ACCESS TO AND CONTROL OVER LAND AS GENDERED: CONTEXTUALISING WOMEN'S ACCESS AND OWNERSHIP RIGHTS OF LAND IN RURAL GHANA

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ABSTRACT

Women's access to and control over productive resources, including land, have increasingly been recognised in global discussions as a key factor in reducing poverty, ensuring food security and promoting gender equality. Indeed, this argument has been widely accepted by both feminists and development theorists since the 1980s. Based on qualitative research with 50 purposively selected men and women in Ghana's Upper West region, this study explored the complexity of women's access to and control over land within a specific relationship of contestations, negotiations, and manipulations with men. Data were analysed using thematic analysis. While theoretically, participants showed that women's [secure] access to and control over land have beneficial consequences for women themselves, households and the community at large, in principle, women's access and control status was premised in the traditional framework, which largely deprives women of equal access and/or control over the land. The article indicates that even though land is the most revered resource and indeed, the dominant source of income for the rural poor, especially women,

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gender-erected discrimination and exclusion are key barriers that prevent many rural women from accessing land. This article argues that women's weak access rights and control over land continues to perpetuate the feminisation of gender inequality – while men were reported to possess primary access and control over land as the heads of households, women were argued to have secondary rights due to their 'stranger statuses' in their husbands' families. Overall, the degree of access to land among women was reported to be situated within two broad contexts – marriage and inheritance.

Keywords: access by women, Upper West Region, land ownership, system of inheritance

INTRODUCTION

Women's access to and control over land remain a contentious issue in political, social and economic discourses across sub-Saharan Africa. Land is a highly valued asset across all regions in sub-Saharan Africa (Davison 1988; Sarpong 1974). Access to and control over land is not just an issue of academic and development considerations, but a question of fundamental human rights. There is a growing recognition that ownership, access and control of land constitute critical elements in the enhancement of wellbeing and in ensuring food security among rural farmers, especially women, which is a *sine qua non* to development theory. Indeed, a large body of studies on the largely agrarian rural communities in Ghana demonstrates that access to and control over land plays a critical role in shaping the livelihood and bargaining status of different interest groups (Songsore 2001; Lund 2008; Budlender and Alma 2011). The struggle for land among different classes of people continues to attract critical analysis that can respond to the varying interests between men and women. In Ghana, land is central to people's lives, as much of the population engages in land-based agricultural production. That being said, it is fair to argue that land does not only serve as a source of income, employment, and food, but that it constitutes a critically important outlet that enhances the social, cultural and political position of men and women alike – land is therefore argued to be a source of cultural capital and identity.

Gender as a social construct has increasingly been recognised as a critical discourse in access to, ownership of, and control over land. Evidence shows that there is a direct relation between access to land, having secured control rights, sustaining food security and ameliorating poverty in agrarian societies (Odeny 2013). It is also a well-established fact that women contribute about 60 per cent (%) to the agricultural workforce in Ghana and produce about 70 per cent (%) of the food crop pie (World Bank 1997; WiLDAF 2010). Notwithstanding women's crucial role in ensuring food security, economic production, and attending to families' nutritional needs, their access and control rights over land are often nuanced by systemic and discriminatory

practices that are reinforced by culture, patriarchy, custom and tradition. Although land is key in the lives of rural women and despite women's numerical strength in the agricultural labour force and agro-processing activities, access and control of this important asset is often premised on gender-erected binaries (Deere and Doss 2006; FAO 2010). In fact, women hold only 10 per cent (%) of household land in Ghana (WiLDAF 2010) and their landholding security is even more precarious in the Upper West Region of Ghana where male-dominated culture and patriarchy are pervasively entrenched over generations. Access to, control and ownership of land remains the domain of male privilege, deep-rooted patriarchal structures of power and control of community-based resources, tradition and culture. The United Nations Economics Social Council Commission on the status of Women 1998 (as cited in FAO 2002) recognises that such discrimination in gaining access or legitimately registering land as a bona fide property shared between men and women in an agrarian society is a clear violation of basic human rights of the highest order. Yet, evidence also suggests that agriculturally dominated economies will grow faster and food will be secured if gender inequality is significantly addressed (Aryeetey, Ayee and Ninsin 2007). From the above discussion, there is an urgent need for a better understanding of women's subordinate position in Ghana in order to unpack the issues of gender inequality. Although women have limited access to land for agricultural purposes, their lower access and control over land could have dire implications for women's ability to invest and practice sustainable and modern environmental management that could improve their productivity and livelihood.

