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WOMEN AND CUSTOMARY LAND TENURE: EMERGING DEVELOPMENTS AND WAYS FORWARD IN SAVELUGU, GHANA

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Abstract

Patriarchal norms on land operate along kinship lines and in such a way that male children have higher inheritance rights in the family. The woman or girl child is considered not a permanent member of the family as she is expected to be married into another family or remarry upon the death of her husband. This is the fundamental reason for the discrimination in inheritance against females in the patriarchal community in Ghana. Using qualitative and quantitative approaches (in Savelugu in northern Ghana), this study analyzes land right issues of women in their efforts to access land in their rural communities. Policy measures to help address the land right situation of women in this patriarchal area include; Changing the status quo through societal reorientation (Positive Human Recognition) and workable governance, collective action through formation of women cooperative groups and also economic empowerment (through responsible government and NGOs interventions).

Key Words: Customary tenure, Ghana, Land rights, Land tenure, Patriarchy, Women, Savelugu



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1.0 Background/ Introduction

UN-Habitat proclaim that women tend to have more limited rights to land than men. How and why this inequality persists and how to transform this remains largely unknown and problematic. (UN Habitat, 2011). In Ghana and many other African countries, land ownership are organized largely along ethnic lines. Hence, kinship relations play a key role in land ownership operationalization, to the extent that it limits the land rights of women in comparison to the land rights of men (Bortei-Doku E, 2002). That is, gender and kinship relations play a central role in the way in which land rights and production relations are determined (Chigbu, 2015). For instance, lineage systems according to Duncan, (2010), are seen as the influential factors for inheriting and obtaining land and these pose difficulties to most women in patrilineal communities. Jones-Casey and Anna Knox (2011) also notes that women's rights to land which are the basis for the food they produce are limited by patriarchal practices (also see, Chigbu et al., 2019). While statutory laws largely grant women land rights on par with men, in many areas around the world and in the Ghanaian study area, these rights are governed by customary institutions that assign greater control over land to men. For these reasons there are limitations to women's land rights. And it is important that "responsible land management interventions are used to improve women's situations (de Vries and Chigbu, 2017; Ameyaw et al, 2018). As part of the efforts by successive Ghanaian governments to achieving an efficient land administration system as well as equal accessibility and ownership rights to land for both men and women, a gender strategy was prepared under the land registration program of the Millennium Development Authority (MiDA). This was a joint program by the World Bank and the Government of Ghana in 2006. The strategy was to promote coherent and sustained approach to addressing both men and women's concerns for equitable development in relation to land administration through gender sensitive data gathering, participation and the design and monitoring processes of the project.

This study uses evidence from Savelugu in northern Ghana to analyse the legal, socio-economic and operant perceptive factors which hinder more equal access to land rights in a patriarchal community in Ghana, and provides policies and/or interventions to reduce this degree of land right inequality. The study approaches the subject by presenting the literature context of the situation in Ghana, then the approach to the study (methodology), the case study situation, policy implications and finally concludes.

2.0 Patriarchy and Women's Land Right: Overview of the Ghanaian Context

Inheritance system defines the mode of property transfer from one individual to another. This transfer is usually in accordance with 'social conventions, personal preferences and potentially strategic designs' (Cooper, 2012). Aside formal legal inheritance rules which are mostly evoked,



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especially in situations where a person dies intestate, there are two distinct customary inheritance systems across the world; patrilineal inheritance and the matrilineal inheritance. These two systems operate amongst the different tribes in Ghana and have coexisted with the formal legal inheritance rules (Intestate Succession Law 111) since 1985. Prior to 1985, the customary inheritance system determined distribution of the property of any person that dies intestate. This approach still holds since the customary inheritance takes precedence over the Intestate Succession Law of 1985. The Law is only applicable in situations where the customary laws that govern the distribution of a deceased person's property fails usually due to disagreement amongst the family members or for any other reason. In Ghana, Matriarchal communities or families define their lineages only through the female bloodline; that is, through their mothers and maternal relatives as uncles, aunts, cousins, grandparents and other people from their kinsmen. The paternal relatives do not belong to such kinsmen.

Therefore, only the people in this bloodline have the capacity or right to inheritance in the family. In the same way, patrilineal tribes or families also define their blood kinship through the paternal relatives without recognizing people from maternal side as their kinsmen (Kutsoati & Morck, 2016). Inheritance is therefore in the family line of one's father. The main patriarchal tribes in Ghana include; Ga (Greater Accra region), Ewe (Volta region), and the Dagomba and Nanumba (Upper East region) as stated in (Kutsoati and Morck 2016). It must however be noted that the entire northern territory regions of Ghana all practice the patrilineal inheritance system and not only the Upper East region as Kutsoati & Morck (2016) noted.

Patriarchy is a concept and practice that varies broadly between countries because it comes in different forms, patterns and shapes (Chigbu, 2019: 40). As is also noted by (Agarwal 1997; Deere and Doss 2006; Deere and Leon 2003; Rao 2006), gendered perceptions, norms and formal and informal rules in four domains of individuals which were noted in Meinzen-Dick et al (1997) to include '(1) members of households and families, (2) members of one or several communities, (3) residents in a country, and (4) people whose livelihoods are generated in the presence or absence of markets' are the factors that give rise to the different accessibility to and use of land for both men and women, cited in (Lambrecht, 2016).

