

## AFRICA DEVELOPMENT AND RESOURCES RESEARCH INSTITUTE (ADRRRI) JOURNAL

ADRRRI JOURNALS ([www.adrri.org](http://www.adrri.org))

E-ISSN: 2343-6662 VOL. 28, No. 12 (5), July, 2020-September, 2020

**Gendered Customary Land Tenure Dynamics and its Implications for Rural Development: A Case Study of the Tolon District in Northern Region of Ghana**<sup>1</sup>Baataar Cuthbert, Joseph Bagah<sup>2</sup> and Tidoo Mohammed Aminu<sup>3</sup><sup>1</sup>Faculty of Integrated Development Studies, University for Development Studies, Wa Campus, Wa Ghana. Tel: 0540355366 \*Email: [baataar@yahoo.com](mailto:baataar@yahoo.com)<sup>2</sup>Faculty of Integrated Development Studies, University for Development Studies, Wa Campus, Wa Ghana. Tel: 0246012091 \*Email: [jbagah@uds.edu.gh](mailto:jbagah@uds.edu.gh)<sup>3</sup> Tamale Technical University Post Office Box 3 ER, Tamale Northern, Ghana  
Tel: 0553688268\*Email: [mohammedmaxwell@gmail.com](mailto:mohammedmaxwell@gmail.com)<sup>2</sup>Correspondence: [jbagah@uds.edu.gh](mailto:jbagah@uds.edu.gh)Available Online: 30<sup>th</sup> September, 2020URL: <https://www.journals.adrri.org/>**Abstract**

The study argues for gendered customary land tenure dynamics and its implications for rural development to improve women access to land and human wellbeing in the Tolon District of the Northern Ghana. The study was mainly a case study design. Cluster sampling technique was used to select four communities for the study. Snowball sampling was also used to select 55 household heads while 10 key informants were purposively selected. Semi-structured interview, key informant interviews and focus group discussions were used to collect primary data. The study found that; men were the owners of customary lands which they inherited from their forefathers while leasehold lands were seen to be gender neutral. Borrowed lands were the major mode through which female-headed and other non-owning male households accessed land for agricultural production which were bedeviled with many challenges. The study revealed that most rural households had no knowledge on legal establishment seeking to ensure equal ownership rights in properties. To improve gender gap on land ownership and the secured use of land for rural household wellbeing, this study recommends extensive local level stakeholders' consultation to protect women rights to own customary lands to ensure equity.

**Keywords:** customary land tenure, women livelihood strategy, Women empowerment, rural development

**[Cite article as:** Baataar, C., Bagah, J. and Mohammed A. T. (2020). **Gendered Customary Land Tenure Dynamics and its Implications for Rural Development: A Case Study of the Tolon District in Northern Region of Ghana.** Africa Development and Resources Research Institute Journal, Ghana: Vol. 28, No.12 (5), Pp. 52-77, E-ISSN: 2343-6662, 30<sup>th</sup> September, 2020.]

Received: (July 7, 2020)

Accepted: (September 30, 2020)

## INTRODUCTION

Land tenure is the system of rights, interest and institutions that govern access to and use of land and other resources ( Kasanga, 1998; Maxwell & Wiebe, 1999). The World Bank (2005) asserts that, in agrarian economies land is a critical asset for men and women especially for the rural poor. This implies that land is a major factor in production as rural households rely on its ownership, access, control and use in reducing poverty and improving on their wellbeing. Land in Ghana is customarily or statutorily held in trust for the people as a source of agricultural income and rural employment (Lentz & Barrett, 2013; Owusu et al., 2008). It is estimated that eighty percent (80%) of Ghana's land is held under the customary land tenure system (Owusu et al., 2008) and the rest of the twenty percent (20%) held statutorily (Spichiger & Stacey, 2014). Within the customary land tenure system, matrilineal and patrilineal modes are the major means by which individual, family or community lands are transferred to generations (Kuusaana & Eledi, 2015).

In the Northern Region, land tenure operates under the patrilineal mode of land inheritance (Yaro, 2010). This system of land transfer reserves males the right of decision regarding its ownership, use and control (Apusigah, 2009; Paaga, 2013). In addition, (Kasanga et al., 2017) posit that ensuring fairness in land access cross the social scale of Northern Region, which is predominantly agrarian, remains a bone of contention between male and female-headed households. This inequality within the customary land tenure administration of Northern Region, which is predominantly rural, exposes women to greater vulnerability especially poverty which affects their functioning, wellbeing and contribution to rural household development.

In Africa, women contribute seventy percent (70%) of food production, accounting for nearly half of all farm labor, and 80-90 percent of food processing, storage and transport (Kimani, 2012; Un-habitat, 2008) but only own one (1) percent of land (Odeny, 2013). Meanwhile, land is critical and basic to rural poverty reduction and for the sustenance of rural livelihood (Federici, 2011; USAID, 2005). In Ghana, gender difference in access to land indicates that, women own about 9.8 percent of agricultural land while men own about 81.0 percent of agricultural parcel of lands (Deere et al., 2013). The denial of land is a basic asset of rural livelihood (FAO, 2011; IFAD, 2010) that disadvantages women of their full potentials and capabilities and make them vulnerable to rural poverty. Even though considerable interventions have been made by civil society organizations in the district such as the United State Agency for International Development (USAID), Mennonite Economic Development Associates (MEDA), Action Aid Ghana and regardless of the various land policies that prescribe equity in use and control of lands in Ghana, women's access and control of land in the Tolon District remains contested, marginalized and gendered (Apusigah, 2009). Studies on customary land tenure in the Tolon District tend to look at the historical antecedent and view of land among Dagombas (Abudulai, 1986). However, none of these studies have directly examined the implications of the gendered access of customary lands on wellbeing to understand in-depth their implications on food security, income, participation in decision- making, and tenure security in the District; that is the linkage between ownership of resource (land), mostly through the inheritance mode and wellbeing of rural households. This is the gap the study seeks to fill. This study will therefore seek to explore exactly the implications of the existing gendered access of customary land tenure on rural development with the focus on household wellbeing (food security, reduced income poverty, participation, and tenure security) of households in the Tolon District of Ghana.