In Ghana, as in many sub-Saharan African countries, gender and kinship relations play a pivotal role in determining the degree of access and control over land between men and women (Benneh, Kasanga, and Amoyaw 1995; Rao 2006; Kiguli 2004). For the majority of women in Ghana, particularly rural women, access to and control over land are predicated on their social relationship with a male family member – father, husband, or brother – and this access right is forfeited whenever the relationship ends. That is whenever a woman is in a separated, married, divorced, or widowed relationship, her right to access land is forfeited (Rünger 2006). A study by the International Centre for Research on Women (2011) shows that there has been a substantial and, indeed, pervasive gender gap in land ownership between men and women, which leaves women with limited parcels of land, which are often of lower quality and farther away from their places of residence. Feminist scholars in Ghana and elsewhere have, therefore, decried and in fact, questioned the systemic and routinised marginalisation of women in the development process (Boserup 1970). And since women constitute the majority of the agrarian economy of Ghana with limited access and/or no control rights over land, it increases their vulnerability and puts them in a state of dependence on men even for basic necessities. The question of who gets access to and control of landed resources is highly political, gendered and negotiable in rural Ghana (Apusigah 2009).

While considerable efforts have been made by civil society organisations such as Action Aid and CIKOD, and in spite of various land policies that prescribe the right of access and control of land in Ghana, women's access and control of land, especially in the Nadowli-Kaleo District (the area in which this study was undertaken) remain consistently contested and marginalised. For instance, even though the government of Ghana promulgated the Land Title Registration Law PNDC Law 152 (1986), Head of Family Accountability Law 114 (1986), and the Intestate Succession Law PNDC Law 111, (1985) which seek to facilitate and create opportunities for women's rights to access their deceased husbands' land and other properties, full attention has not been paid to women's land rights in contemporary Ghanaian society. As such, women's prospects for socioeconomic and livelihood enhancement through secure tenure continue to be an elusive aspiration. This article, therefore, situates its arguments in the broad context of local knowledge and uses gender as a crosscutting concept to explore the tenuous nature of women's access to and ownership rights of land in two communities across the Nadowli-Kaleo district of the Upper West Region of Ghana. These perspectives will contribute to a small but growing field of debate on what we know about women's access to and control over land in Ghana and elsewhere. The study, therefore, aims to contribute to the production and sharing of new knowledge that can inform policy makers and feminists on the persistent factors that hinder women's rights to own land. This study also serves as an entry point for further research undertakings in the areas of women's land rights and rural development in Ghana and beyond.

CONCEPTUAL FRAMEWORK

Despite the growing interest given to studying land access and ownership rights among women in sub-Saharan Africa, there is little consensus on what 'access' and 'ownership' of land entail. This is, in part, complicated by specific contextualised socio-cultural, ideological, and political factors that either promote or hinder access and/or control rights of land among women. The argument too often pivots on whether access to land and control of land are but two sides of the same coin. Such arguments bring to the fore how to conceptualise these two words, and, again, what theoretical lenses to adopt in studying women's access to and ownership of land as empirically appropriate. Notwithstanding this, two overarching theoretical lenses have informed this study as indicated in the literature. The first theoretical approach sees women's access to and ownership of land as a source of empowerment. Second, while access to and ownership of land among local level land users, especially rural women, can be argued to be a general phenomenon in developing contexts, the questions of who gets land and for what purpose, the degree of access, and how to negotiate access to a particular parcel of land are further located within a complex and diverse cocktail of factors. Indeed, the debate on access to and control over

land among men and women continues to be an endless one, hence I argue that the argument can only be well-placed when situated within a specific relationship of contestations, resistance and manipulations, which changes over time and space. There is a growing consensus among different scholars, activists, and feminist legal actors that acknowledges that historical shifts – underpinned by various streams of ideological and political thinking – affect land access and ownership among women and men across Africa. Such thinking is further embedded in a broader spectrum of gender-based discrimination which simultaneously influences access to land as well as the right to use such parcels of land for any purpose. In line with this thinking, access to and control over land appears to be influenced by patriarchally ordained or customary land tenure systems and structures, which African feminists and gender advocates argue, do not operate towards meeting on an equal footing the interests and needs of both men and women as basic land users. The second approach, therefore, draws on theories of patriarchy. In this section, I present the theoretical arguments which serve as a guiding or analytical basis for the empirical data.

Theories of empowerment

Development theorists and feminist scholars have long argued that women's access to and control of land are not just issues of human rights, but that they are development-implicated. These theorists further contend that access to land among rural women is in itself empowering. For instance, scholars such as Kabeer (1999) and Malhotra and Schuler (2005) buttress this argument by stating that the empowerment of women through access or ownership rights of land is not an end in itself – it is a process that improves the life choices and agency of women within a particular social environment. Accordingly, empowerment as a process or one's ability to make choices can be looked at further, as three main interconnected dimensions – empowerment as an agency; empowerment as resources; and empowerment as outcome (Kabeer 1999). Adding to this, other scholars (e.g., Kishor 2000) identify what they term 'sources of empowerment'. Sources of empowerment are the assets or resources which can enhance women's livelihoods, statuses, life choices, and a sense of self security in both private and larger society. Although Paulo Freire's (1973) theorisation on education did not draw on empowerment as an explicit theoretical tool, to a lesser extent, Freire draws our attention to the fact that individuals can be conscientised to challenge the social inequalities in society. That is, when women have wide sources of empowerment, their bargaining power and ability to define their own lives with dignity, and live in a secure sphere are facilitated. Indeed, when women have access to dignified life choices, broader empowerment is envisaged, which has been a major concern for development activists and social actors who are interested in poverty alleviation among the marginalised. That is, empowerment is said to take place when there is a positive change in the lives of a group of individuals (or an individual) in

a context in which such choices were unthinkable. In the context of this study, rural women are argued to be empowered when they are able to choose comparatively a better and readily available option over another.