In the Ghanaian patriarchal communities which are widespread across the northern part, and some parts of the southern and the eastern territories of Ghana (see Map 1), property and especially land of a father are passed on to their sons and not daughters or wives. Kudze (1993) notes that the female child's position with respect to inheriting a land in the family is a matter of privilege and not of right as is the case of the male child, cited in (Gedzi, 2009).



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Map. 1: The patriarchal areas (regions) in Ghana (as highlighted in red)



Source: Ghana Statistical Service (2010)

This is however a pronounced case in the patriarchal customary land tenure system as same cannot be said in the Public or statutory tenure system. Wives or widows have no inheritance rights under this patriarchal system but fall on their children (sons) for the enjoyment of such property. Despite certain socio-cultural differences amongst the various patriarchal ethnic tribes in Ghana, the basic tenets of patriarchy across all these tribes are very seemingly the same without very clear distinctions. Women in patriarchal communities have weak rights to property (especially to land) in the family and this status is not a case only in Ghana but across many other parts of the world. Across the world and especially in many parts of Africa, women suffer this form of land right subordination to men to the extent that some formal intestate laws have actually reflected this situation. For instance, the 1963 Customary Law Order in Tanzania among the patrilineal



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communities at the lowest court system level excluded women from inheriting or owning land other than in some special circumstances (Yngstrom, 2002). Also the South African Law Commission (1998: xviii) puts it and was cited in Gedzi (2009), the rules that govern a woman's estate devolution are fragmentary and appear different from the rules that apply in the case of a man's estate devolution.

The Government of Ghana has made international and national commitments through unconventional approaches to recording and securing land rights for all people to mainstream gender equality in land tenure. Examples of these approaches in the past have included; the MiDA Systematic Land Titling, the Medeem Proprietary ParcelCert and the Paralegal Titling Project, as detailed in (Osei-Tutu et al 2016). These have been aimed at ensuring gender equality in land tenure rights. Land rights can however be complete if they are legally recognizable, socially recognizable as well as enforceable by other external authorities, Duncan and Ping (2001) as cited (Namubiru-Mwaura, 2014). Therefore, despite the governments' efforts to achieve equal legal recognition of land rights for both men and women, if the land rights for one of the sexes is not socially recognized and enforced, then it becomes incomplete.

This disconnection in the legal and social recognition of land rights is a major challenge in many developing countries (Namubiru-Mwaura, 2014). Socially and especially in the patriarchal community, not only are the land use and accessibility rights of the girl child suppressed but also some basic rights like the rights to; an equally higher educational level as the male counterpart, the freedom of speech and ability to freely express opinions on issues of the girl are also suppressed in many instances as that it often construed to mean 'rubbing shoulders' with the male child, who by societal perception and cultural norms is an automatic leader or head over the girl child. 'Social and cultural beliefs are anchored by patriarchal structures within the society' and 'these institutionalize the role of women as subordinates' thereby depriving them the full enjoyment of rights (Maduekwe, 2018). There is the need therefore for a positive human recognition for all including women in which way there is acceptance and social regard for each individual's abilities (Maduekwe, 2018).

Gender equality means giving women and men the same entitlements to all aspects of human development, including land rights. Gender mainstreaming involves the systematic integration of gender analysis and perspectives in all programs and policy activities (Sittie, 2015). This situation is however far from reality in some communities in Ghana and Africa as evidenced in the table below which shows some stereotypic statements against women.



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Table 1. Gender Stereotypic Statement and their implications

Gender Stereotypic Adage	Implications on land access and tenure security.
1. A woman’s place is in the home; the man is the breadwinner of the family.	Men are given more opportunities to use land as a source of income; sons and other male relatives get priority in land inheritance.
2. The man is the head of the family.	Land tenure instruments (e.g., land titles, leasehold contracts, usufruct certificates etc.) are placed in the name of the man.
3. Women are weak, dependent and emotional; whereas men are strong, independent and rational. Thus, men are better leaders than women.	Women are not involved in decision-making pertaining to land and other properties of the family; women are not or are less represented in community decision making structures.

Source: Adopted from UN-Habitat, (2011)

Table 1 is very much reflective in the Ghanaian context to the extent that the head in the Ghanaian family (both extended and nuclear) is almost all the time a man and thus, being in charge of all the family property. Women therefore access properties through these male family heads. Again, it is often said among the Akan communities in Ghana that “*Obaa t) etuo a etwere Obarima dan mu*”. This popular saying literally translates to mean that ‘if the woman buys a gun, it is kept in the man’s room’. What the statement simply implies is that no matter the effort of the woman to achieve greatness or accomplishments, she still comes under the authority and control or protection of the man. This perception has engendered the idea that women can as well not meaningfully contribute to decisions regarding land matters and thus their being sidelined in such land-related issues and inheritance especially in the patrimony system.

2.1 Patriarchal Inheritance System in Savelugu Study Area – Northern Ghana

In the northern region of Ghana, control over resources generally follows a gender segregated pattern based on traditional norms which limit the land rights of women resulting in land being concentrated in the hands of men to the exclusion of women (Adolwine and Dudima, 2010). In Savelugu, the allodial title to land is vested in the ‘*Yoo Naa*’.¹ However, management and administration of the lands are executed by the various sub-skings. For example, in the Diare, which is a Dagomba town, lands are managed by the *Diare Naa* and not by the *Yoo Naa* himself (Kotey, 1995).

