of this nature, we implement a variety of strategies to address endogeneity concerns. The result holds when controlling for individual-level socioeconomic factors, as well as ethnic-level geopolitical and historical variables.

We also implement regression discontinuity (RD) analysis by focusing on observations located close to national borders between a sample of anglophone and francophone countries in West Africa, specially focusing on historical homelands that were split across countries. The RD analysis helps address the concern that the observed empirical patterns could be driven by a systematic relationship between the colonizer's identity and the nature of precolonial institutions. This is particularly important, because land institutions varied across places during precolonial times and those differences could persist to the present day. The RD results also show a similar pattern: on the anglophone side of the border, as compared to the francophone side, chiefs are more likely to be in charge of land allocation.

The connection between colonial experiences from a century ago and contemporary institutions is a complex one, shaped by both precolonial conditions and subsequent responses of local actors (Austin, 2008). Through further empirical exploration, we identify three patterns that shade some light on this complexity.²

First, we find that regions with greater state centralization in precolonial times, which facilitated more effective indirect colonial control, now exhibit stronger land control by chiefs. Second, while chieftaincy is often viewed as an ethnic institution rooted in cultural norms, we find no evidence that anglophone chiefs' stronger influence is confined to their ethnic groups. The observed impact of British colonial rule is predominantly seen in countries where the chieftaincy is enshrined in postcolonial national constitutions. Lastly, mechanisms underscored in the legal origins hypothesis do not explain these results. These findings underscore how historical initial conditions, combined with subsequent changes and local responses, may have shaped present-day institutions.

Section 2 describes the data. We present benchmark results in Section 3. Sections 4 present results from discontinuity analysis. In Section 5, we explore potential mechanisms for the observed effect of British rule. We conclude in Section 6.

2. Data on the role of chiefs in land allocation

Our outcome variable is sourced from Afrobarometer surveys, which provide individual-level political and socioeconomic information on a representative sample of adult citizens in a number of African countries. Round 4 of these surveys is particularly useful for our study since this round provides data

on chiefs' roles in land allocation. The surveys were carried out during 2008 and covered over 19,000 respondents from 11 anglophone and 5 francophone countries. Respondents were asked about the power of various agents in allocating land in their community. Figure 1 displays a map of the countries in our sample. Respondents were asked to select, among the following options, the agent who is primarily in charge of the allocation of land: (1) central government, (2) local government, or (3) traditional leaders (chiefs).

Figure 1 about here

Table 1 provides an overview of the role in land allocation of these three agents. The first row presents the share of respondents who reported that the central government is responsible for land allocation. The second and third rows, respectively, report the share of those who responded that local government and traditional leaders are in charge of land allocation. These shares are reported for the whole sample, as well as separately for anglophone and francophone respondents.

Table 1 about here

As can be seen from Column [1], 30% of the respondents report that traditional leaders are in charge of land allocation, indicating a substantial role of chiefs in the allocation of this vital resource. Among the anglophone

sample, the share of respondents who report that chiefs are in charge (34%) is larger than those who report that either the central government (27%) or local government (32%) is in charge. Chiefs are also important in francophone countries, as 20% of the respondents report chiefs to be in charge of land allocation. However, this share is notably larger in anglophone countries as compared to francophone ones (34% versus 20%).

In the empirical analysis to follow, our dependent variable is constructed from this survey question and indicates whether the respondent cites traditional leaders to be in charge of land allocation.

3. Baseline regression results

We use the following regression equation as our baseline specification:

$$ChiefLand_i = \beta * Anglophone_i + \mathbf{X}_i + \epsilon_i.$$

The outcome variable, *ChiefLand*, is a binary indicator for whether the respondent cited traditional leaders to be in charge of land allocation: *ChiefLand* equals 1 if the respondent chose option (3), and 0 otherwise. The subscript *i* indexes the respondent. *Anglophone* is a dummy for whether the respondent is from an anglophone country (as opposed to a francophone country), \mathbf{X} is a vector of controls, and ϵ is the error term. The controls will be discussed as they are introduced in the reported results. We also provide detailed descrip-

tion of the construction of our controls and the data sources in the online appendix. Our coefficient of interest is β , which captures the difference between anglophone and francophone countries with respect to the role of chiefs in land allocation, as measured by the outcome variable *ChiefLand*. In all of the regressions, standard errors are clustered at the country-ethnicity level.

Table 2 about here

Table 2 reports estimated results using all of the observations in our sample. We report results from OLS regressions. Results from probit and logit models are qualitatively identical with that of the OLS estimates.³ Column [1] includes no controls; hence, the coefficient corresponds to a simple mean difference between francophone and anglophone countries with respect to the likelihood that chiefs are in charge of land allocation. Columns [2] through [4] include various controls that account for historical, geographic, and contemporary factors. The order with which we introduce the controls is not found to affect the results.

Column [2] includes controls to account for variations in individual characteristics of respondents. Differences in socioeconomic background of individuals could affect their access to government services. For example, those with higher wealth and/or education could be better positioned to receive services from the government. In contrast, constrained by limited financial resources and information, individuals with lower wealth/education could in-

stead approach traditional leaders on matters of public services, including land allocation. To account for such differences in respondents' backgrounds, column [2] includes several controls at individual level. These include dummies for education level, an indicator for gender, dummies for religion, controls for age and age squared, three indicators for asset ownership (one each for TV, radio and car), and a dummy for employment status. All of these controls are constructed using the information provided by the Afrobarometer surveys.