### **The objective of the study**

To examine the implications of the existing gendered customary land tenure for rural development in the Tolon District

### **The study proceeded to address the following specific objectives:**

1. To ascertain the processes involved in gaining access to customary land by both men and women in the Tolon District.
2. To determine the challenges encountered in accessing customary land for agriculture production in the Tolon District.
3. To examine the implications of the existing gendered access to land on households wellbeing (income, food security, tenure security and participation) in the Tolon District.
4. To assess gender equity improvement possibility in access to use, control and ownership through legal establishment in the Tolon District.

### **Research Questions**

#### **The research proceeded to address the following specific research questions:**

1. How is customary land accessed by both women and men in the Tolon District?
2. What are the challenges encountered in accessing customary land for agricultural production in the Tolon District?
3. How does the existing gendered access to customary land influence households' wellbeing (income, food security, tenure security and participation) in the Tolon District?
4. How do legal establishments that seek to improve gender equity fit within the existing customary land as practiced in the Tolon District?

## **The Feminist Theory**

The theory though mostly used in analyzing gender inequality between women and men, has elusive origin and use. Osmond & Thorne (2009) posit that the feminist theory consists of a wide range of perspectives that usually seeks to analyze the subordinate position of women in diverse ways with the goal of changing existing structures or systems that reinforce inequality. The central tenet of the theory concentrates on providing a way that shapes the lives of women, and to examine the cultural underpinnings of what it means to be a woman. Feminism advocates against all socio-cultural structures that reinforce inequalities and the subordination of women in their relationship with men (Jackson, 1998; Yodanis, 2004).

The theory disagrees with the perception that inequalities between men and women are natural and unavoidable. The feminists insist that such assumption should be challenged, since there is no empirical justification of women's subordination in society. Hook (2010) for instance, stipulates that though women may have common characteristics such as sex and class, it is imperative not to consider them as a homogenous group in their needs for their triple roles of production, reproduction and community service. Curtis (1986) & Hook, (2010) noted that the gender inequality in society can be compared to the Marxist capitalist system of society, where women are habitually discriminated by men who own the productive resource (land); thus bourgeoisie. The place or position of women in land ownership is therefore a social construct as a result of their social identity (Curtis, 1986). The theory is of immense benefit to the study because it guided the study in the analysis of issues of gender in ownership of customary land, in relation to men and women. The feminist theory also guided the study in examining the socio-cultural underpinnings of inequality in land ownership.

### **Conceptual Framework (DFID Sustainable Livelihood Framework)**

The framework was underpinned by the sustainable livelihood framework (Development, 1999). Scoones, (1998) posits that the main objective of the sustainable livelihood framework is to analyze the conditions of rural people as in Figure 1 and to come out with a possible solutions or outcomes that will improve on their standard of living. The study sought to analyze the implications of a critical resource to rural people-land (Kirwa, 2009), which is governed by what customary structures have for wellbeing. These customary structures were analyzed within the context of how land inheritance in the study area is male skewed (gendered) in principle (Awumbila, 2006; Kasanga & Kotey, 2001; Kimani, 2012).

From Figure 1, rural people could be considered as being in a vulnerable context or conditions of poverty, food insecurity and dependent solely on natural resource (land) (Chambers, 1995). Within the context of vulnerability, they have a productive resource or asset (land) which, according to the evolutionary theory of land rights (Plautteu, 1996) is governed by the customary institution that determines rights of ownership, use, control and transfer. Within these dimensions of rural livelihood access paths, the framework added the element of gender. In respect to gender, the study concentrated on how the customary institution/structure grants opportunities to both female and males. Studies have shown that women are often neglected within the customary structure that gives rights and interest to land (Awumbila, 2006). From this point as indicated in Figure 1, the framework showed a strong connection between land in rural areas and livelihood activities. With land being their productive resource or asset, majority of the rural people depend on farm activities while others rely on non-farm activities. With either

livelihood, farm or non-farm activity, land is governed by customary tenure and livelihood activities within the context of gender will result in livelihood outcomes.

The livelihood outcomes that were considered within the study were the components of rural development measuring wellbeing. Thus, after farm and non-farm activities are carried out using land, it will be expected that there will be improved wellbeing of rural people (food security, reduction in income poverty, participation, tenure security and empowerment). The sustainability of this wellbeing, including food security, reduction in income poverty, participation of rural people on issues that affect them, secured access to land for production and improvement in their capabilities, taking in to consideration gender are expected to improve the vulnerable conditions (food in secured, dependent on land and mostly poor) of rural people.