Savelugu, has no provision for the inculcation of matrilineal customs under which women ‘supposedly’ have better land rights as men. The seat of the traditional ruler in Savelugu is the

¹ Yoo Naa represent the highest traditional authority in the study Savelugu study area.



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Skin² and it represent the allodial interest holder of all the lands in trust for the people. In Savelugu, children only inherit property from their father's lineage. However, the girl child has no inheritance right and or ownership right to land from the father. The custom only allows the eldest male child to have control and or inherit land and landed property in the family. He is then expected to cultivate the land in order to take care of his mother and sisters with the returns or proceeds from this inheritance. However, the male child is not under any strict obligation to discharge this fiducial duty. Instances where brothers have failed to cater for their sisters from such inheritances have led to unhealthy relationships between the siblings. This tradition does not enhance women empowerment in wealth creation as land is very central to poverty alleviation. This is because, men hold the ultimate ownership rights to land in the family and are automatically entitled to all use and proceeds from harvest on such lands including the transfer rights. This notwithstanding, women produce about 60%-80% of food in most developing countries despite their weak land rights which cover access, use, development or transfer which exist parallel to the actual land ownership (Payne, 2000).

3.0 Research Methodology

This research adopted case study approach to investigate patriarchal custom limitations to women on land rights in Savelugu, the district capital of Savelugu Nanton in the northern region of Ghana. The people of Savelugu belong to the Dagomba tribe. Savelugu-Nanton District covers a total land area of approximately 1,790.70 square kilometers and is roughly divided into two parts by a north-south trunk road that links Tamale to Bolgatanga in the Upper East Region. Savelugu Nanton is surrounded by Tolon District and Kumbugu District to the West, Tamale Metropolis to the south, Yendi Municipal to the south-east, Karaga District to the east and west Mamprusi to the north.

The choice of Savelugu as the study area was for the reason that it was one of the pilot regions for the 2006 Millennium Development Authority (MiDA) land titling program to enhance land rights documentation and or registration. The objective of this MiDA exercise was to improve land tenure security for existing land users through education on land tenure relations and land tenure security as well as land rights registration although the actual registration exercise could not commence in the area due to some challenges encountered from some indigenous people.

² Skin represents the seat of the traditional ruler in northern Ghana.