Given that traditional leaders commonly function within institutional frameworks organized along ethnic lines, the sway of traditional chiefs may also be contingent on variables that impact entire ethnic communities. Hence, we utilize ethnic-level data to account for geopolitical and historical factors that could potentially affect ethnic institutions. To this end, we locate the historical homeland of each ethnic group using the ethnolinguistic map based on Murdock (1959). The map identifies the areas that were historically inhabited by each ethnic group. Figure 2 displays the ethnic homelands projected over the countries in our sample. In order to merge the ethnic-level data with that of the individual-level data from Afrobarometer survey, we utilize the ethnolinguistic map and GPS data on the location of survey respondents.⁴

Columns [3] and [4] include controls for several ethnic-level factors which could potentially affect the role of traditional leaders. Column [3] focuses on historical factors, covering both precolonial and colonial times. Thus, they are meant to account for the possibility that the colonizer's identity could

be correlated with both precolonial and colonial experiences that might confound the role of chiefs. For instance, higher levels of past political centralization could have a persistent effect on contemporary levels of centralization (Herbst, 2000). Using data from Murdock (1967), we thus include four dummies to control for the level of precolonial jurisdictional hierarchies of each ethnic homeland.

We account for exposure to the slave trade, which may have undermined state centralization, by controlling for the number of slaves exported per ethnic group, normalized by the size of its historical homeland (Nunn, 2008; Nunn and Wantchekon, 2011; Whatley, 2022). Since the effect of historical levels of development and past investments could persist over the long run (Dell and Olken, 2017), we include a control for precolonial levels of urbanization (in 1800), as well as a control for colonial investments in railways. European contact may affect cultural values; for example, missionary activities appear to have undermined traditional values and the role of chiefs (Okoye, 2021). We control for this by including a dummy for whether the ethnic homeland had contact with precolonial European explorers and another control for the number of missionary stations established by Europeans in the ethnic homeland.

In column [4], we control for geographic and contemporary factors that may affect the role of traditional leaders relative to the state. Since areas near the capital tend to have a stronger presence of the central government, we control for distance to the capital from each ethnic group's historical home-

land.⁵ Additionally, as economic development is often linked to a stronger formal sector (Besley and Persson, 2011), we control for local development using nighttime light density within the historical homelands.⁶ Since this measure is constructed at local levels (i.e., ethnic homeland levels), it helps capture economic development variations across sub-national units, which is important in Africa where the state’s reach is limited (Herbst, 2000; Michalopoulos and Papaioannou, 2013; Cogneau et al., 2021).

According to the estimated coefficient in Table 2, chiefs are significantly more likely to be reported as having authority over land allocation in anglophone nations than in francophone countries. The estimates vary within a range of 12 and 20 percentage points. As shown in Table 1, the share of francophone respondents who report chiefs to be in charge of land allocation is 21%. Thus, compared to this baseline figure, the difference of 12–20 percentage points signifies a substantial increase, ranging from 50% to 100% of the mean value. This result remains robust as we expand the set of controls. The coefficient remains statistically significant, and the magnitude shows no sign of decreasing, suggesting that the observed relationship between British rule and the chiefs’ role in land allocation is unlikely to be driven by differences in the covariates.

Table 3 about here

In Table 3, we focus on addressing potential biases that may arise from regional disparities, as francophone countries are located in West Africa while many anglophone countries are in East and Southern Africa. Hence, Table 3 reports results for respondents in western Africa, excluding those from southern and eastern Africa. The number of observations decreases by nearly two-thirds (from $\approx 20,000$ to $\approx 7,000$). Nevertheless, the coefficient remains remarkably stable, suggesting that regional disparities are not driving the empirical patterns in the prior regressions.

4. Results from regression discontinuity

Whether the observed relationship between identity of the colonizer and the role of chiefs is due to differences in colonial origins, instead of being driven by precolonial factors, is a natural concern. In imposing indirect rule, colonial powers had to take into account preexisting local power structures, whose persistent impact could be quite strong in contemporary Africa (Gennaioli and Rainer, 2007; Michalopoulos and Papaioannou, 2014; Bolt and Gardner, 2020). So far, we have attempted to address this concern by including several ethnicity-level controls.

We now present further results focusing on observations near national borders which are shared between francophone and anglophone countries. This approach of comparing the border areas in West Africa to study the legacy of French and British rule has its earliest predecessors in the qualitative studies by scholars of African colonialism (Asiwaju, 1970; Miles, 1994;

Firmin-Sellers, 2000). More recently, quantitative studies of African colonial legacy also adopted this discontinuity approach (Lee and Schultz, 2012; Cogneau and Moradi, 2014; Michalopoulos and Papaioannou, 2014; Ali et al., 2019, 2020).

Figure 2 about here

Underlying these discontinuity analysis is the arguably arbitrary nature of national borders that were drawn by colonizers (Michalopoulos and Papaioannou, 2016). The postindependence African states inherited their borders and, seeking to avoid conflict among themselves over the redrawing of national borders, have mostly retained the colonial borders until the present. A peculiar consequence of African national borders is that many ethnic homelands were partitioned into different countries. As a result, communities that once belonged to similar cultural and political units ended up splitting into separate postcolonial states. It is worth noting that recent evidence suggests that African national borders might be less arbitrary than commonly assumed as, for example, natural features like rivers served as focal points in border demarcations (Paine et al., 2024). With this precaution in mind, our cross-border comparison—particularly of observations residing in ethnic homelands split across countries and thus shared similar precolonial institutions—offers variation that is plausibly exogenous to preexisting differences in property rights institutions.