Since rural women, to a large extent, depend on land as their only source of livelihood, access to and ownership of land are arguably the most revered sources of empowerment among rural women. Based on the evidence in the literature presented above which shows that a large proportion of Ghanaian women engage in land-based agriculture, their access and ownership rights of land could increase their security both at home and in the wider society (see e.g. Haddad, Hoddinott and Aldweman 1997; Agarwal 1997). Women's access to lands of their choice or their ability to control land empowers them to live in a secure world which is devoid of domestic abuses (Agarwal 1994), which enhances women's decision making options at the household level and reduces maternal health complications (see Kishor 2000). Substantial empirical evidence (e.g. Agarwal 1994; Mason 1998; Jejeebhoy 2000) attests to this theoretical claim that women who own land live more dignified and respected lives, backed by enhanced domestic decision making options.

Theory of patriarchy

In land rights discourses and other gender related discussions, patriarchy has widely been conceived of either as a tool or an ideology that governs the gender order in society (e.g. Walby 1990; Coetzee 2001). It is an ideological frame that gives fathers – as patriarchs – the ability to transmit power to sons, a process that sustains, or is taken to sustain, the monopolisation or legitimisation of the hegemonic rights of men over women in both public and private arenas. Patriarchy has also been conceived of as a social system that enforces the domination of the category 'men' which also reinforces and perpetuates the systemic oppression, exploitation and subordination of the category 'women' (Walby 1990, 20). Despite such arguments, it is important to reiterate here that not everybody in the category 'men' enjoys equally patriarchal privileges, although all men contribute in varying ways towards maintaining some sort of a status quo, either as part of a private patriarchy or a public one. As a social system, patriarchy is dynamic and fluid and changes over time. This being said, when women contest or bargain patriarchy, they win some privileges and status. Power, and how it is exercised, is therefore central to women's successful bargaining with patriarchy. Cultural norms, coupled with other forms of social capital – marriages, the patriarchal system of inheritance, the sexual division of labour, social class, and decision making – all serve as rules for men or the prerogative of men to appropriate power over women (Kabeer 1999). Women therefore need to contest, challenge and negotiate the taken for granted status quo in order to access, own and manage land as an important factor of production.

MATERIAL AND METHODS

This study was conducted between November 2014 and April 2015, using a qualitative research approach. Since this research aimed to explore the social processes/ influencers, structures and cultural norms relating to women's access to and control over land as a key factor of production, the use of a qualitative approach was ideal (see Miles and Huberman 1994). The study was conducted in two communities across the east and west of the Nadowli-Kaleo district of the Upper West Region (UWR) of Ghana. These communities were selected on the basis of them being among the major agricultural producing areas of the district. The district has a land mass of 2, 742 50 square kilometres with a population of 94, 388 people, of which 44724 (48%) constitute males while females constitute 49 664 (52%) (Ghana Statistical Service-GSS 2011). Farming is the dominant form of land use and the main source of income and livelihood for most households in the district. Women constitute the majority of the farm labour-force as well as the majority of contributors in the informal sector in the district. In the study district, gender-based role differentiation, systemic gender-informed discrimination, and male dominance which reinforces patriarchal beliefs, privileges and practices are pervasively entrenched. Men are considered superior by local customs and traditions, are breadwinners and are in charge of decision-making. The patrilineal system of inheritance dominates in the study area (see Kasanga and Kotey 2001). In the Nadowli-Kaleo district, women have heavier workloads, lower rates of utilisation of productive resources and lower literacy rates. Disparities in access to and control of a range of assets such as land, credit, education, and protection are all skewed against women and children in the district.

The main research participants were female clients of the Greater Rural Opportunities for Women Project (GROW[1]) aged 25 – 60 years who were purposively sampled. To gain multiple views on access to and control over land among women, the husbands, fathers, and clan heads of some of the female participants were also interviewed. Other key informants, namely community leaders (chiefs, women leaders, Assembly members, and Tindambas[2]) and staff of the GROW Project from ProNet North were also interviewed. All the participants except staff of ProNet were illiterates and smallholder farmers. The Assembly members, community gatekeepers and the GROW project officer were deeply involved in helping to recruit participants. Emphasis was put on voluntary participation and participants' verbal consent was first obtained in addition to consent from the respective community leaders.

