LEGAL LITERACY AS INTEGRAL TO RURAL WOMEN’S LAND RIGHTS:
THE CASE OF WILDAF
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ABSTRACT

Available statistics indicates that, women form about 35.1% of the agricultural work force in Ghana, and account for 70% of production of subsistence crops. Also, about 90% of the labour force in the marketing of farm produce are women, yet they have limited access to and control over land and other resources necessary for economic development. Thus, the unequal access of women to productive resources such as land has largely led to a worsening poverty situation among many women resulting in increasing illiteracy rate, less access to health and education services with its associated unpaid care work. This Article examines the issue of women land rights in Ghana, focusing on legal literacy as integral to women ability to access land. The first part of this Article operationalizes basic fundamental concepts germane to the discussions. The second part mirrors down on a general overview of land tenure, contextualizing legal frameworks on land rights in Ghana. It then turns to explore the conundrum of socio-cultural issues affecting women land rights in the country. The Article then moves further to lay out the WiLDAF innovative approach in promoting women legal literacy on land rights and finally narrows in on lessons and best practices for future legal literacy and women’s land rights in Ghana. Key concepts are operationalized to situate the discussion.
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Legal literacy is the process of understanding the basic provisions in law (Jananeethi, 2005). When citizens, particularly those in marginalized or underprivileged groups, are aware of their rights, they can adequately challenge injustices committed against them. Kumar (2013) argues that legal literacy is essential, as it is the knowledge of law that can be used as a tool by vulnerable groups to get acquainted with the scope of their rights. It is worth mentioning that, laws alone are insufficient in enabling women to secure access and ownership of land. The effectiveness of laws depends on awareness about them, knowledge on how the laws work, the abilities to invoke the laws, and a generally favorable legal regime. As such, legal literacy is the first step towards transforming people’s lives and helping in their self-realization. This article explores the work of WiLDAF with respect to such innovative actions regarding improving women’s legal literacy skills on land issues as a practical step towards improving women’s access to land for their economic engagements.

Operationalising Rural Women as a Concept
In many rural areas of Ghana, women play a critical role as the backbone of household food and nutritional security. Women are central on issues of land tenure and undertake activities such as the provision of water, growing vegetables and herbs, and other farming and land tilling activities, on a daily basis.

At the same time, women are most vulnerable to the impacts of environmental degradation and land grabbing. Their limited access to information about their land user rights and impacts of land use changes, as well as their limited participation in governance procedures, affect their contribution at the land use decision-making processes. However, according to Odeny (2013) when women are given the possibility to participate in decision making regarding land use planning, their expertise strengthens the local management of natural resources, including land.

Moreover, available evidence has it that, throughout Africa, the vast majority of poor women (most of whom depend on land for their livelihood and are living in rural areas) are either landless or have limited and insecure rights to land. This reality has important consequences for sustainable socio-economic development of the continent.
In Ghana the agriculture sector is predominantly practiced by small holder farmers and continues to support the economy in diverse ways. Recent studies reveal that the agriculture sector is the second sector that employs a significant bulk of the labour force with a percentage of (38.3%) whiles the services sector engages 43.5% and industry (18.2%) sectors. Research has revealed that the agricultural sector engages 35.1% of the total female population and that of males constitute 41.7% of the entire population. The sector also engages majority of rural dwellers (65.2%) as compared to urban dwellers (11.8%). Those engaged in the rural sector are composed of 61.9 females and 68.9 males. (Ghana Statistical Service, 2019)

Studies has also revealed that 44.1 percent of households in Ghana operate a farm, out of this the proportion of females who operate a farm in Ghana constitutes 46.4 percent for the entire population. (Ghana Statistical Service, 2019). However, the rights women have over these lands are often limited to access and use but not ownership and control over land.