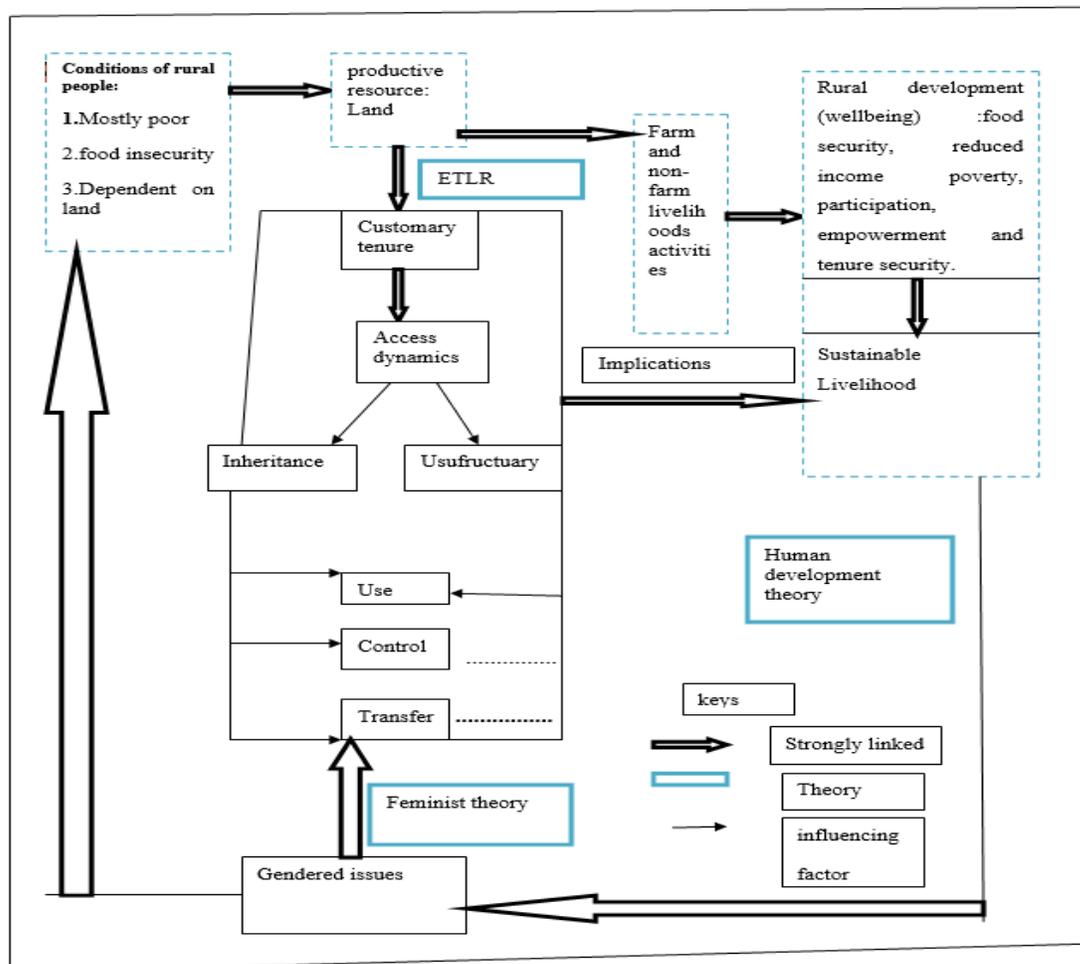


Figure 1 Conceptual framework of the sustainable livelihood framework

Source: Authors Construct (2017)

## METHODOLOGY

### Research/Study Design

A case study design was used to investigate gendered customary land tenure dynamics and its implications for rural development in Tolon District. Woodside (2010) asserts that a case study is an inquiry that focuses on describing, understanding, predicting, and

explaining the individual (such as households; male and female-headed, co-headed households, women groups, chiefs, Tendabas and organizations). The Tolon District was clustered into three area councils; Nyankpla, Ksuyili, Tali and Tolon (GSS, 2014). Subsequently, simple random sampling method was used to select one community from each area council (Nyankpala, Waribi, Kpedua and Yepelgu) which constituted the studied communities in the District (Collins & Stephens, 2007). Eisenhardt (1981) posits that with a multiple case study with diverse communities, the choosing of one community from each cluster is acceptable. Cavaye (1996) also stressed that a case study with different communities should adopt at least four (4) cases (communities and not more than ten (10) cases (communities). Four chiefs, four Tendabas on one hand, and two organizations (Alliance for African Women Initiative (AFAWI) and Great Initiative Foundation (GIF) engaged in rural development on the other hand were purposively selected for the study because they had in-depth knowledge on the customary land tenure system and rural development efforts in the District respectively. Total population of the study was fifty five (55) household heads, chiefs from each of the studied communities, four (4) Tendambas from each of the sampled communities as well as two organizations (AFAWI and GIF) engaged in rural development in the Tolon District. Land tenure system and rural development efforts in the District respectively. The study was conducted from 2017 to 2018. The specific techniques that were adopted to collect data were semi-structured interviews, key informant interview, focus group discussion and non-participant observation. Interviews were conducted with the following people: male-headed, female-headed and co-headed, and officials of the two Non-Governmental Organizations. The people were selected because of their special knowledge on customary land tenure system and rural development efforts in the District. There were four Focus Group Discussions held with women in each group.

This method was used to collect data from women groups. This entailed the use of a discussion guide with graphical representations to improve the understanding of all participants. To avoid the shortfall of one or few influential people hijacking the discussion, there was a checklist to monitor and eliminate this weakness. Also to ensure fair representation in all the study communities, one group was formed in each community. Data collected were analyzed qualitatively through theme formulation, pattern analysis, and interviews recordings with an audio device were transcribed and carefully edited where necessary to ensure that the original meanings given by respondents were preserved while quantitative data were coded into numbers and inputted into Statistical Package for Social Scientist (SPSS) for analysis and presented in tables and figures.