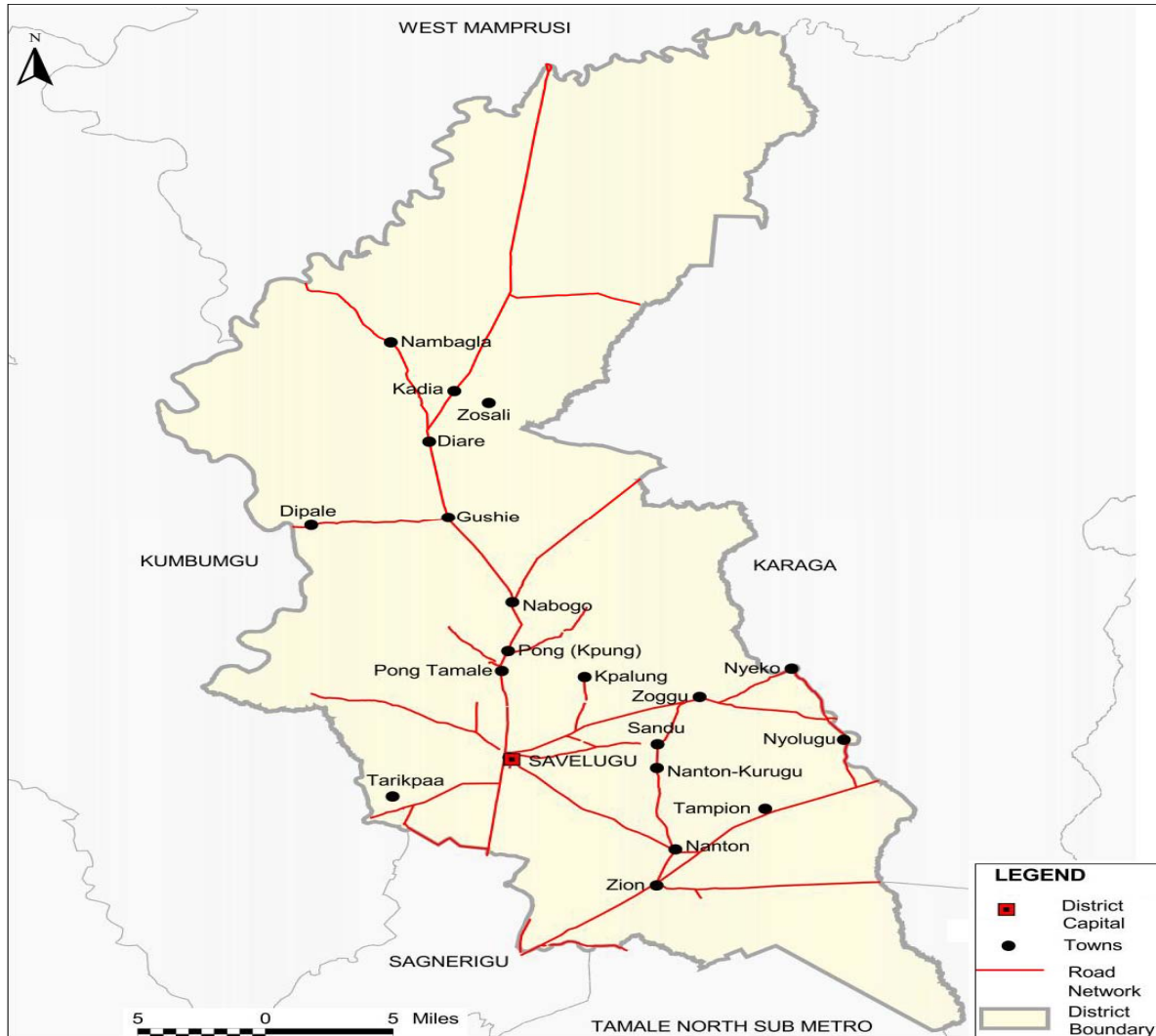


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Map 2.0 Savelugu Study Area



Source: Ghana Statistical Service (2010)

This initiative coupled with the indigenous knowledge of the people on land related matters in the area made it easier them to discuss the land tenure relations and how it affects women. Besides this, women's position on land rights in the area has not sufficiently (if any exists) appeared in literature. Also, Savelugu belongs to the largest tribal group (Dagomba) which is widespread in the northern region and very cosmopolitan in nature. The findings from this study area have the possibility of transferability to the other areas in the regions with similar culture as Savelugu. This does not, however conclusively suggest a generalization of the study's findings to the entire northern part of Ghana. Finally, the research team included an indigene from this study area who



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speaks and understands the two most popular native languages (Dabgani and Dagomba) and this addressed the communication challenge.

3.1 Methods

Both the qualitative and quantitative methods of data gathering were used in this research. Formally structured interview guides and questionnaires were used to solicit responses from different categories of people in the study area. The questionnaire guide included both open-ended questions and close-ended questions. Respondents consisted of traditional elders, women group leaders, assembly members, a representative from the MiDA land titling program, indigenous men and women as well as some youth (18-25 years). In all, a total number of 80 questionnaire guides were administered to the men and women. Six interviews were conducted in the following order; two persons from the women group, one traditional elder. One MiDA official and two officials from the district assembly.

Purposive sampling technique was used for identification and inclusion of respondents for interviews. These respondents were considered as people with in-depth knowledge on the topic based on personal experiences and long term interaction with both the people and customs of the area. They were therefore considered to be in a better position to elucidate the basic tenets of the patriarchal system in the area. Simple random sampling was used to reach the 80 respondents to the questionnaire guides for the indigenous men, women and the youth. The men and women were included on the basis that they constitute parents that bequeath land to their children as is in line with the customary practice in the area and are therefore well informed on this land bequeathing arrangements. The youth were chosen to determine their opinions as siblings in the family and the beneficiaries of these bequeaths.

4.0 Findings and Discussions

A total of 80 questionnaire guides were administered to indigenous men, women and youth group. Thirty Five male respondents (44%) and Forty Five female respondents (56%) respectively. Out of the 45 female respondents sampled, 29 of them approximately (64%) have no formal education. Only 18% had primary education, 11% had middle school education and 7% had secondary level education. None of the female respondents had had a tertiary level education. This situation is a contributory factor to why most women in the study area depend so much on land from men especially in marriages. The awareness that as women of the household, they should have rights to pieces of land for their own economic activities as farming, rearing of animals or building is relatively low. Women therefore fall at the discretion of the male household heads in order to be able to have land for such activities.

On the other hand, although a smaller number of males than females were sampled, only approximately, only 46% of them had not had any formal education as compared to the 64% of



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the females. 31% of the males had primary education, 11% had up to middle school education, 6% had up to senior high education and 6% had up to tertiary education. The low level of female education reflects the customary biases against women in most traditional areas in Ghana. It goes to confirm the widely perception that women and or girls' education among most tribes in the country is very low in comparison to educating the boy child in the family. This also reflects the popular saying among the old generation Ghanaian household that 'the place for the girl child is in the kitchen'.

Table 2: The demographic data of respondents

Female Respondents			Male Respondents		
Variables	Categories	Total=45	Variables	Categories	Total=35
Age Group	18-25	4	Age Group	18-25	0
	26-33	8		26-33	16
	34+	33		34+	19
Marital Status	Married	38	Marital Status	Married	26
	Widow	3		Widow	1
	Single/Divorced	4		Single/Divorced	8
Educational Status	Not Educated	29	Educational Status	Not Educated	16
	Primary	8		Primary	11
	Middle/ Junior High School	5		Middle/ Junior High School	4
	Senior High or Equivalent	3		Senior High or Equivalent	2
	Tertiary (Universities, Training Colleges and Polytechnics)	0		Tertiary (Universities, Training Colleges and Polytechnics)	2

Source: Field Survey (2015)