Data for the study were collected using a combination of multiple data collection methods, namely focus group discussions (FGDs), In-depth interviews (IDIs) and key informant interviews (KIIs). These data collection methods were adopted partly due to their practical relevance in helping to reproduce women's opinions on their access to and control over land. For instance, FGDs gave insight into the group's perceptions, attitudes, and experiences on women's access to and control of land in a normal peer-group interpersonal conversation. Furthermore, the IDIs

offered women participants who could not express more personal narratives and experiences in the presence of their peers the opportunity for their voices to be heard. The choice of IDIs also enabled the researcher to triangulate and validate the focus group data with individual women's interviews. Overall, 6 FGDs, each comprising of at least 5 discussants were completed with GROW clients. Twenty in-depth interviews with women who took part in the FGDs and 10 with men were completed. Finally, key informant interviews were also conducted with 2 chiefs, 2 women leaders, 2 Assembly members, and 3 ProNet GROW staff members. All interviews were carried out in the local dialect – *Dagaari* and were tape-recorded with the consent of the participants. Following the completion of interviews, all tape-recorded interviews were translated and transcribed from Dagaari into English. This first step was completed with separate summaries for each transcript outlining the key points that participants made. The researcher employed a coding process in the data analysis process until a point of theoretical saturation was reached. The process of coding was used to generate various themes upon which major headings for discussion were formed.

RESULTS AND DISCUSSIONS

In a society where land-based farming is the dominant economic activity, land is arguably the most cherished asset and indeed, an asset that can enhance the livelihood, reduce the level of poverty and ensure food security among the populace within that particular community. As such, those who have secure access rights as well as control over land have more social, economic and political power than the 'have-nots'. The next section presents the main themes that came strongly to the fore from the findings.

Women and access to land

Access to land, according to the participants, refers to one's ability to use a particular piece of land, and this access right is granted to both male and female members of the family. Such rights, participants argued, were considered usufruct (secondary) and partial rights. Since such access rights were seen as partial, it means that they can be taken away as and when the owner of the land feels appropriate. In line with this thinking, women participants argued that since their access rights to land were considered secondary, they are the first to lose their land due to increases in population size, the monetisation of land and recent land grabbing. Land was perceived to be vested in the traditional leaders, namely the chiefs, Tindambas (landowners) and family heads, with the state exerting overall land holding rights. Such traditional arenas were all evidenced to be male dominated, even though one or two women could rarely be part of these local structures (e.g. a woman leader herein

referred to as *Magazia*). A few women who are part of these traditional or local positions were argued to possess very little decision-making influence regarding land – the distribution, allocation, and management of land that belongs to the community. It came to light that *Magazias* are often consulted on issues concerning communal assets, including land, but their opinions are hardly considered. Despite the low representation of women in the customary land management structures, it was interesting to note that women generally have access to land for subsistence or temporary farming. Yes, it was evident that women have access to land to work on, but the main point of departure for this study is whether women have choices or options of the type of land that they would like to work on and how are these choice, if any, played out between social actors as men and women.

Indeed, the modes of gaining access to land between men and women were argued to be diverse. It is important to state here that these modes of gaining access to land for any purpose between men and women cannot be discussed outside the context of the socially embedded nature of land – an argument which has been central in feminists' engagement with land issues across different socio-cultural spaces. To be sure, people gain access to land based on the type of social relations that exist between men and women in a particular social context. It was manifestly evident that women's access to land was contingent on what participants described as 'the socially embedded nature of land', which women respondents pointed out as favourable to the male farmer. It was further argued that such social relations, which were informed by social groups, have been intergenerational and that they are highly negotiable. In order for women to gain access to land for any purpose, they need to negotiate with such social groups, namely the households and kinships who are traditionally in control of land.

It was observed that marriage has been one primary source of gaining access to land under the customary system of land tenure. Thus, a married woman may gain access to a parcel of land with the permission of her husband, which is contingent on a cordial relationship. This implies that women cannot gain access to a piece of land without the involvement of husbands or family heads or going through male family, relatives or acquaintances, a relationship which can be problematic and unsustainable. This situation was perceived to be more problematic when widows fail to cooperate – give full support – with their in-laws after the death of their husbands, especially when such widows are forced to re-marry within the same family. This, in no small way, can jeopardise women's chances of securing land if they are not married or have misunderstandings with their husbands or the male relatives in the community. Indeed, it came as no surprise to this study that a woman loses the land she used to work on for her livelihood after a divorce or upon the death of her husband. It was also recognised that the patrilineal system of inheritance (i.e., transferring property rights and resources through the male line) starkly precludes women from inheriting land, including lands that belong to their natal families. This finding corroborates

Yngstrom (2002) who argues that in communities where land is the most important factor of production, the less powerful social group's (women) claims to land are determined by the powerful social group (men), which is reinforced by culture, patriarchy, and tradition.