## RESULTS AND DISCUSSIONS

### *Background Characteristics of Households and Respondents*

The study sampled 55 household heads from four communities in the four area councils within Tolon District. It was found that 33 (60.0%) of the respondents were female household heads and 22 (40.0%) were male-headed households. The large number of female household heads could be attributed to the Islamic practice which allows women to stay at the husband's home after the death of the spouse if she wants to stay and take care of her children (Abdul-Hamid, 2017). It was also found that the average household size was 10 people per a household which is higher than the District household size of 9 persons found in 2010 (GSS, 2014). The increase in size of households implies that as population increases the demand for land, as a productive resource will rise leading to evolving rights to land (Platteau, 1996).

Majority of the female households who participated in the study were widows but with a sharp decline from age 61-70. This could be due to the cultural practices, which allow sons to be heads of households. Thus, as the women aged their children take care of them. Majority of the respondents within the age 51-60 indicated that they were still actively engaged in productive activities and had vast experience and in depth knowledge of the customary land tenure system, which was relevant to the study. The study also found that the predominant major and minor occupations of respondents were farming and selling of firewood respectively. The former indicates that land is a critical livelihood asset to rural folks (Mutopo, 2014). This collaborates with the findings of Scoones (1999) that, land is unarguable asset to rural people. The latter indicates that the related livelihood activity that rural people engage in also has a gender dimension which has implications on land use.

### **Customary Land Tenure in the Tolon District**

The study found that all lands in the Tolon District belong to the Ya Naa, the overlord of Dagbon Kingdom. This confirms the finding of Abudulai (1986) that all lands in Dagbon including its inhabitants belong to the "allodial" title holder. However, the administrative authority has been delegated to divisional and sub-chiefs while the Tendambas spearhead spiritual authority over land in the District. A tendaana at Waribi had this to say "*When things are not going on well in this community I go to the tengbani (earth gods) to enquire the reason for the misfortune, nobody can go there if not under my authority*" (Key Informant Interview; Tendana at Waribi, 2018). This collaborates with the finding of Abuduli (1986) & Macgaffey (2013) that tendabas do not have administrative authority over community lands among Dagombas.

In a key informant interview with a Chief at Yepelgu, one of the sampled communities, he summarized the operation of customary land tenure in the Tolon District as;

*“Hmmm (sigh) our fathers didn’t leave any property to us except land. So it is our great grandparents’ lands that have been passed on from one to the other, until it got to our time. We can’t increase it either can one decrease it. So we will be doing small small, when our time is up then we also transfer its ownership to our male children and go. We don’t sell it but in case a particular family is in need we just cut a portion for the male head of that family and take it back as and when we need it”.* (Key Informant Interview; Chief at Yepelgu, April 2018).

### **Access to Customary Land among the Various Gender Groups**

This section analyzes the various access routes to customary lands along gender lines. The study found that customary lands were accessed through inheritance; which are transfer at two levels. The first level of transfer is where sons are matured enough to independently cultivate their own piece of land while the father is still alive. Maturity in this case is mostly defined by marriage and the second level of transfer is where the father dies without passing through the first level. Data from the household interviews indicated that out of the 22 male headed-households who participated in the study, 21(95.5%) inherited lands from their fathers. The only male respondent who did not access land through inheritance was not an indigene of the community. This affirms the position of Duncan (2004) that, land ownership (inheritance) in patrilineal societies is male skewed; borrowing, as an access route, though gender neutral was the mode through which 90% of the females had access to land. On the other hand access to land by settlers who are mostly strangers entails the male head paying 24 pieces of cola nuts, three fowls and three cowries. This route of access, according to key informants, no longer exists. This collaborates with the finding of Gough & Yankson (2000) that appropriation

of customary land as gift no longer exists in rural Ghana. It is gender biased, a key informant had this to say at kpendua "*when a woman comes to this community asking for land I will question her, where is her husband. I won't give her the land but if she is having a son who is grown and can farm because of the son I will give her land to settle. The reason is simple, women are not part of our customary practice process and they are not also stable beings since they can marry at any time and still claim ownership of the land whiles in another community. So without a grown son or a husband, I won't give her the land*" (Key Informant Interview: Chief at Kpendua, 2018).