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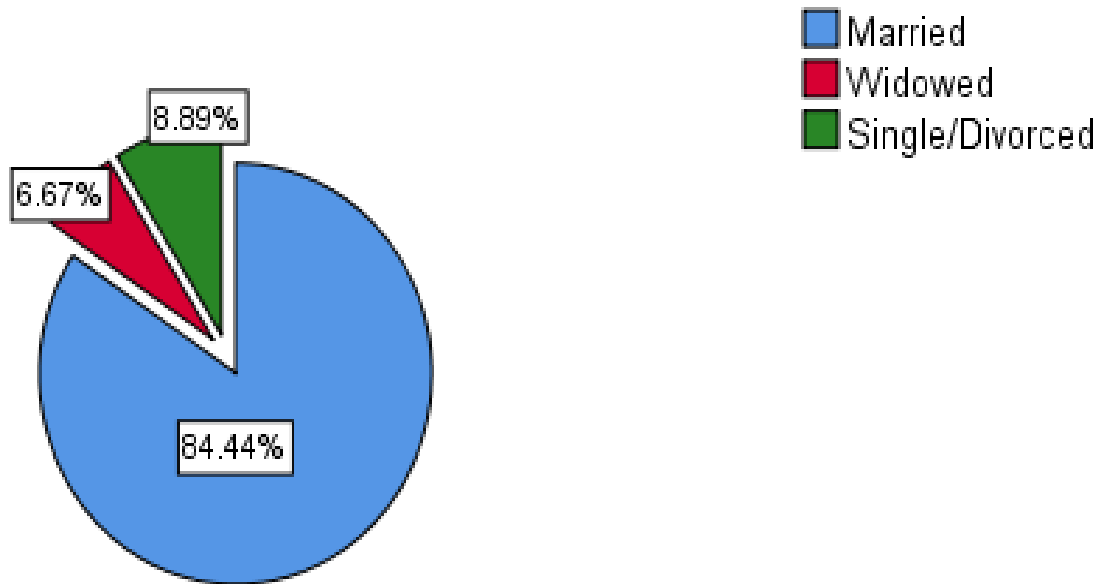


Fig. 1.0. Marital status of female respondents

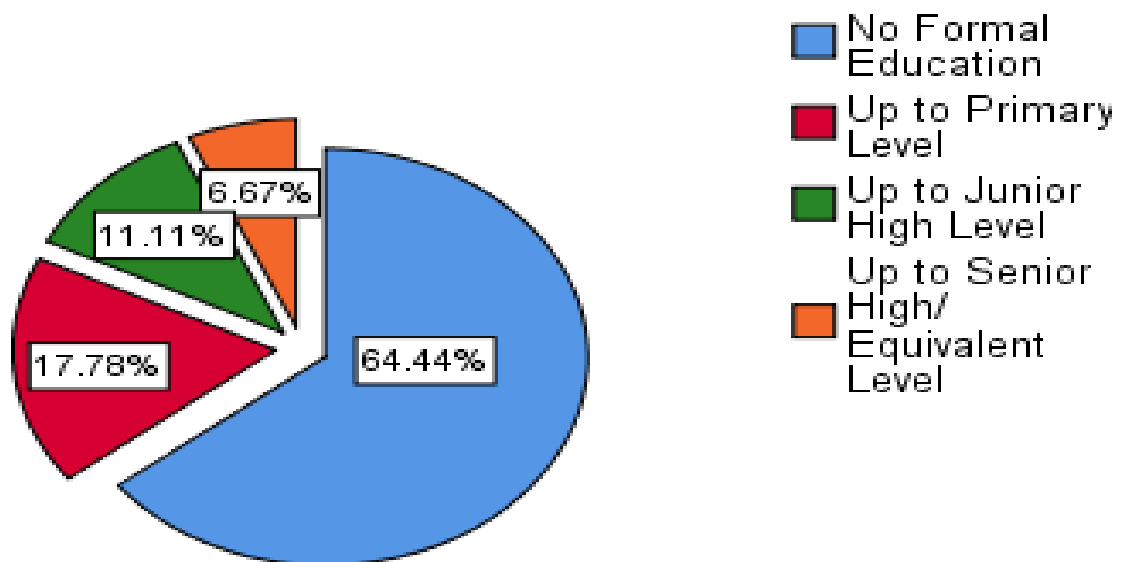


Fig. 2.0. Educational level of female respondents

4.1 Awareness of Land Registration and their Land Rights.

The study sought to identify the extent to which women in the study area are informed about land rights and interests as well as their awareness on land documentations. It also sought to verify the



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impact of MiDA's land registration campaign in this direction. Respondents were therefore asked of their awareness of MiDA and the land rights and land registration campaign.

Out of the total of 80 respondents, only 6 representing approximately (33%) were aware of MiDA and their land registration campaign in the area. Of this 6 respondents, only 8 educated females out of the 45 female respondents (representing approximately 18%) confirmed that they knew about MiDA and their program. The remaining 37 female respondents did not know about MiDA and their activities in the town. This indicates that MiDA's land right campaign although was a very good direction, not majority of the people and especially women had been aware of it. This can however be attributed to the fact that the MiDA team had to leave before the commencement date of the land registration due to some problems that ensued between the team and some community members . Apart from MiDA, the Lands Commission (LC) in every regional capital is responsible for land registration and education on land related issues. And 57 respondents (29 of whom were females) out of the total 80 respondents said they know about lands commission's activity.

The next question was asked to verify if the people were aware of the various land rights. These were categorized into; Usufructuary freehold interests, Leasehold/ Sub-lease, Tenancies and License. These were thoroughly explained in the native language to ensure that all respondents fully understood them. In the end, responses indicated that awareness of land rights is very low among women in the area. It must be noted that not every of the land rights enumerated here can be registered in law. This is because, Licenses and Tenancy agreements do not actually confer land interests on the holder but only gives them permission to use the land. It is therefore only those rights recognized and that can be registered under the lands act of Ghana that the study sought to know the extent of women's awareness.