Of the 16 countries in our sample, four countries in West Africa—namely, Benin, Burkina Faso, Ghana, and Nigeria—have borders that lie between francophone and anglophone territories. By focusing on observations near these borders, we therefore exploit the discontinuity in colonial status to undertake our discontinuity analysis.

Table 4 about here

Table 4 presents results in which we restrict the sample to respondents residing in ethnic homelands that were *partitioned* across the national borders. By limiting our sample only to partitioned ethnic homelands, we therefore focus on areas with comparable cultural and institutional features in precolonial times. This helps minimize the concern that the correlation between the identity of the colonizer and land allocation could be driven by precolonial institutional differences between anglophone and francophone countries.

As a benchmark comparison, column [1] presents the estimated coefficient using all observations from countries included in the RD sample (that is, Benin, Burkina Faso, Ghana, and Nigeria). There are 5,051 observations in these countries, constituting about a quarter of the whole sample (about 20,000 observations). In columns [2] through [4], we report the results from respondents residing in the partitioned ethnic homelands. The sample size further decreases to just below 2,000, representing only 10% of the whole sample. Columns [2] controls for distance to border and a border dummy. We

introduce the remaining controls sequentially in subsequent columns. Column [3] includes individual controls. In Column [4], we include fixed effects for each of the historical homelands of ethnic groups.

Despite a substantial decrease in the sample size, Table 4 also shows the greater authority of chiefs over land in the anglophone side of the RD borders. The estimated coefficients in Table 4 remain similar to the earlier results from the whole sample, and are statistically significant at 1%.

Figure 3 about here

Figure 3 provides a visual display of the empirical patterns near the borders. The RD plot is useful to provide a transparent look at the data and diagnose whether the results are driven by few outliers. We plot Figure 3 using observations within 100 km of the borders. The dots indicate local averages (in 10-km bins) of *ChiefLand*, representing the share of respondents who report that chiefs are in charge of land allocation. The region to the left (right) of the center point on the x -axis include observations from francophone (anglophone) respondents. The solid fitted line describes the correlation between distance to the RD borders and *ChiefLand*. The 95% confidence intervals are marked by broken lines. The plot shows a pattern consistent with the regression results. There is a visible discontinuity at the border—chiefs' authority over land displays a distinguishable upward shift as we cross from the francophone to the anglophone side of the border.

How sensitive are the results from the discontinuity analysis? We have undertaken several robustness checks, which we report in Appendix A. We allow for a higher degree polynomial in distance by controlling for quadratic and cubic terms. This accommodates a nonlinear effect as one goes further away from the national borders (Dell, 2010).⁷ The results do not appear to be sensitive to allowing for nonlinear distance effects (Appendix Table A1).

We assessed the sensitivity of the results to bandwidth changes by varying the cutoff distance within which observations must lie from the RD borders. We report sensitivity results for five bandwidths: 60 km, 80 km, 100 km, 120 km and 140 km (Appendix Tables A1 and A2).

Note that our RD sample consists of two borders. One of them is between Nigeria and Benin, while the other one is between Ghana and Burkina Faso. We re-estimate the models separately for each—one using only observations near the Nigeria–Benin border and the other using observations near the Ghana–Burkina Faso border. The coefficients from the two samples are similar. Alternatively, we test for the differential effect of British rule in the Nigeria–Benin sample (as compared to the sample from Ghana and Burkina Faso) by including the interaction term of *Anglophone * NigeriaBenin*. The variable *NigeriaBenin* is a dummy for whether the observation is from Nigeria or Benin (as opposed to Ghana or Burkina Faso). With a fairly high precision, the coefficient on this interaction term is estimated to be statistically indistinguishable from zero, implying that the effect is similar on both borders (Appendix Table 3).

5. Potential mechanisms

Having documented a robust empirical pattern showing the greater power of anglophone chiefs in land allocation, we now explore possible mechanisms that have been highlighted in the literature. First, we examine whether the effect varies by the level of precolonial centralization, which has been shown to be associated with a higher intensity of indirect colonial rule (Müller-Crepon, 2020). Next, we turn to the contemporary political power of chiefs, as indicated by whether chiefs have been officially recognized in a country's present-day constitution (Englebert, 2002). Then, we examine the effect of ethnic ties between respondents and chiefs, since the chieftaincy is often considered as an ethnic level institution with the chief presiding over his ethnic members (Tieleman and Uitermark, 2019). Finally, we look at broader institutional legacies due to legal systems that countries inherit from colonizers, namely, the distinction between common and civil laws (La Porta et al., 2008).

5.1. Precolonial centralization

Although Britain used indirect rule more than France, its application varied across colonies based on local conditions (Lange, 2004; Neupert-Wentz and Müller-Crepon, 2024). A crucial factor determining the extent of indirect control was the presence of preexisting local state structures that could be co-opted to control the local population. When such structures existed, 'the

British availed themselves of this power structure in preference to destroying what was there and building anew' (Gerring et al., 2011). In the absence of these structures, colonizers resorted to a more direct rule, establishing their own administrative systems.

Precolonial Africa, with its vast and diverse ethnic groups and territories, featured state structures that varied widely across the continent. Consequently, indirect rule was more commonly applied in regions that had higher levels of political centralization at the onset of colonialism (Müller-Crepon, 2020). Notably, this pattern was particularly common in British colonies but was largely absent in French colonies (ibid).

Given this historical relationship between the intensity of indirect rule and the level of precolonial centralization, one could expect the effect of British rule to be stronger in areas that had a higher level precolonial centralization. To test this hypothesis, we estimate our regression equation by adding the interaction term $Anglophone \times PerColCenter$. The variable $PerColCenter$ is a dummy for the level of precolonial centralization, indicating whether the respondent's location was part of a larger state in precolonial times. The data on this variable are from on Murdock's classification of ethnic homelands by their level of jurisdictional hierarchies (Murdock, 1967).