There were also cases of women losing access to lands that they toiled to clear or invested in during previous years. These are situations where women were given virgin lands to farm on and were subsequently denied access to such lands without any prior formal notice. Virgin lands here refer to pieces of land that contain lots of shrubs, and are very difficult to start farming on. However, women would invest in such pieces of land with the hope of continuing farming on them. A 45-year-old woman narrated her tale:

> Last year, a benevolent man gave me "wie"[3] to cultivate soybeans. Upon realising that the land's quality has improved dramatically through the soya by-products, he took his land and allocated another 'wie' to me to labour on again. These are difficult moments but I have no options available (Female, IDI).

This shows the tenuous nature of women's access to land and their willingness to invest enough capital in such lands. Women participants indicated that one could be given a piece of land today for it to be taken away tomorrow with no prior notice and/or no reason. Interestingly, though, almost all the women interviewed (an exception could be mentioned of two or three participants) expressed no knowledge of their land rights as enshrined in the national constitution and other legislations as mentioned in earlier sections of this study. Overall, the findings from this study suggest that women's ignorance of their legal rights pertaining to land (especially family lands) is among the leading causes of their denial of full access, ownership and inheritance of the family lands. That being said, I argue that massive grassroots sensitisation needs to be embarked on by civil society organisations and other women's rights activists.

Access to land was observed to be a layered issue, like the layers of an onion, not only between women and men, but an issue between different classes of women. Being a woman does not automatically bring one close to securing access rights to land. For instance, it was revealed that married women with children and widows with children have more secure access to land compared to their single counterparts and widows without children. Widows with children were generally allowed to farm on a portion of their late husbands' land. An argument was made to the effect that such widows continue to be part of the deceased's family since the widow still takes care of the children. Again, let me emphasise here that children, especially male children are highly valued in this patrilineal context of Ghana. They are not just valued as children, but as future heirs to family lands and other chiefly positions. This points to another dimension of gender preference within this cultural context.

‘This is against our wishes, but we have no options’

Although widows with children were generally allowed access to their husbands’ land, this access was not automatic, as it was predicated on a good relationship with the deceased’s family. This was summarised by this discussant who said:

> When you are a widow and you are not on good terms with your brothers and other male family members, nobody will give you land to farm on. Due to male own interest in the land, they are likely to give you land which is far away from where you reside or they give you the less fertile land. You know, a beggar has no choice (Female, FGD).

In some circumstances, younger widows (e.g., between 25–30 years of age) without children could have access to their husbands’ land if they are willing to remarry within the same family. This situation was noted as worrying to some widows. As recounted by this widow:

> I lost my husband at age 30 and because I wanted to continue to farm on his land, I had to marry his elderly brother who was already married. He was already 25 years older than me. It was against my will… you know, but I had no option since I wanted somewhere to farm to take care of my children… so I have to make do with this option (Female, IDI).

This means that land is critical in the lives of rural women as a source of livelihood.

In conclusion, married women in stable relationships and widows with children have more secured access rights to their husbands’ land compared to widows without children.

Women and control over land

Control over land, according to participants, refers to a situation where women and men effectively and inclusively participate in decision making pertaining to land use and in which women, like men, are able to decide on how proceeds from the sale of agricultural produce will be used. Control over land was synonymous with wealth, status, a better life and power within the household and community. Land represents much more according to participants than what is generally assumed in the literature. In their view, land defines social status, opportunity, wealth, housing, empowerment and bargaining power within rural communities – it serves as a sort of cultural identity and one’s ability to command control over land comes with social respectability. As noted by a 50-year-old male respondent:

> My brother, you see…let’s face the facts and stop the land politics. Land is riches and in riches lie power. If there is hunger right now due to poor farm yields and I have plenty acres of land, I will sell a portion to enable my family survive. What about you who do not have land? You have to go begging for either money or food for your family (Male, IDI).

Discussants narrated that, customarily, land is not supposed to be sold due to its sacred and priceless nature and as such, for an individual to obtain a parcel of land for agricultural purposes, items such as cowries and cola nuts were presented to the *Tindambas*, chiefs and their elders for request, negotiation and consideration to use a parcel of land. Although land was considered a free gift from nature, responses from the key informants revealed that women in the rural communities of the Upper West region do not own or control land. To be sure, women's rights of access to and control over land was argued to be a subject of negotiating, or bargaining with men as landlords, a practice which female respondents argued was unfair to their interests. According to discussants, land ownership and management have traditionally been perceived as the preserve of tribal male elders, clan heads, and Tindambas with the respective communities' chiefs exercising oversight administrative roles. Thus, in patrilineal societies such as Ghana's Upper West Region (where endemic patriarchal values hold sway over any other values), participants argued that women, irrespective of their age and marital status, have historically and stereotypically been prevented from coming anywhere close to land ownership. While women in matrilineal societies such as in Southern Ghana possess huge decision making influence regarding land ownership, distribution and administration and could even purchase a parcel of land for their personal use, evidence from the present study shows the direct opposite – women in such patrilineal communities can only have access to land through social or biological ties, namely through their paternal male relatives and husbands.