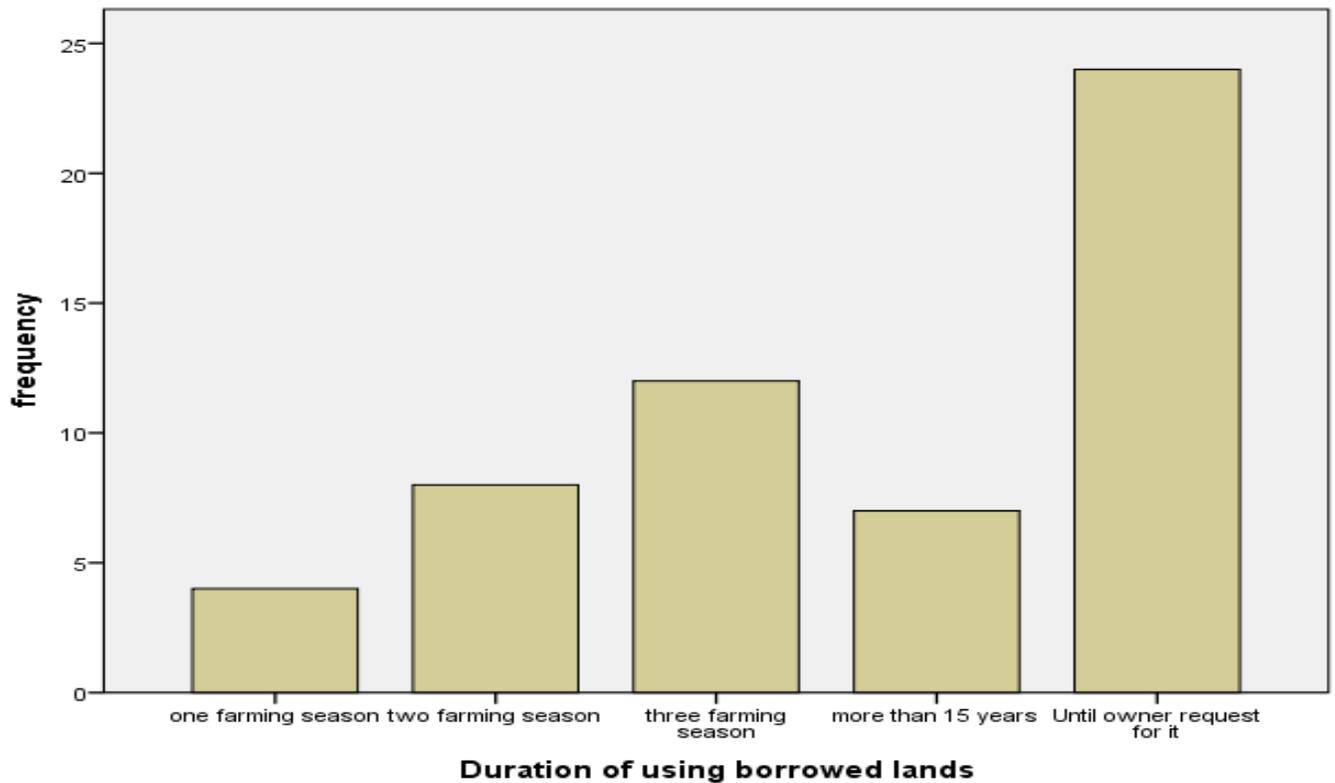
### **Challenges Associated with Customary Land Access**

The study revealed that gender was a yardstick in determining who has customary land access, use, control and transfer. Also from the various household interviews, it was revealed that majority of the respondents have ever used borrowed lands or are still using borrowed lands for agricultural production, mostly associated with non-owning land households (female-headed households). Aside of the non-owning households, other land owning households (male-headed households) agreed to be using or have ever used customary borrowed lands for agricultural production. They attributed these to the continual fragmentation of customary land since every male has the right to inherit land, soil infertility, small size of farm land and the inappropriateness of cultivating a crop type at particular soil.

Data from the households indicated that 54.5% females compared to 12.7% males used below five acres averagely for production with an average household size of 10 people and little diversification from agriculture. In their livelihood activities, the customary land tenure system limits women's ability to adequately function within their capabilities as the human development theory espouses (Fukuda-Parr, 2003; Sen, 1993). The study

further sought to assess the duration of use for borrowed lands and the challenges associated with borrowed lands. With reference to the duration of land use, the study revealed that the length of time the borrower can use the land was based on the preference of the land owner.

From Figure 2 below, 4 respondents representing 7.3% indicated that they could use borrowed land for one farming season subject to renewal based on the agreement between the land owner and the borrower. Another eight household respondents representing 14.5% indicated that they could use borrowed land for two farming seasons; twelve (12) respondents representing 21.8% indicated borrowed land could be used for three farming seasons whereas seven (7) and twenty four (24) respondents representing 12.73 % and 43.6% respectively indicated that they could use borrowed land for more than 15 years and until the owner requests for it. The split in responses of respondents is attributed to the restrictions individual land owners placed on customary lands as a result of the non-abundant of land. This confirms the proposition by evolutionary theorists that as pressure on land usage increases land ownership tends to be individualized and not based on communal ownership again (Platteau, 1996).



**Figure 2. Duration of use of borrowed land**

**Source: Field data 2018**

Majority of the respondents indicated that there were challenges associated with borrowing customary land for agricultural production which adversely affects productivity. This view by the respondents supports the proposition of (Duncan, 2004; Unruh & Turray, 2006) that unsecured rights to land affect productivity. Thus the study revealed a strong link between secured right to land and productivity. This thus contradicts the finding of (Sjaastad & Bromley, 1997) that, insecure tenure does not have any influence on productivity. However, four (4) respondents representing 7.3% indicated that borrowing as a mode of accessing land for agricultural production is risky

to land owners as most borrowers do not want to release land at the request of the land owner when he needs it again. With the identified challenges, except difficulty in reclaiming borrowed lands, women were greatly affected. This was confirmed by a female respondent at Waribi community.

*"Hmm (sigh) I have no land always i borrow land for agricultural production. The land owners always expect farm produce at the end of the farming season. If i am not able to give him the produce, when he buy things from me he doesn't pay and if i talk, he says i am using his land for farming; which affects my income. I can't also stop farming because if the season is good i will get more than i give him. The problem nowadays is that he gives me non fertile land, so i have to invest more before I can get farm produce, increasing production cost resulting in income poverty affecting we women" ( 35 Year-old Female Respondent at Nyankpala,2018).*

The increasing trend of demands made by land owners is likely to revolve to tenancies as espoused by the evolutionary land rights theory (Platteau, 1996).

### ***The Influence of Customary Land Tenure on Household Income***

Data gathered from all the fifty five (55) households heads interviewed recognized the increasing importance of monetary income to household wellbeing. This implies that limiting access to land which is their main productive resource undermines their wellbeing. A female respondent at Yepelgu had this to say after responding to a question on the significance of monetary income to household wellbeing.