Table 5 about here

Table 5 presents the results with the interaction term. We report the estimates both for the full sample (Panel A) and the RD sample (Panel B). The interaction term coefficient is positive and statistically significant (except in the last column, where it remains positive but less precise). Consistent with the aforementioned hypothesis, British rule is more strongly linked to contemporary chiefs' land control in areas with higher precolonial centralization than in less centralized regions.

5.2. The contemporary official status of chiefs

The impact of colonization on African institutions could be manifested in many ways, including in the relationship between the central government and local institutions. Prior to colonization, African states developed through an endogenous process of conquests and amalgamations, driven by local geopolitical circumstances. This organic process of state formation was disrupted by a colonial centralization in which rulers—lacking political foundation with local institutions that have long been formed through integration of cultural norms, belief systems, and military power—imposed control from colonial capitals. Such a central state lacked effective integration with local political institutions. With the end of colonization, control of colonial central governments fell in the hands of domestic elite who themselves lacked ‘power foundations in precolonial societies’ (Englebert, 2000). The postcolonial leaders preserved colonial territories with weak political integration, perpetuating

the legacy of the dichotomy between the central state and local political institutions (Herbst, 2000).

The enduring legacy of the dichotomy between the central state and local institutions is most evident in the former’s relationship with the mostly local institution of chieftaincy across many African nations. France’s strategy of marginalizing chieftaincy and replacing it with a centrally controlled bureaucracy significantly weakened chiefs. In contrast, chiefs in many anglophone colonies have managed to secure their legitimacy within postcolonial national constitutions, ‘experiencing greater resurgence than’ those in francophone countries (Englebort, 2002). Notably, none of the five francophone countries in our sample officially recognize chiefs in their constitutions, whereas eight out of the eleven anglophone countries enshrine such recognitions (Henn, 2023). We therefore examine how the estimated effect of British rule varies by the official status of chiefs in the national constitution.

Table 6 about here

Table 6 presents estimated results in which we include the interaction term $Ang * Enshrined$. The variable *Enshrined* is a binary indicator set to one for countries that have formally enshrined the legitimacy of chiefs in their constitution, with data sourced from Henn (2023). Results are reported for both the full and RD samples.

In both samples, the coefficient on the interaction term is positive and significant, except for the last column where it is somehow weaker. These patterns indicate that chiefs exert greater control over land in countries where their legitimacy is constitutionally recognized. This finding aligns with Henn (2023), which highlights how the constitutional recognition of chiefs, in the context of weak state capacity, enhances their role as substitutes for the state. The interaction between chiefs' control over land and their constitutional status—shaped by their political power at independence, which itself is influenced by colonial legacy—illustrates how colonial legacies can be reinforced or diminished in a rather complex way through postcolonial political changes.

5.3. Ethnic ties between chiefs and respondents

The chieftaincy is often viewed as an institution of ethnic level in which “the chiefs’ main characteristics are their traditional authority over a relatively homogeneous local population and their management of the accompanying land” (Tieleman and Uitermark, 2019). The power of chiefs is therefore regarded as stemming from deeply rooted cultural values and belief systems, where they command a high level of trust within their community. This ‘explanation stresses the enduring social, cultural and political significance of chiefs for their ethnic communities’ (ibid).

However, while cultural norms certainly remain important for the influence of chiefs, such as in the case of hereditary claims to a stool, the

chieftaincy has gone through complex transformation in response to changing circumstances. Chiefs adapted to colonial rule and the development of postcolonial states by forging intricate political alliances, building networks, and mobilizing local public support to enhance their power (Berry, 2013). As the sources of chiefs' power in contemporary Africa extend beyond cultural norms, it raises the question of whether their influence over land reaches local residents who are not part of the chief's ethnic group.

To perform this test, we rerun the regressions by including the interaction term $Anglophone \times Home$. The variable $Home$ is a dummy indicator for whether the respondent resides in the historical homeland of the respondent's ethnic group. A positive coefficient would imply that chiefs have greater influence on respondents living in their ethnic homeland. Ethnicity data and village location coordinates for respondents are derived from Afrobarometer surveys. Respondent ethnicity is matched with Murdock groups using the algorithm developed by Müller-Crepon et al. (2022). Historical homeland maps (Nunn and Wantchekon, 2011) are then employed to determine whether respondents reside within their ancestral homelands.

Table 7 about here

The findings are presented in Table 7, which shows that the coefficient on the interaction term is statistically insignificant. Notably, the effect is estimated with a relatively high degree of precision, as indicated by the low

standard deviation. This result indicates that the chief's control over land resources extends beyond members of his own ethnic group. It aligns with several case studies showing that chiefs maintain authority over land and broader political power, even in regions with rapidly diversifying and urbanizing populations (Berry, 2017; Tieleman and Uitermark, 2019).

5.4. Legal origin

Much of the economics literature on colonial rule and property rights centers on legal origins, emphasizing their impact on judicial independence and political freedom. Thus, we assess whether legal origins hypothesis offers an alternative empirical explanation.