Further discussion with informants and discussants unanimously showed that women do not own and control land. This was pointed out by this traditional leader:

> According to our tradition, a woman is a woman. She cannot be a head of a family in the presence of men, even if she is much older than these men. And since land is a valued resource for the family, she has no control over it whatsoever. Men are in charge of family issues, including how land should be allocated and managed (Tindamba, KII).

While this has been the reality for rural women within patrilineal communities, the in-depth interviews with women only revealed that women were and, in fact, are interested in owning land (having land registered in their names) and not just having access rights only, as women know and care more about the family's needs than men do. This was aptly illustrated by this furious female respondent:

> You know.....this community is not fair to us (women). When children are hungry, where do they go to? They run and cry to you, the mother, and not the father. I get upset when my children return from school and tell me 'mum… we are hungry'. Where is the man as a family provider or land owner? Women need more land than men do (Female, IDI).

Accordingly, such lack of ownership and control of land was attributed to cultural myths and mores which do not allow women to own land inasmuch as land control was perceived to be the preserve of men. What one can take away from the preceding discussion is that the systemic exclusion of women from land ownership puts them

in a state of what female participants termed 'total reliance and dependence' on men for survival, a situation which curves back to perpetuate women's subordinate position and the continued feminisation of poverty in the Ghanaian society. To be sure, women will rely on those men who are owners of land for employment, social power and security.

The responses among the key informants – traditional leaders – were clear and straightforward: Women cannot control or own land because women become part of the family through social relationships such as marriage and as such are considered strangers to the husband's house.

When probed further as to why women could not own land, it was stressed that women's status as wives cannot be guaranteed in their husbands' homes. When the relationship ends either in separation, divorce, or widowhood, they (women) resettle in a different family. As indicated by this participant:

> A husband can give you, his wife, a plot of land as a gift for the cultivation of pepper and okro, but you as a wife are not allowed to sell that land or even to dictate what to cultivate on that land (Female, FGD).

What this means is that a parcel of land is given to a woman to cultivate for household necessities, which will reduce the financial burden on the husband to buy such necessities from the market (which most of them practically do not do).

Women's lack of control over land was also attributed to the argument that land matters are complex and not straightforward. Most decisions concerning family lands are dominated by male family members and in some circumstances younger male members (boys) are involved. This was clearly illustrated by this participant:

> Customarily, the head of the family needs to pacify the ancestors every year for the lives of the surviving family members. Can a woman pacify the ancestors? No! It is not done here (Family head, KII).

However, during what participants termed 'very important meetings' regarding land, elderly and knowledgeable women, including the *Magazia* are allowed to participate, although their participation is equated to that of a mere observer or what women termed a 'listener':

> I got married into this family over 40 years ago now. If I tell you that I know nothing concerning my husband's family land, you may think I'm lying. I do not know anything about how the family land should be allocated, managed, and controlled. The family elders keep saying that a woman is a stranger to her husband's family and therefore cannot be involved in land issues (Female IDI).

The non-involvement of women in decision-making concerning land undermines their role in agriculture, and hence deprives them of the power to articulate their interests, which could enhance their access to and control over family land. It is

critically important, therefore, to ensure that rural women have secure access to and control over land in order to fight the endemic nature of poverty.

Women's access to and control over land: Opportunity for empowerment?

The majority of the female discussants stressed that their secure access to and ownership of land could enhance their intra-household bargaining power, which could minimise the occurrence of domestic violence, maternal mortality and other domestic conflicts. It came to light that when women are given equal control over land just like their husbands, family relations would be enhanced. Some argued that most of the conflicts in families emanate from men's inability to provide essential necessities for the family, for instance, paying the health bills of the family (health insurance), giving pocket money to the wife, and paying children's school fees. It is one thing to have access to land and another to use it in the way you wish to. As such, control of such land might be a major problem in terms of using it as collateral for a bank loan or even using it as one wishes to for sustained agriculture. A discussant narrated this:

> If I am allowed to own land in my name and my husband wants to abuse me just because he paid my bride-price, I can use the land as collateral to get loans from the bank to repay him and be free. I am not a bought property (Female, IDI).

The impression among women participants suggests that denying women's control over land, which women thought was unacceptable, was a deliberate strategy to ensure that women are constantly under the manipulation and dictate of the husband. This helps to maintain the patriarchal order that regulates society. Putting the bits and pieces together, one can deduce that ownership of land among women could be hugely helpful in reducing the risks of experiencing domestic violence among women. This finding reaffirms earlier evidence which suggests that women who are economically marginalised are more vulnerable or exposed to the risk of experiencing domestic violence in their families, and are more likely to remain in violence-stricken unions (see e.g. Ward 2002). This finding further corroborates Pandal and Agarwal's (2005) study, which reported that women who have control over land or own land as a bona fide property experience a much lower risk of domestic violence.

Furthermore, women's ownership of land increases their confidence level and empowers them in terms of decision making roles in the family.