*"Hmm (sigh) in this present times, everything is money; to eat is money, to educate children is money, to wash is money, so money is vital to my wellbeing. Because of that I carry firewood every morning to Tolon to sell for just GHC 2.50 with a child at my back and all is because of money to be able to buy food for my children. Even though I feel pain on my neck I can't stop, if I stop I won't eat not to talk of buying shirt for my children. If I had option I would have travelled*

*elsewhere but I have no place to go, so I will continue to suffer like that” (42- year Old Female Respondent at Yepelgu, 2018).*

The study further sought to assess the income and expenditure patterns of households to determine whether there was income inequality among male and female- headed households.

From the study male- headed households earned an average income of GHC25.00 per week from self-engaged activities of selling farm produce and dry season garden whiles spending GHC13.00 (52.0%) on household expenditure. This implies that male- headed households have up to 48.0% of their income to save. Female- headed households, on the other hand, averagely earned GHC19.50 per week from self-engaged activities of selling firewood, trading, sheabutter processing and selling of food whiles they, on average, allocated GHC15.70 (80.5%) to household expenditure. This implies that female households have only 19.5% of their income to save compared to males who have up to 48.0% of their income as savings. This study has now established that, there exists, inequality in income between men and women. It therefore sought to assess the contribution that land ownership or secured use of land would have had or has on the income situation of households. Using a scale that equates all households' income to 10 units, majority (57.4%) of the female respondents indicated all the 10 units of income would have resulted from the ownership of land. They attributed it to the fact that farm produce would have been used to trade and gain more profit. Also, 30.0% of the female respondents indicated that 5 to 9 units of their household income would have been attributed to their land ownership whiles (12.6 %) assessed that 2 to 4 units of their income would have been attributed to their land ownership. On other hand, 55.0% of the men regarded land ownership to be contributing immensely (10 units) to their household income whiles 40.0 % of the male respondents indicated that 5 to 9 units of their

household income are attributed to their land ownership. The rest (5.0%) of the men indicated that 2 to 4 units of their household income are as a result of their land ownership. An analysis of the income and expenditure of the various gender groups indicates that even though men earn higher from their land ownership related activities women earn less but contribute more to household expenses. This implies that despite the immense contribution of rural women to household expenditure in patriarchal societies, they remain the poorest due to limited diversification from land related activities (Awumbila, 2006).

### *The Influence of Customary Land Tenure on Household Food Security*

For comprehensive assessment of food security at the household level, the USDA module of assessing food security among households (Bickel, Mark, Cristofer, William, & John, 2000) was adapted to screen the conditions and experiences of households within the immediate past year (2018). The conditions and experiences of households were categorized into three levels of increasing severity. The first category looked at the experience of anxiety or worry about the availability of food while the second category captured the experience of hunger among households. The third category was on the experience of the extreme form of hunger which included children not eating the whole day.

### *The Influence of Customary Land Tenure System on Land Tenure Security*

The study revealed that the most widely mode of acquiring land for agricultural production by both non land owning and some land owning households was through granting of permission or borrowing. This necessitated the need to examine the perspectives of respondents on the conditions necessary to define a particular land as user secured. The study revealed that majority of the respondents (46.7 %) indicated that

customary lands are guided by informal boundaries (Kasanga & Kotey, 2001). As a result, ensuring inherited lands were used without any interference will require a clear demarcation of land boundaries. Clear demarcation implies the use of stones, trees and other landmarks to indicate boundaries of lands. Aside this, others (38.6 %) regarded other community members serving as witnesses in the process of acquiring land as being a condition necessary to ensuring the use of land without any disturbance. This confirms the findings of Toulmin (2008) that, validation at the community level is a prerequisite to ensuring tenure security of land. Moreover, 6.7% of the respondents indicated continuous use of land without any conflict as a condition of security. Furthermore, 4% of the respondents indicated that ensuring fairness in dealing with land issues and land agreement documented and witnessed as conditions that could guarantee secure right to land. The study revealed that, clear demarcation of land boundaries and witnessed by other community members in the acquisition process as the first and second most guaranteed conditions respectively to secure rights in customary lands. This agrees with the findings of Ubink (2008) that secured or guaranteed right to land in rural communities need not be necessarily a written or registered document.

### *Gender Equity Concerns in Customary Land Tenure*

The key informant interview with chiefs and Tendambas, and the FGD with women groups in all the communities recognized that, the practice of independently allowing women to use and control land was missing within the customary system of land ownership. While the Chiefs and Tendambas acknowledged that women land ownership in setting cultures, seemed beneficial they expressed the fear of changing the existing access to and control of customary lands because these seem to pose threat to peaceful coexistences of families. They argued that women independently owning lands imply

that they may no more be willing to assist their husbands to work on their farms; this will be detrimental to our society. There was no uniformity in responses when land custodians (chiefs and Tendambas) were asked the impact of women land ownership on development. One divide argued that women land ownership would mean that they will no longer support their husbands on their farms as well as households. The other divide posits that women are able to manage their own farms as well as households farms. This implies that women land ownership means more food and income to the household.

### *Awareness of Rural Households on Equity Enhancement Laws*

With the recognition of equity gap in the existing customary practice in rural communities, it was imperative to determine whether the discriminatory practice against women could solely be attributed to culture or their level of awareness of legal establishment (Duncan, 2004) played a role. Data from the households indicated that 75.5% of the respondents had no knowledge on legal establishment that seeks to ensure gender equality in land ownership among men and women. However, 24.5% of the respondents indicated that they have heard of legal establishment seeking to ensure equality in land ownership. They attributed their awareness to advocacy by non-government organizations, radio sensitization and travelling experience elsewhere. Out of the 24.5%, only 7 of the respondents expressed confidence that it was valid and practiced elsewhere.