As countries tend to inherit the legal systems of their former colonizers, differences in the colonizers' legal systems could affect property rights in postcolonial countries. All of the countries in our sample have adopted the legal systems of their former colonizers—the anglophone countries have common laws while francophone ones have civil laws. La Porta et al. (2008) emphasize the superiority of British legal origins (common laws) over that of the French (civil laws). They argue that the common laws grant greater independence to the judiciary than do civil laws, and could help a stronger enforcement of property rights by the judiciary in common law countries. In addition to written laws, La Porta et al. (2008) also note that norms favorable to greater political freedom, as opposed to state control, underlie the common law tradition. They cite the transfer of these norms from colonizers

to colonies as an additional factor through which legal origins may affect institutions in postcolonial states.

The impact of judicial independence and democratic values on informal land institutions is unclear. For example, formal and informal institutions may act as substitutes—when trust in courts declines, people may turn to traditional leaders for land disputes. Thus, one might expect chiefs’ roles to diminish with increases in trust in the judiciary as claimants rely more on formal courts. However, as our data will show, this is not the case.

Since the legal origin literature emphasizes the superiority of the British legal origins with respect to independence of the judiciary and norms about political freedom, we looked at two variables from the Afrobarometer surveys corresponding to respondents’ trust in the judiciary and their views toward freedom. In the survey, respondents were asked how much they “trust courts of law,” with four response options: (1) Not at all, (2) Just a little, (3) Somewhat, or (4) A lot. We created the variable *CourtTrust*, a dummy set to 1 if the respondent chose (3) or (4), and 0 otherwise.

The second variable gauges respondents’ views on freedom of expression, a key aspect of democratic values. They were asked for their views on the following two statements. **Statement A:** *Government should be able to close newspapers that print stories it does not like.* **Statement B:** *The news media should be free to publish any story that they see fit without fear of being shut down.*

Respondents could select from five options: (1) Agree very strongly with Statement A, (2) Agree with Statement A, (3) Agree with neither, (4) Agree with Statement B, or (5) Agree very strongly with Statement B. Our indicator for the respondents' attitudes towards freedom, *Freedom*, is a dummy that equals 1 if the respondent chooses options (4) or (5). Otherwise, *Freedom* equals 0.

Table 8 about here

Table 8 presents our results using these indicators for trust in the judiciary and attitudes toward freedom. We report only results using observations from the split homelands. Regressions from other samples yield similar results. All controls are included in each of the regressions. Columns [1] and [2] show the difference between anglophone and francophone respondents with respect to their trust in the courts and their attitudes towards political freedom, respectively. Contrary to the hypothesis in the legal origins literature, we do not find significant differences between the two groups. This is perhaps not surprising. Colonizers' desire to control the local population often outweighed any incentive to install their home institutions, leading to the implementation of control mechanisms that differed significantly from their own, such as the native administration Ali et al. (2020).

In Columns [3] through [5] of Table 8, we examine whether controlling for respondents' trust in courts and their attitude toward freedom affects

our results regarding chiefs' role in land allocation. We introduce each of the two controls separately in columns [3] and [4], and then together in the last column. The inclusion of these controls is not found to affect the results. This suggests that the greater role of chiefs in anglophone countries does not appear to be driven by institutional factors that are often emphasized in legal origins literature.

6. Concluding remarks

Property rights are crucial for efficient allocation of economic resources. Even though customary land tenures are widespread institutional arrangements, particularly in developing countries, empirical evidence on why such arrangements persist remains limited. By focusing on the role of colonial history, this paper attempted to narrow this gap.

The hypothesis is motivated by the historical background of colonial Africa. Britain's native administration instituted a system of rule in which subdued chiefs were granted significant autonomy in ruling their native populations. A crucial aspect of the native administration was the chiefs' power to regulate land allocation with significant autonomy. In contrast, the French colonial control did not give chiefs as much autonomy in matters of neither general administration and nor land allocation. Britain's indirect rule through the native authority is often cited as a factor in promoting the persistence of chiefs' control of land resources. Motivated by this historical

background, we examine the relationship between identity of the colonizer and the contemporary power of chiefs over land allocation.

Using micro data from sub-Saharan Africa, we find a positive association between British rule and the authority of chiefs over land allocation. This result is found to be robust to a variety of controls that account for geographic, contemporary, and historical factors. The results also hold in RD analyses utilizing observations near national borders between francophone and anglophone countries.

The effects are more pronounced in areas that likely experienced more intensive indirect rule and in countries where chiefs are officially recognized in the constitution. The greater influence of anglophone chiefs over land does not appear to be limited to their ethnic group. Differences in legal systems do not explain these results.

These findings underscore the enduring impact of colonial rule, while also highlighting how such effects can be reinforced or diminished by both precolonial conditions and postcolonial transformations.

Notes

¹Round 4 of the Afrobarometer surveys in Africa.

²We thank an anonymous reviewer for helpful comments on these mechanisms.

³The linear specification is more robust to distributional assumptions about the error terms (Angrist and Pischke, 2008). This is particularly relevant in our case due to the inclusion of many binary controls.

⁴We use data on the location of respondents from Knutsen et al. (2016).

⁵We use distance between centroids.

⁶We construct this measure following Michalopoulos and Papaioannou (2013).

⁷However, Imbens and Lemieux (2008) recommend using the linear model as a way of balancing the benefit of transparency of the linear specification, on the one hand, and of allowing for larger bandwidth by a higher degree polynomials, on the other.

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Tables and Figures

Table 1: Who is in charge of allocating land?

	Share of respondents (percent)		
	Whole sample	Anglophone	Francophone
	[1]	[2]	[3]
<i>Agent responsible for allocation:</i>			
Central government	26.9	27.1	26.2
Local government	35.4	31.9	44.4
Traditional leaders	30.2	34.2	20.3
Others	7.5	6.8	9.2
Total (percent)	100	100	100
No. of observations	19,970	14,273	5,697

Notes: This table reports the role in land allocation of three agents—central government, local government, and chiefs. Survey respondents were asked to report the agent who is in charge of land allocation in their village. For each of the three agents, the figures show the share of respondents (percent) who reported the agent to be in charge of land allocation. The shares are reported for the whole sample (column [1]) as well as separately for francophone (column [2] and anglophone (column [3]) respondents.