> As illustrated by this woman: Ah, those days, before the coming of the GROW project into this community, my husband never respected me as his wife. He did not even ask for my opinion on any family issue. Guess what… he has now realized that I'm as important as he himself because the proceeds from my soybeans help him attend social events whenever he is hard up (Female, IDI).

Most importantly, women's secure rights to use land for any purpose reduce the financial burden that most women put on their husbands, which serves as conduit for violence to occur. This lends support to an earlier study (Dery and Diedong 2014), which indicates that when men are the sole providers of the family basic needs, women are only perceived as an afterthought insofar as family decision making is concerned.

Women's access and control over land: Implications on family wellbeing

The findings from this study reaffirm Kabeer's (2012, 4) argument that 'resources in women's hands have a range of positive outcomes for human capital and capabilities within the household.' Despite the unanimous assertion among all participants, including male participants that, in the long run, husbands would benefit from proceeds accruing from women's access and ownership of land through enhanced children's education, wellbeing, and increased food production for the household, paradoxically, it was not customarily appropriate for women to own land – it was a taboo and the belief is that their ancestors would not forgive them if they allow this abomination to occur. Although women have fewer access rights and/or no control over land as a fundamental factor of land-based agriculture, female participants lamented that proceeds from their farming activities are spent on households needs, while most men spend income from their farms on personal needs such as buying beer and even flirting with other women. This was partly attributed to women's lack of ownership of land and the cultural norms that women do not own themselves:

> Ah…hard time? Last year, if it weren't for my wife's soybeans, I could not afford my wards' school fees. We had to sell some of her soybeans to settle that. It was a timely and good intervention. At least it relieved me from the risks of being ridiculed by my fellow men. As for me, this year, I have partnered with my wife to farm more soybeans so that we will all enjoy the benefits (Male, IDI).

This is not part of our culture! It does not happen here

It was unanimously agreed among both male and female discussants that women have no control over land. This was because it is not their culture for women to own or control land. Historically and traditionally, there is a belief that men are the breadwinners of the family, which is constitutive of their perceptions of masculinity (I am quite aware of how feminist scholars consistently challenge this hegemonic assertion), and as such control all resources entrusted to them, including the women:

> Don't you know our tradition and customs? Once a man marries you and has paid your bride-price, he automatically owns you and you cannot come into his house to control or own land.

> It's not possible. You cannot go and take a puppy and then that puppy will grow and bark at you, you know what I mean? (Male, KII).

However, it was established that it is the responsibility of the heads of households to allot some parcels of land to women upon request – ensuring access to land for subsistence farming: 'Daughters have a right to access to their father's land, but when they are married, this right of access ends' (Tindamba, KII). However, a female respondent during an in-depth interview stressed that 'they as women would like to have absolute access and control of their fathers' land even when they marry' (Female participant, IDI).

Indeed, women's weak access to and/or no control over land, which exists as a daily reality for the majority of rural women, cannot be discussed without bringing into the picture the rules, norms and local customs that are taken for granted, which govern the everyday performance of gendered roles among women and men. That being said, Bourdieu's (1977) idea of 'doxa' – traditional belief systems which exist outside the circle of engagement or discussion – proves a useful concept that demonstrates how the realities of men and women are played out on daily basis. It was manifestly clear that a stark gap exists between the reality and strategic needs and interests of such social actors as men and women in rural Ghana. As such, the world of 'doxa' becomes destabilised when opportunities exist that challenge the hegemonic and common-sense of culture, as something natural which seldom addresses the interests of women. In other words, when women have full access to and control over land just like their male counterparts, the discursive arbitrariness that underpins the social/gender order will be significantly altered. In sum, it is fair to argue that the gender inequality regarding land access and control among women and men is deeply rooted in the patriarchal culture which regulates the distribution of household resources, including land. Further, the question of who qualifies to access which land was deeply embedded in the social relations in the studied communities. From the time a boy and girl are born into the same family, the seed of gender inequality in the form of skewed property distribution is sown. This is further accentuated by other practices such as marriages. Thus, each family member has her/his bargaining power based on her/his sex. A woman's ability to successfully negotiate access to land depends on her social position within a particular family.

Women's control over land: A threat to men's masculinities

The majority of the male participants feared that women owning and controlling land will mean that they (women) will appropriate men's decision making powers, a situation which will reduce men's power in society. In other words, women controlling lands in their own right will constitute what male participants described as an encroachment of their masculinities. This demonstrates that men will do everything possible just to maintain that patriarchal status-quo – if women own

land, men's hegemonic masculine status and ego will be threatened – resulting in a masculinity crisis. As narrated by this man:

> When women enjoy the same opportunities and patriarchal privileges as men, then society is doomed. You know… you, the husband, cannot control her any more. You will say 'one' and she will say 'three' (Male, IDI).

One can look at this argument from two points of view. First, when women are empowered through control over land, which is a resource of enormous proportions in rural communities, husbands will lose the struggle over controlling women's autonomy. Second, when husbands can no longer control and manipulate their wives to their advantage as traditional norms prescribe, men prefer to think, or are encouraged to think that their sense of masculinity is under threat – they see their wives as bad or rebellious rather than as the good and submissive wives society requires women to be (Dery and Diedong 2014). This was self-evident in the responses among male informants, which demonstrated a sense of strong resistant to women having absolute control over land.