The focus group discussion with all the women groups in all the studied communities indicated that they have never heard of a legal establishment seeking to ensure equity in land ownership. It was observed that, the women were surprised that women land ownership was valid and practiced elsewhere. The male dominance in land ownership in rural communities in the district makes people believed that, excluding women in land

inheritance and ownership is normal and a natural phenomenon. This implies that the low level of awareness of rural people on gender gap in land relation among men and women cannot be solely blamed on their cultural orientation. Instead, there has not been a conscious effort to sensitize rural people on legal establishment ensuring equality in land ownership.

### *Applicability of Women Land Ownership Right through Legal Establishment*

Once it was realized that rural communities in the study area practiced patrilineal system of inheritance coupled with the low level of awareness among rural people on legal establishment seeking to ensure equity in land ownership it was important to assess the extent to which rural people were willing to partner women in land ownership. Data from the household heads indicated that 58.2% of the respondents cited that women land rights ownership through legal establishment is not possible. They attributed their reasons to cultural preservation of land practice, increasing population resulting in land fragmentation and breakdown of the family system. However, 41.8% of the respondents indicated that women land ownership right through legal establishment was applicable in the communities. They however, expressed that the applicability could be challenged by land custodians since it is not in conformity with the communities' customary practice and would possibly lead to eruption of conflict. From the analysis, it is clear that women land ownership is possible but requires a long term gradual process of conscious consultation with stakeholders and sensitization of rural communities. It also requires a clear demonstration of the benefits of women land access and control. Thus, households and land custodians are practically convinced of the benefit of women land ownership to the household and the community at large. This implies that enforcing laws to deal with

the existing gender discrimination as posited by the feminist theory (Yodanis, 2004) is likely to fail if imposed on rural communities.

## CONCLUSIONS

The study has established that the customary land tenure system in the Tolon District of Northern Region, Ghana denies women the opportunity to inherit customary land which was the most secured mode of land acquisition in the district. This limits women and leaves them with borrowing as their major mode of access to land for agricultural production. The study also concluded that access to land through borrowing was bedeviled with several challenges among them were insecurity of tenure and unproductive non- fertile land. Thus, the customary land tenure dynamics in the Tolon District posed a limitation to households especially female-headed households that do not own lands. The denial of women to secured access to and control of land does not only affect households wellbeing but also destroys the environment as non- owning households especially female- headed households resort to the cutting down of trees for commercial purpose as a means of livelihood to meeting their household needs. Rural development through enhanced capabilities is therefore limited since the dynamics within the customary land tenure does not recognize equity in land ownership, which is essential or core to poverty reduction through income empowerment, food security, land tenure security and participation. Finally, the study concluded that there was a low level of awareness among rural households in the Tolon District on legal establishment (PNDCL 111 and CEDAW among others) seeking to ensure equity in property (land) ownership.

## RECOMMENDATIONS

Based on the conclusion of the study the following recommendations are made to ensure secured access to land by both gender groups without any restrictions. There is an urgent need for the Ministry of Local Government and Rural Development to relook at the existing access dynamics in the customary land tenure to ensure that there is a conscious effort towards women land access security in rural communities in the Tolon District. However, the strategies should include mainstreaming the cultural significance of the customary land tenure system and consultation with the various local stakeholders in the rural communities in the Tolon District. Land custodians should regulate the borrowing of customary lands among rural households. This is to prevent the threat of possible conflicts as a result of insecurity of land use and other challenges. If not regulated by tenancy agreement, the users (borrowers) may demand forceful right to possession of such lands. The Ministry of Food and Agriculture and other advocacy groups at the local level should recognize the existing tenure arrangement when implementing projects such as the current Planting for Food and Jobs Programme. This is attributed to the fact that it is difficult to change the socio-cultural belief of rural people, hence the need for extensive consultation by stakeholders and to practically demonstrate the benefits of secured access to land by both gender groups on rural household wellbeing. Finally, Non- governmental organizations seeking to promote rural development should focus on diversification of livelihoods away from agriculture.

## REFERENCES

- Abudulai, M. (1986). Land tenure among the Dagomba of Northern Ghana: Empirical evidence. *Cambridge Anthropology*, 72-103.
- Apusigah, A. A. (2009). The gendered politics of farm household production and the shaping of women's livelihoods in Northern Ghana. *Feminist Africa*, 12(12), 51-67.
- Awumbila, M. (2006). Gender equality and poverty in Ghana: implications for poverty reduction strategies. *GeoJournal*, 67(2), 149-161.
- Bickel, G., Mark, N., Cristofer, P., William, H., & John, C. (2000). Guide to Measuring Household Food Security, Revised March 2000.
- Cavaye, A. L. (1996). Case study research: a multi-faceted research approach for IS. *Information systems journal*, 6(3), 227-242.
- Chambers, R. (1995). Poverty and livelihoods: whose reality counts? *Environment and urbanization*, 7(1), 173-204.
- Collins, B. M., & Stephens, S. L. (2007). Fire scarring patterns in Sierra Nevada wilderness areas burned by multiple wildland fire use fires. *Fire Ecology*, 3(2), 53-67.
- Curtis, S. B. (1986). Lethal and potentially lethal lesions induced by radiation---a unified repair model. *Radiation research*, 106(2), 252-270.
- Development, D. f. I. (1999). Tourism and poverty elimination: Untapped potential: DFID Londong.
- Duncan, N. (2004). *Landscapes of privilege: The politics of the aesthetic in an American suburb*: Routledge.
- FAO, F. (2011). Agricultural Organization of the United Nations (2004). *FAO statistical yearbook 2005*, 6.
- Federici, S. (2011). *Feminism and the Politics of the Commons*: na.
- Fukuda-Parr, S. (2003). The human development paradigm: operationalizing Sen's ideas on capabilities. *Feminist economics*, 9(2-3), 301-317.
- Gough, K. V., & Yankson, P. W. (2000). Land markets in African cities: the case of peri-urban Accra, Ghana. *Urban studies*, 37(13), 2485-2500.
- GSS, G. (2014). ICF International. *Ghana demographic and health survey, 2015*.
- Hook, J. L. (2010). Gender inequality in the welfare state: Sex segregation in housework, 1965-2003. *American journal of sociology*, 115(5), 1480-1523.
- IFAD. (2010). Rural Poverty Report 2011: IFAD Rome, Italy.
- Jackson, F. (1998). *From metaphysics to ethics: A defence of conceptual analysis*: Oxford University Press.