Table 2: Land Allocation and Colonial Status, all observations

	[1]	[2]	[3]	[4]
<i>Anglophone</i>	0.12*** (0.03)	0.17*** (0.03)	0.15*** (0.04)	0.18*** (0.04)
R-squared	0.01	0.04	0.05	0.10
Observations	19,283	19,283	19,283	19,283
Individual controls	—	Yes	Yes	Yes
Historical controls	—	—	Yes	Yes
Geographic and contemporary controls	—	—	—	Yes

Notes: This table reports regression results using all observations in our sample. The dependent variable (*ChiefLand*) is an indicator for whether chiefs are in charge of land allocation. *Anglophone* is a dummy that is set to 1 for respondents from anglophone countries. Individual controls include age, age squared, 10 dummies for education level, 8 dummies for religion, 3 dummies for asset ownership, and dummies for gender, employment status, and location (urban versus rural). The geographic and contemporary controls are at the ethnicity level and include a dummy for whether there was city with a population of 20,000 or more in 1800, four dummies for the level of precolonial judicial hierarchy, a dummy for whether there was a colonial rail network, a dummy for precolonial contact with European explorers, the number of missionary stations per square km, the number of slaves exported, density of nighttime light, distance to the capital city, and distance to the coast. Robust standard errors, clustered at the country and ethnicity levels, are given in parentheses. *Significant at 10%, **significant at 5%, ***significant at 1%.

Table 3: Land Allocation and Colonial Status, West Africa

	[1]	[2]	[3]	[4]
<i>Anglophone</i>	0.12** (0.06)	0.20*** (0.05)	0.17*** (0.05)	0.19*** (0.05)
R-squared	0.02	0.06	0.09	0.09
Observations	7,264	7,264	7,264	7,264
Individual controls	—	Yes	Yes	Yes
Historical controls	—	—	Yes	Yes
Geographic and contemporary controls	—	—	—	Yes

Notes: This table reports regression results using observations in western Africa. The dependent variable (*ChiefLand*) is an indicator for whether chiefs are in charge of land allocation. *Anglophone* is a dummy that is set to 1 for respondents from anglophone countries. Individual controls include age, age squared, 10 dummies for education level, 8 dummies for religion, 3 dummies for asset ownership, and dummies for gender, employment status, and location (urban versus rural). The geographic and contemporary controls are at the ethnicity level and include a dummy for whether there was city with a population of 20,000 or more in 1800, four dummies for the level of precolonial judicial hierarchy, a dummy for whether there was a colonial rail network, a dummy for precolonial contact with European explorers, the number of missionary stations per square km, the number of slaves exported, density of nighttime light, distance to the capital city, and distance to the coast. Robust standard errors, clustered at the country and ethnicity levels, are given in parentheses. **Significant at 5%, ***significant at 1%.

Table 4: Land Allocation and Colonial Status, Results from Split Homelands

	[1]	[2]	[3]	[4]
<i>Anglophone</i>	0.13** (0.06)	0.19*** (0.05)	0.24*** (0.05)	0.32*** (0.04)
R-squared	0.02	0.13	0.16	0.22
Observations	5,095	1,958	1,958	1,958
Distance control	—	Yes	Yes	Yes
Border FE	—	Yes	Yes	Yes
Individual control	—	—	Yes	Yes
Homeland FE	—	—	—	Yes

Notes: The first column includes observations in countries with shared borders between francophone and anglophone territories. Columns [2]–[4] utilize observations in the RD sample, that is, from ethnic homelands that are split between francophone and anglophone countries. The dependent variable (*ChiefLand*) is an indicator for whether chiefs are in charge of land allocation. *Anglophone* is a dummy that is set to 1 for respondents from anglophone countries. Individual controls include age, age squared, 10 dummies for education level, 8 dummies for religion, 3 dummies for asset ownership, and dummies for gender, employment status, and location (urban versus rural). All regressions in the RD sample control for distance to border and dummy for the RD border (between Ghana and Benin, and between Nigeria and Burkina Faso). Homeland FE are fixed effects for historical homelands. Robust standard errors, clustered at country and ethnicity levels, are given in parentheses. **Significant at 5%, ***significant at 1%.

Table 5: Procolonial centralization and the control of chiefs over land

	Panel (A): All observations			Panel (B): RD Sample		
	(1)	(2)	(3)	(4)	(5)	(6)
<i>Anglophone</i> × <i>PerColCenter</i>	0.16** (0.07)	0.13* (0.06)	0.14* (0.08)	0.16* (0.08)	0.17** (0.08)	0.16 (0.13)
<i>Anglophone</i>	0.07* (0.04)	0.12*** (0.04)	0.18*** (0.05)	0.24*** (0.06)	0.27*** (0.06)	0.17* (0.08)
R-squared	0.02	0.04	0.06	0.17	0.19	0.21
Observations	14,804	14,804	14,804	1,545	1,545	1,545
Distance control	—	—	—	Yes	Yes	Yes
Border FE	—	—	—	Yes	Yes	Yes
Individual controls	—	Yes	Yes	—	Yes	Yes
Homeland controls	—	—	Yes	—	—	Yes

Notes: Columns [1]–[3] utilize all observations. Columns [4]–[6] include observations from ethnic homelands that are split between francophone and anglophone countries. The dependent variable *ChiefLand* is an indicator for whether chiefs are in charge of land allocation. *Anglophone* is a dummy that is set to 1 for respondents from anglophone countries. *PreColCenter* is a dummy indicating whether the respondent’s location was part of a larger state in precolonial times. Individual controls include age, age squared, dummies for each education level, dummies for each religion, 3 dummies for asset ownership, and dummies for gender, employment status, and location (urban versus rural). All regressions include a dummy for the RD border (between Ghana and Benin, and Nigeria and Burkina Faso). Homeland controls include historical, geographic and contemporary factors (see Table 2. Robust standard errors, clustered at country-ethnicity level, are given in parentheses. **Significant at 5%, ***significant at 1%.