RECOMMENDATION

Although findings from this study cannot be generalised to the whole of Ghana, this case study, which concentrated on Ghana's Upper West Region argues that successfully implementing land reforms that are gender sensitive is likely to be unsuccessful due to persistent patriarchal and cultural norms that prevail in northern Ghana. This notwithstanding, the study recommends that future land reforms need to engage more with traditional leaders (gatekeepers) to rethink the modes of gaining access and ownership over land. Thus, it is appropriate to challenge the traditional notions of land access, ownership, and control among agricultural actors (men and women). This is critically important because most traditional norms that regulate land access and ownership are sustained by traditional leaders as the primary custodians of customary laws. Adding to this, in the event of any land disputes, the local chiefs are the most accessible authorities in resolving such disputes.

Furthermore, having demonstrated through this small-scale research the fundamental and sensitive contributions of land – land as a critical source of livelihood for the rural poor (especially women) – it is fair to call for further engagement with the questions of women's access to and control over land as a potential avenue of empowerment. Indeed, it is sufficiently clear from this study that there is an intimate relationship between women's access to and control over land and some sort of empowerment – women's access to land enhances their decision making powers, improves children's welfare and ensures food security at the family level.

CONCLUSION

While it is widely recognised that land is a crucial asset for the rural poor, especially among smallholder farmers in sub-Saharan Africa, the issue of access to and control over land among women farmers in rural Ghana remains difficult to come to terms with. It is evident from this study that empowering women to access productive resources, including land, will not only be beneficial to the women as individuals, but that women's absolute access to and control over land would be of huge benefit to the households and communities to which these women belong. This, notwithstanding, many challenges – ideological, political, and socio-cultural barriers – complicate women's access to land, let alone gaining secure tenure rights. The dilemma among women in rural Ghana is more pronounced, as the situation appears to be embedded in a zero-sum game. That is, the findings from this study point out that opening the opportunity for women to have easy access to land or the ability to own land in their own name, would mean the denial of men's rights over the same land. Since access to and control of land are premised on who wields power and how such power is exercised, women are further marginalised because their power-wielding ability is simultaneously constrained by the persistent patriarchal system, women's location on the social ladder, and gender-based injustices. Rural women negotiate their access to land through social ties which are characterised by male hierarchy. The access rights of widows were linked to whether widows had children with their late husbands and whether they (the widows) are in what participants described as 'good standing' with the late husbands' families. Widows with children and those in a stable relationship were perceived to have greater access to their husbands' family land than widows without children. This also means that rural women with weak bargaining and negotiating powers are the first to lose in the struggle for land or 'disinheritance' process. On the other hand, rural women are given the farthest away lands from their villages of residence, due to their poor social and bargaining status in their respective communities. Rural women's desire to access land of their choice become elusive in the event of land grabbing or commercialisation. Such underprivileged people as rural smallholder women as agricultural actors tend to be more marginalised and vulnerable to such dispossessions. The increasing demands for land due to increases in population do not help matters either.

Addressing the land access and tenure security needs of women is essential for gender equality and social justice in a more egalitarian society. Since rural women's day-to-day activities are anchored in land, equity in access and control of land is very key towards achieving development in general and women empowerment in particular through enhanced decision making powers, both in the private and public spheres.

In conclusion, the traditional practice of landholding, allocation and titling, which has been dominated by a purely male hierarchy needs to be questioned – shifting the boundary of popular thinking and attitudes towards land access and

ownership in a more promising direction. Indeed, development and gender experts have long maintained that these traditional custodians need to be sensitised in using different approaches to landholding and allocation among men and women. For instance, community leaders could use the rights-based approach, which stands to deliver a fair and improved distribution of land. It could also offer better and quality local justice to both men and women when it comes to issues of women's access to and control over land.

BIOGRAPHICAL NOTE

Isaac Dery graduated from the University for Development Studies, Ghana, in 2011. He received a Bachelor of Arts Degree in Integrated Development Studies, and majored in Economic and Entrepreneurship. He proceeded to the University of Sussex, UK where he received a masters degree in Gender Studies, in 2013. He is currently a Doctoral student (Gender Studies) at the African Gender Institute – University of Cape Town, South Africa. Before embarking on further studies, Mr Dery worked as a community development worker with development organisations for several years. His research interests is on gender-based violence, masculinity studies, mens studies, bride-price, issues of power, and gender equality. He has written and published many articles is these areas.

NOTES

1. GROW is a project funded by DFATD/MEDA and ProNet North and is one of the Key Facilitating Partners in the Upper West Region.
2. Tindambas are spiritual leaders of the land. They are in charge of pacifying the lesser gods and ancestors.
3. 'Wie' refers to a farm land which is located far away from the settlement.

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