- Kasanga, E. A., Boakye-Gyasi, E., Biney, R. P., Kyekyeku, J. O., Agyare, C., & Woode, E. (2017). Geraniin attenuates naloxone-precipitated morphine withdrawal and morphine-induced tolerance in mice. *Journal of Intercultural Ethnopharmacology*, 6(2), 199.
- Kasanga, L. A. (1998). Requests in English by second-language users. *ITL-International Journal of Applied Linguistics*, 119(1), 123-153.
- Kasanga, R. K., & Kotey, N. A. (2001). Land management in Ghana: Building on tradition and modernity: International Institute for Environment and Development London.
- Kimani, J. N. (2012). *Factors that influence social acceptance of widows in the Kikuyu culture (a case study of Kiserian location)*. The University of Nairobi.
- Kimani, P. G. (2012). *Screening And Partial Characterisation of Endotoxins From Some Local Bacillus Thuringiensis Isolates For Insecticidal Activity Against The Spotted Stem Borer*. Kenyatta University.
- Kirwa, E. (2009). *Impact of land-use change on ecology, resource productivity and adaptive strategies of smallholder agro-pastoralists in Machakos-Makueni Districts, Kenya*. University of Nairobi.
- Kuusaana, E. D., & Eledi, J. A. (2015). Customary land allocation, urbanization and land use planning in Ghana: Implications for food systems in the Wa Municipality. *Land Use Policy*, 48, 454-466.
- Lentz, E. C., & Barrett, C. B. (2013). The economics and nutritional impacts of food assistance policies and programs. *Food Policy*, 42, 151-163.
- Maxwell, D., & Wiebe, K. (1999). Land tenure and food security: Exploring dynamic linkages. *Development and Change*, 30(4), 825-849.
- Mutopo, P. (2014). *Women, mobility and rural livelihoods in Zimbabwe: experiences of fast track land reform*: Brill.
- Odeny, M. (2013). *Improving Access to Land and strengthening Women's land rights in Africa*. Paper presented at the Annual World Bank conference on land and poverty', The World Bank, Washington, DC.
- Osmond, M. W., & Thorne, B. (2009). Feminist theories *Sourcebook of family theories and methods* (pp. 591-625): Springer.
- Owusu, C., Buist, D. S., Field, T. S., Lash, T. L., Thwin, S. S., Geiger, A. M., . . . Yood, M. U. (2008). Predictors of tamoxifen discontinuation among older women with estrogen receptor-positive breast cancer. *Journal of Clinical Oncology*, 26(4), 549-555.

- Paaga, D. T. (2013). Customary land tenure and its implications for land disputes in Ghana: cases from Wa, Wechau and Lambussie. *International Journal of Humanities and Social Science*, 3(18), 263-270.
- Platteau, J. P. (1996). The evolutionary theory of land rights as applied to sub-Saharan Africa: a critical assessment. *Development and change*, 27(1), 29-86.
- Scoones, I. (1998). Sustainable rural livelihoods: a framework for analysis.
- Scoones, I. (1999). New ecology and the social sciences: what prospects for a fruitful engagement? *Annual review of anthropology*, 28(1), 479-507.
- Sen, A. (1993). Capability and well-being<sup>73</sup>. *The quality of life*, 30, 270-293.
- Sjaastad, E., & Bromley, D. W. (1997). Indigenous land rights in Sub-Saharan Africa: Appropriation, security and investment demand. *World Development*, 25(4), 549-562.
- Spichiger, R., & Stacey, P. (2014). *Ghana's land reform and gender equality*: DIIS Working Paper.
- Toulmin, S. (2008). *The uses of argument 1958* Cambridge: UK Cambridge University Press.
- Ubink, J. M. (2008). In the Land of the Chiefs. *Customary Law, Land con.*
- Un-habitat. (2008). *State of the World's Cities, 2010/2011: Bridging the Urban Divide*: Earthscan.
- Unruh, J. D., & Turray, H. (2006). Land tenure, food security and investment in postwar Sierra Leone. *FAO LSP WP*, 22.
- USAID, S. (2005). *Fragile states strategy*. Washington, January.
- Woodside, A. G. (2010). *Case study research: Theory, methods and practice*: Emerald Group Publishing.
- Yaro, J. A. (2010). Customary tenure systems under siege: contemporary access to land in Northern Ghana. *GeoJournal*, 75(2), 199-214.
- Yodanis, C. L. (2004). Gender inequality, violence against women, and fear: A cross-national test of the feminist theory of violence against women. *Journal of interpersonal violence*, 19(6), 655-675.