Table 6: Constitutional enshrinement of the chieftaincy and the control of chiefs over land

	Panel (A): All observations			Panel (B): RD Sample		
	(1)	(2)	(3)	(4)	(5)	(6)
<i>Anglophone</i> × <i>Enshrined</i>	0.25*** (0.03)	0.24*** (0.03)	0.29*** (0.03)	0.25*** (0.07)	0.21*** (0.07)	0.08 (0.07)
<i>Anglophone</i>	-0.05* (0.03)	-0.01 (0.03)	-0.01 (0.03)	0.09** (0.04)	0.15*** (0.05)	0.26*** (0.05)
R-squared	0.06	0.08	0.10	0.15	0.16	0.19
Observations	19,472	19,472	19,283	1,958	1,958	1,958
Distance control	—	—	—	Yes	Yes	Yes
Border FE	—	—	—	Yes	Yes	Yes
Individual controls	—	Yes	Yes	—	Yes	Yes
Homeland controls	—	—	Yes	—	—	Yes

Notes: Columns [1]–[3] utilize all observations. Columns [4]–[6] include observations from ethnic homelands that are split between francophone and anglophone countries. The dependent variable *ChiefLand* is an indicator for whether chiefs are in charge of land allocation. *Anglophone* is a dummy that is set to 1 for respondents from anglophone countries. *Enshrined* is a dummy for whether chiefs are enshrined in the constitution. Individual controls include age, age squared, dummies for each education level, dummies for each religion, 3 dummies for asset ownership, and dummies for gender, employment status, and location (urban versus rural). All regressions include a dummy for the RD border (between Ghana and Benin, and Nigeria and Burkina Faso). Homeland controls include historical, geographic and contemporary factors (see Table 2). Robust standard errors, clustered at country-ethnicity level, are given in parentheses. **Significant at 5%, ***significant at 1%.

Table 7: Residence in ethnic homeland and the control of chiefs over land

	Panel (A): All observations			Panel (B): RD Sample		
	(1)	(2)	(3)	(4)	(5)	(6)
<i>Anglophone</i> × <i>Home</i>	0.03 (0.05)	0.00 (0.04)	0.04 (0.04)	0.00 (0.08)	−0.00 (0.07)	−0.06 (0.07)
<i>Anglophone</i>	0.11*** (0.04)	0.17*** (0.03)	0.16*** (0.04)	0.19*** (0.05)	0.25*** (0.05)	0.35*** (0.07)
R-squared	0.02	0.04	0.06	0.13	0.16	0.19
<i>N</i>	19,175	19,175	18,997	1,920	1,920	1,920
Distance control	—	—	—	Yes	Yes	Yes
Border FE	—	—	—	Yes	Yes	Yes
Individual controls	—	Yes	Yes	—	Yes	Yes
Homeland controls	—	—	Yes	—	—	Yes

Notes: Columns [1]–[3] utilize all observations. Columns [4]–[6] include observations from ethnic homelands that are split between francophone and anglophone countries. The dependent variable (*ChiefLand*) is an indicator for whether chiefs are in charge of land allocation. *Anglophone* is a dummy that is set to 1 for respondents from anglophone countries. *Home* is a dummy indicating whether the respondent is located in their historical homeland. Individual controls include age, age squared, dummies for each education level, dummies for each religion, 3 dummies for asset ownership, and dummies for gender, employment status, and location (urban versus rural). All regressions include a dummy for the RD border (between Ghana and Benin, and Nigeria and Burkina Faso). Homeland controls include historical, geographic and contemporary factors (see Table 2). Robust standard errors, clustered at country-ethnicity level, are given in parentheses. **Significant at 5%, ***significant at 1%.

Table 8: Land Allocation and Colonial Status, Results from Split Homelands

	[1] <i>CourtTrust</i>	[2] <i>Freedom</i>	[3]	[4] <i>ChiefLand</i>	[5]
<i>Anglophone</i>	-0.14 (0.08)	-0.13 (0.08)	0.32*** (0.03)	0.33*** (0.03)	0.33*** (0.03)
<i>CourtTrust</i>			-0.00 (0.03)		0.00 (0.03)
<i>Freedom</i>				0.04 (0.03)	0.04 (0.03)
R-squared	0.08	0.11	0.21	0.22	0.21
Observations	1,834	1,882	1,834	1,882	1,773

Notes: All columns utilize observations from ethnic homelands that are split between francophone and anglophone countries. The dependent variables in Column [1] and [2] are *CourtTrust* and *Freedom*, respectively. They measure respondents' trust in courts and attitudes toward freedom. In the last three columns, the dependent variable is *ChiefLand*, an indicator for whether chiefs are in charge of land allocation. *Anglophone* is a dummy that is set to 1 for respondents from anglophone countries. Individual controls include age, age squared, 10 dummies for education level, 8 dummies for religion, 3 dummies for asset ownership, and dummies for gender, employment status, and location (urban versus rural). All regressions control for distance to border, a dummy for the RD border (between Ghana and Benin, and between Nigeria and Burkina Faso), individual controls and fixed effects fixed for historical homelands. Robust standard errors, clustered at country and ethnicity levels, are given in parentheses. **Significant at 5%, ***significant at 1%.