A typical example is the leasehold. Unfortunately however, the female respondents appear to be much aware of those rights that cannot be registered like the License. This according to most of the women is due to the fact that women in many cases receive farmlands through such permissions to use either from husbands or in their families. And when the time is due for their marriage, or upon divorce and sometimes in situations where the land giver dies, the woman could lose such permission easily. However, some respondents especially the educated ones were aware of two or more of the Usufructuary and Leasehold/ Sub-lease rights. In the end, taking each land right and interest separately for all 45 female respondents, 8 respondents (aprox. 18%) knew of Usufructuary interest and Tenancy agreement. 26 respondents (aprox. 58%) were aware of License while 17 (aprox. 38%) also confirmed that they were aware of Leasehold and sub-leases. Fig. shows the number of women aware of the various rights.



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Land rights Frequencies
Percent of Cases

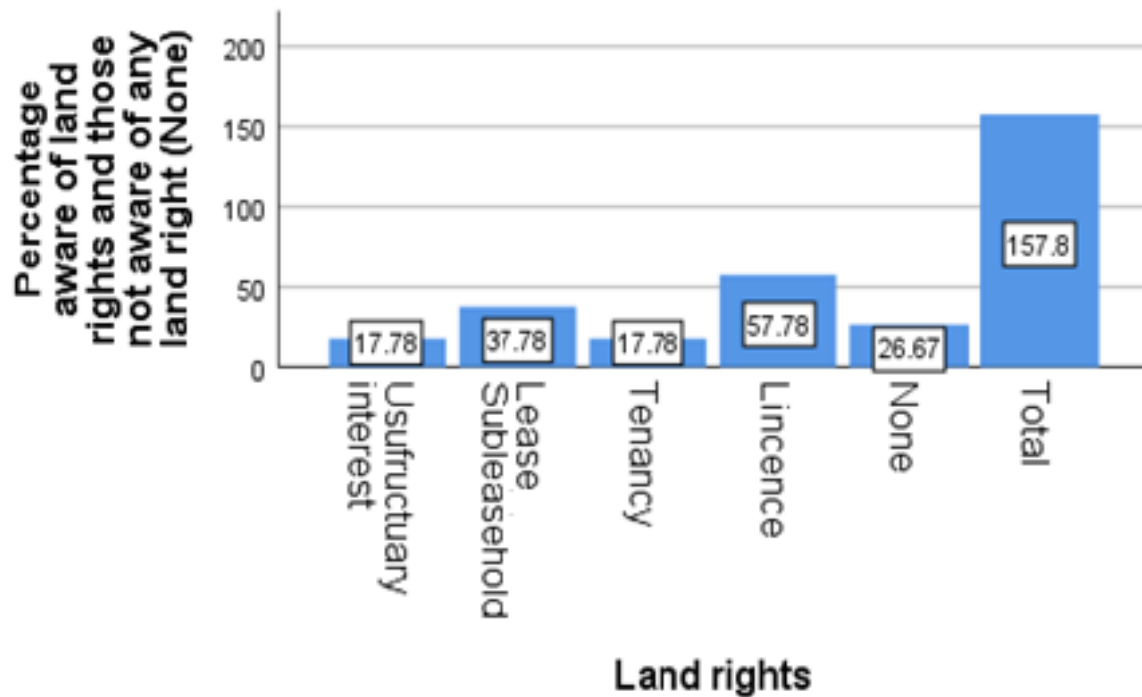


Fig. 3. Women's awareness of various rights in land

4.2 Socially Recognized Land Use-Rights of Women in the Study Area

In the assessment to ascertain whether women have different use-rights in land as against men, responses revealed some socially recognized rights which are very much identified with women than with men. Nonetheless, a point that stood out was the fact that women did not have the full accessibility rights with high tenure security as compared to men who are customarily and socially recognized and assumed as exclusive owners to lands that they can be identified with. This shows a disconnection in the legal recognition for all on land rights and the social recognition. This finding is in agreement with a study in the upper east region of Ghana where it was noted that women in the area do not own land since they do not sacrifice to the land spirits which is a requirement for land ownership. And that whereas men have full access and control rights over land, women have only partial or conditional rights over same land pieces (Bonye & Kpieta, 2012). However, some more specific socially recognized unrestrained land use-rights that women are identified with in the study area included;



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- Growing of vegetables on very small scales among the main crops in backyard farms (Gardens) of their husbands usually for the household consumption
- The ability pick up forest fruits like Sheanuts and Dawadawa³ which can be used for economic activities
- Gleaning: The right of women to go into the farm after harvest and are able to pick up every remains of the crops for their own use or for sale

4.3 Land Ownership and Acquisition Mode.

4.3.1 Acquisition through Inheritance

In Savelugu, the patrilineal inheritance allows children to inherit through their fathers' lineage. The eldest male child inherits the deceased father. The reason for this as revealed in the responses is that the women in the family are seen as non-permanent members for the reason that they would marry and move into their husbands' homes. Women are therefore not allowed to own lands in their families since it is believed that when she marries, the land is then taken out of the family and her husband will exercise the absolute control over such land thereafter. This reflects the finding by Adolwine and Dudima (2010) in Sisala (northern Ghana) in which a gender activist respondent likened the position of the girl child in the patrilineal family to that of a Ghanaian with dual citizenship who cannot hold any high profile position in the country. Similarly, the girl child potentially belongs to her husband's family and cannot inherit land at home and was quick to add that this it is a practice which is very difficult to change (Adolwine & Dudima, 2010). An elder interviewee clarified the system in this way;

'In situations where all the male children of a deceased are very young such that they cannot be entrusted with the deceased's property, a brother of the deceased will be put in charge as a custodian of all such property in trust for the male children till they are of age to be able to take care of the property. However, where the woman had children but no male child, the brother of her deceased husband who inherits him and is entrusted with the land is expected to take care of the woman and the female children but only for as long as she remains unmarried'.