Women generally have smaller farms than men. Men hold 3.2 times more of the total farms than women, and 8.1 times more of the medium and large-sized farms (of 5 acres or more). Many rural women are only able to own land in old age, a factor that may be linked to inheritance practices in Ghana. Subsistence farms held by women are less diverse in terms of crops and depend largely on maize (FAO, 2012). Interactions with a cross-section of women farmers during field visits revealed that women’s land rights are directly linked to marriage. Married women are able to access land through their husbands, but in most cases such access is only to marginal lands. As noted by one of the women key informants (FAO and Ecowas Commission, 2018)

Women farmers have been found to produce about 50% to 70% of the food crop within the sector. Despite rural women’s enormous contribution towards the agricultural sector, they earn less than 10% of its incomes and have very limited access to land. It is within this context that, WiLDAF in its programming, targets rural women as strategic beneficiaries of its legal literacy intervention seeking to improve and enhance their skills and knowledge on basic legal issues regarding land acquisition and ownership in Ghana.
The concept of land is one that has been described as the cornerstone of economic development. According to Odeny (2013), land is one asset that farmers, pastoralists and other communities base their livelihoods. Land is also a significant component of business assets, which play a significant role in business investment strategies. Thus, securing land rights can have a profound impact on economic development of any group of people.

This study situates land located in rural areas as both a means of agricultural production, livestock rearing and a place for gathering natural products that play an important role in local economies such as woodcutting, wild harvesting, grazing, fishing and hunting inter alia. In most cases, particularly among indigenous people, land is a source of identity and cultural heritage.

To Odeny (2013), land is an important source of security against poverty across the continent and developing world. Therefore, unequal rights to land put women at a disadvantage, perpetuate poverty, and entrench gender inequality in Africa. Gender has become a critical issue in women’s land rights due to the fact that there is a direct relationship between accessing land resources, having secured land rights, achieving food security and overcoming poverty. Women produce more than 80% of the food in Africa, yet they own only 1% of the land (SOFA, 2011). Therefore, improving women’s access to and control over land is crucial to socio-economic development of Africa.

To achieve this, WiLDAF thematically works to enhance women legal literacy on land issues as a critical step in scaling up their access to and control over land as a means of promoting their economic advancement and reducing their poverty levels.

**WiLDAF Ghana and Its Legal Literacy Programming**

Women in Law and Development in Africa (WiLDAF) is a non-governmental pan-African women’s rights organisation whose mission is to empower women by promoting their rights and increasing their participation and influence using strategies that link law and development at the local, national, and international levels. In 2008, WiLDAF West Africa Sub Regional Office (WASRO) identified that despite rural women’s enormous contribution to the agricultural sector and to the Gross Domestic Product of national economies, they were often the worst affected by poverty. Some of the challenges they face include a lack of access to formal and legal literacy and decision making; socio-cultural norms, and lack of political will to advance women’s land rights. To this end, WiLDAF West Africa initiated the Using Law for Rural Women’s Empowerment Project in six countries to advance the rights of rural women’s land rights through legal literacy training and programme. This intervention situates legal literacy on land issues as a fundamental breakthrough in enhancing rural women access to and control over land as a tool to improve rural women livelihoods as Odeny (2013) asserted and their contribution to the national economy.
LAND TENURE SYSTEM IN GHANA: AN OVERVIEW

Land as a resource constitutes one of the most important sources of livelihood for people, particularly women in most rural communities across Ghana. Agriculture represents the most important economic activity for a 50-70% of the women’s population in Ghana (GSS, 2015). This therefore makes land a very important and critical source of livelihood as noted earlier by Odeny (2013). Land governance, tenure systems and security remain very important issues. Land tenure according to the Africa Union Framework and Guidelines on Land Policy in Africa is the “the nature of and manner in which rights and interest over various categories of land are created or determined, allocated and enjoyed” (African Union, 2010). Land governance is defined as “the rules, processes and structures through which decisions are made about access to land and its use, the manner in which the decisions are implemented and enforced and the way that competing interests in land are managed” (Palmer et al, 2009). Indeed, there is also evidence to suggest that good land governance principles should be aimed at creating a pro-poor and gender sensitive environment, where land equitably benefits the broader communities.