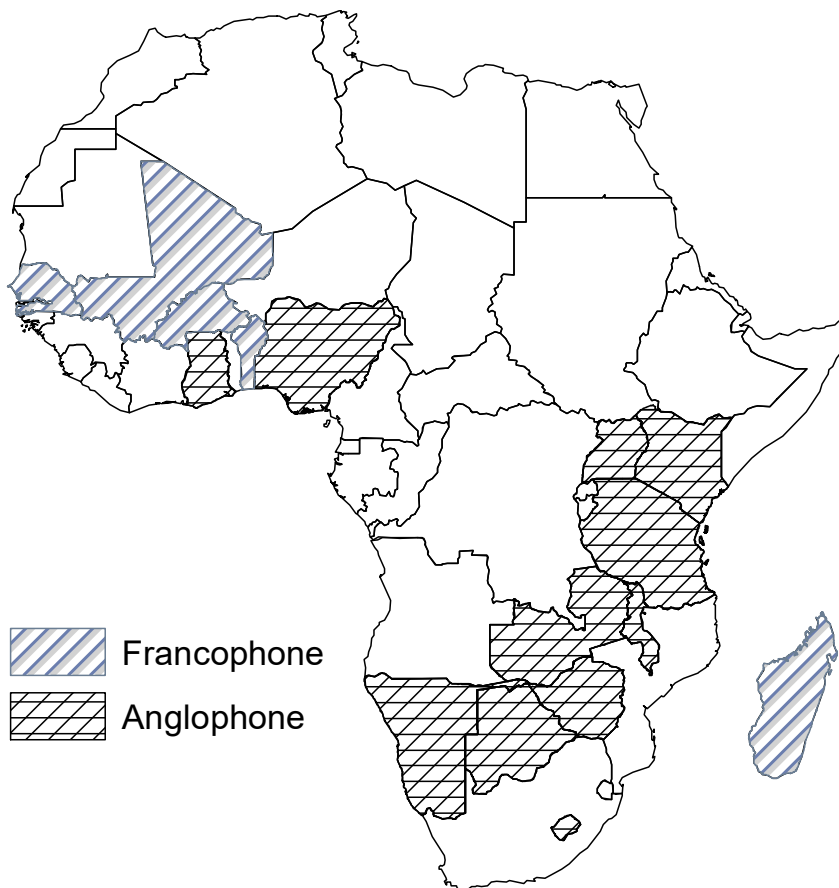


Figure 1: Francophone and anglophone countries in the sample



Figure 2: National boundaries and ethnic homelands

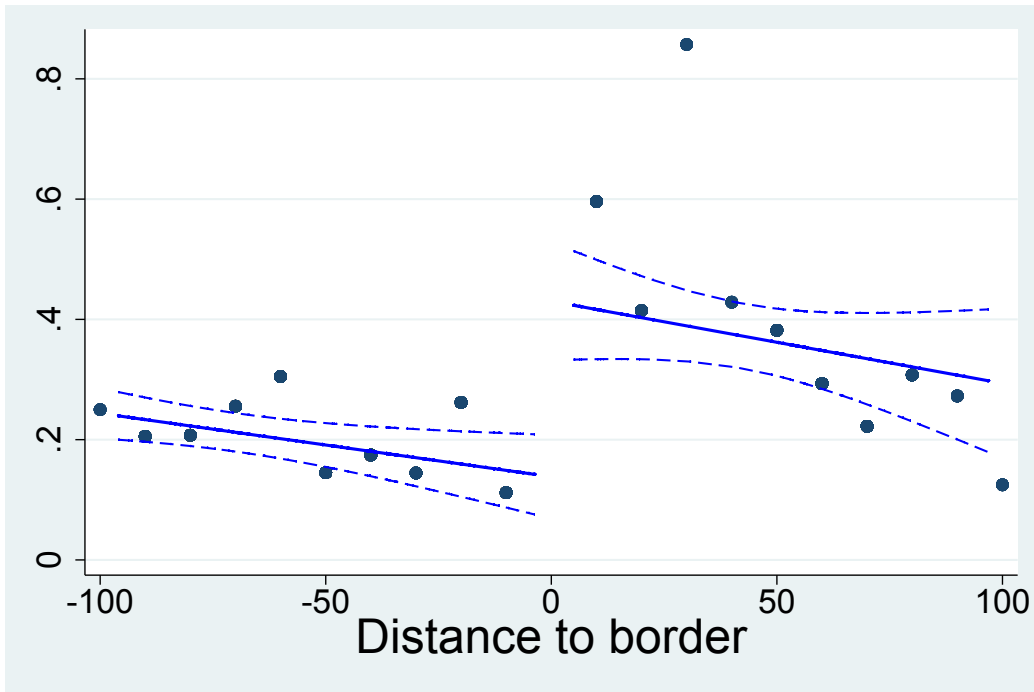


Figure 3: Role of chiefs in land allocation in francophone and anglophone regions

Notes: The Figure shows, by distance to border in km, the share of respondents who report that chiefs are in charge of land allocation. The distance from the RD border increases as we move away from the center point (0). Negative(positive) values represent distance into francophone(anglophone) territories from the border.