The male children when they inherit such properties are however expected to take care of their sisters who are young and not married and their widowed mother. In the end, out of the 45 female responses from Savelugu, 33 of them representing approximately 73% indicated that women are not allowed to inherit and own land in the family. About 16% said women are allowed but on conditions such as; good behavior, losing the land ownership right upon marriage, having had children for her deceased husband and as long as she is not married again into a different family

³ A local seasoning for food prepared from fermented locust beans. It is very common in West Africa



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among others. 11% said the situation is complicated. And only 7 women (representing approximately 15%) of the 45 respondents said they had lands through inheritance in their parental families.

Approximately 83% of male (29 out of the total 35) said women do not customarily have inheritance and ownership rights to land in the family. 11% answered that women could be allowed subject to such conditions as noted by the female respondents. Approximately 6% of the respondents did not answer.

4.3.2 Acquisition through Purchase

In Savelugu, acquisition of lands from the skin as was revealed through an interview with the traditional authority is through a customary procedure. First is by a presentation of cola to the Skin (traditional council). One's intentions are then made known and when the potential purchaser is interested in the available land parcel, payment can be made. However, responses from both the traditional authorities and other stakeholders showed that woman who want to purchase land from the Skin, must always approach with either a husband or other male relation. It is through such a male relative that the grant could be made. The traditional elder stated;

'There are some questions that are asked before a piece of land is given out or sold to a woman. Such questions include; what work do you do? Are you married? If married, where is your husband and why are you not there with him? Once you are of age and can get married, you are required to come with your partner because it demonstrates maturity, how responsible you are as a lady and respect for the traditional elders. Therefore, if a woman comes forward on her own to ask for land without any male escort, she would be denied'.

He further added that *"In our customs there are limits to which a woman can reach and she is compelled to remain there if she manages to get there"*. This shows the a negative human recognition as noted in (Maduekwe, 2018)

Meanwhile, a relation was identified in the category of women that had lands through purchase. That is, all 16 educated women had purchased pieces of land. And only 10 out of the remaining 29 uneducated respondents had purchased lands. This shows that education contributes much to women empowerment and land accessibility.

4.3.3 Acquisition through Gift

The area remains an agriculture-based economy. The agricultural sector engages about 97% of labor force in Savelugu, majority of which produce staple crops on subsistence level. Cash crop production is very minimal and includes sheanuts, soya bean, cotton and cashew (Ghana Statistical Service 2010). Therefore, gifting of land (mainly farmlands) to women was also identified. 12 out of the 45 female respondents (27%) and mainly of the married and the educated group said they had had pieces of land as gifts from their husbands and also from their fathers. These gifts they



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explained are usually as a result of the immense support for their husbands especially on the farm work and in keeping the household. The husbands gift these pieces of land to the women so that they can contribute towards keeping the home from their harvests as well as from the incomes they may generate from farming these lands.

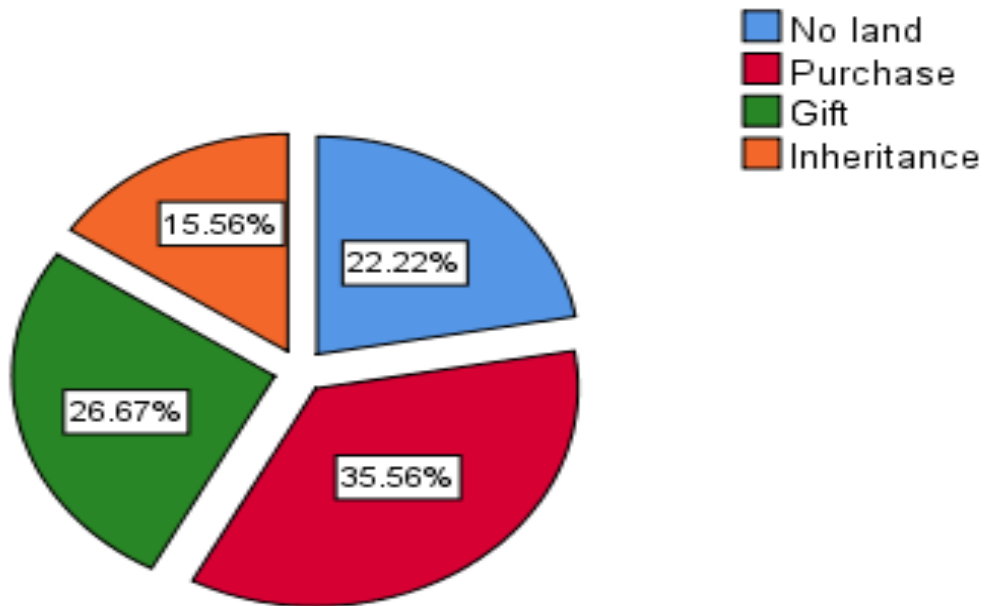


Fig. 4.0. Land holding and means of acquisition for the female respondents

5.0 Policy Implications and Ways Forward

5.1 Changing the Status Quo through Societal Reorientation (Positive Human Recognition) and Workable Governance

Psychologically, the girl child, especially in the patriarchal community feels inferior and or subordinate to her brother even without their awareness/ knowledge of it before both of them get to the age to be able to know about gender equality. This situation is manifested through the societal upbringing of the children where the male child is psyched to take control and to never subdue to the girl child irrespective of the circumstance. Accordingly, the girl child just as seen in the stereotypic statements in table 1, is made to only see greatness and leadership in the male child and not in their own abilities. They are made to subdue to the male child and labelled negatively



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where they appear of rub shoulders with the male counterparts in almost all spheres of life. This societal orientation has contributed to women and mostly, the women in rural areas accepting land right discriminatory customs mostly without seeing the wrong in it but rather accepting it as modest custom of respect. If this orientation could change through positive human recognition Maduekwe (2018), society will have no imbalances in rights of both men and women as each will equally rise up on their own to their full potential and enjoyment of all such rights, including right to use and access to land. This can however be achieved through good governance both at the national level and at the customary community level. Governance at these levels should allow for women to reach their highest potentials through the favorable conditions just as men. They should be given equal representations in governance and especially in land governance. This will enhance women's voice for themselves on issues land governance and promote their rights. In this regard therefore, there should be oversight check on the implementation and enforceability of gender equality policies through easily accessible mediums as; community council representations, district assembly representations among others. This can bridge the disconnection in the legal and social recognition of land rights for all.

5.2 Negotiations and Dialogues with Traditional Rulers and Family Heads

Since the traditional rulers and family heads are in most cases the custodians of lands in the communities, accessibility and ownership of land are in all cases through them and due to certain customary practices and beliefs, equal accessibility and ownership of these lands is mostly not granted to both men and women. It is therefore recommended that workshops and forums be regularly organized for the traditional rulers and family heads by the land sector agencies and other relevant Non-governmental organizations to educate them on the benefits and the need to allow women free access and ownership of land in this contemporary times. They must also be educated on the need to revisit olden practices and beliefs that accounted for this situation of the women and be made to appreciate the fact that women, just like men can put lands to uses that will be of tremendous benefit to the whole of the community. These dialogues and negotiations when well approached will go down well with these rulers and family heads. This can help eliminate those customary barriers on women's land ownership in some of the rural communities like the Savelugu-Nanton study area.

5.3 Collective Action through Formation of Women Corporative Groups

Meinzen-Dick et al (1997) defines collective action as a concept which can include 'communal or collective assent to a particular property rights regime by the group affected'. As the saying goes that there is strength in unity, when women in the various communities come together to carry out projects, there is the high possibility of succeeding. Such informal approach by women in some instances can be used to secure some rights to women that were not part of the formal structure (Meinzen-Dick et al, 1997). When this is done, they can pull resources together, acquire lands for themselves and also carryout developmental projects in their communities. This will go to prove



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that if given the chance, women can equally manage and put land to very beneficial and economical uses. Similar approach has been used in some parts in Ghana and Cameroon to overcome high land prices and ensure that women gain secure titles to land (ACORD 2011). This can influence the traditional rulers and the family heads to reconsider those customs that frown on women's land rights. Also, by coming together as groups in their various communities, the group can have easy access to loan facilities that would help them expand their small businesses and farming activities and this will enable them to be self-reliant and not solely dependent on their husbands as is the situation in most of the rural communities. This self-dependency can enhance accessibility to land through purchase as well as enhance land registration on the part of these women.

5.4 Decentralization of land sector agencies and reduction of both the cost involved and the bureaucracy in land registration.

It is recommended that the land sector ministry decentralizes the land sector agencies to the district capitals as well as the many bureaucracies in the processes. This will help most people especially the rural folks have easy access to land registration. This is because the bureaucratic nature of land registration if reduced will also help encourage people to register their lands. Also, from the survey it was found that most people who had land but had not registered them attributed the situation to financial constraints especially on the part of the women. It is therefore suggested that if the cost involved in the registration exercise could be revised, it would encourage more women to register their lands which will ensure high tenure security for them.

5.5 Economic empowerment by the Government and other Non-Governmental Organization

Most of the female respondents revealed that they are jobless and rapid urbanization of the community was also causing them loose their small farmlands to residential developments. It is therefore recommended that the government and other relevant non-governmental organizations come in to create small and medium scale businesses in the study community as well as other smaller communities in the area so that women could get employed to earn a living for themselves. When this is done, the women can save from their incomes to be able to buy their own lands and also go ahead to register in their own names.

6.0 Conclusion

It important to note that any efforts made towards improving women's land tenure problems—specifically, their land access and tenure security challenges—should lead to women's empowerment (Chigbu, 2019). This study has suggested some general interventions or measures for action. While these measures are not new, and appear simple to implement, the key challenge is how to ensure that they are done responsibly. Finally, it is important to mention that the Savelugu case presented in this research is not peculiar to Ghana alone. This situation is common in communities that operate patriarchal tenure systems in many sub-Saharan African countries. Many



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rural communities also share some of the experiences identified in this study. This study therefore contributes to cross-learning (or knowledge building across countries) for ways of improving women's land tenure challenges.

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