Ghana operates a dual system of land administration. Acquisition and disposal of various land rights are managed by the two systems; the former relies on a state-operated framework governed by the written rules and statutes of Ghana, while the latter relies on a customary system operated by the unwritten rules of custom and tradition in various communities (ActionAid, 2012). For every ten units of land in Ghana, nearly eight units are controlled by traditional leaders and family heads. The remaining two units are controlled by the state while a negligible proportion of the land is often controlled by individuals who have acquired it through the customary freehold. Thus, for any individual in Ghana and indeed for rural women who want to acquire land for any purpose, the significant role of traditional rulers and family heads cannot be overlooked. It is, however, crucial to assert here that the fraternity of traditional leaders and family heads are male-dominated and at times can be biased against the interests of women. (Aduamoah-Addo, 2016)

Most women farmers in the rural communities engage in farming as their main source of livelihood. Research has revealed that “women produce about 50% to 70% of the food crop within the agricultural sector” Despite rural women’s enormous contribution to the agricultural sector, they have limited access to the yields of the land which leads to bare minimum income. These revelations have led to many women’s rights activists questioning: why the imbalance? Why do women contribute so much to the development of land, but control so little? (Aduamoah-Addo, 2016) While there are several compounding factors, we argue that socio-cultural norms and values, particularly within patrilineal societies are a major impediment to women’s land rights. In the next section, we will unpack the dialectical relationship between the legal and social frameworks that shape Ghanaian women’s land rights, demonstrating the need for a stronger feminist approach.
CONTEXTUALIZING EXISTING LEGAL FRAMEWORKS ON WOMEN’S LAND RIGHTS IN GHANA

Ghana’s participation in international organisations such as the United Nations and the African Union has allowed for its automatic adherence to various treaties, and covenants. Examples include the Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, International Covenant on Social, Economic and Cultural Rights, Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the African Charter on Human and People’s Rights and its Protocol on the Rights of Women in Africa. These international legal frameworks all make provisions for women’s land and property rights. Inspired by the membership in these various international organisations, the Ghanaian government domesticated and enacted a number of policies to address issues bordering on the land tenure system in the country.

Agreeing in part with Odeny (2013) that laws alone are not enough to secure women’s access to and ownership of land, to the researcher, the presence of laws and effective legal regime is an essential step in enhancing and guaranteeing women land rights. It is very true that, laws by themselves mean nothing, but the effectiveness of laws depends on awareness about them, the abilities to invoke them, the general governance environment, and the extent to which cultural norms and traditions are practiced and followed instead of formal laws. Beyond general proclamation of equal rights to access and ownership of land, certain legislations in Ghana have had specific positive action provisions that are potent in protecting women land rights, and that women can take opportunity in their quest to access and gain control over land. Some of these key laws and policies are discussed to encompass the following:

The 1992 Constitution of Ghana enjoins the state to promote the integration of all peoples and prohibit discrimination and prejudice on grounds of origin, circumstances of birth, ethnicity, gender and other beliefs. It made specific provisions to cover inter alia the following:

- A person shall not be discriminated against on grounds of gender, race, colour, ethnic, origin, religion, creed or social or economic status
- All persons are equal before the law, regardless of gender
- Guarantees the right of all persons to own property, individually or with others
- A spouse shall not be deprived of a reasonable provision out of the estate whether or not the spouse died having made a will
- Spouses shall have equal access to property jointly acquired during marriage.
- Every person is entitled to enjoy, practice, profess, maintain and promote any culture, language, tradition or religion subject to the provisions of this Constitution
- Assets which are jointly acquired during marriage shall be distributed equitably
All customary practices which dehumanise or are injurious to the physical and mental wellbeing of a person are prohibited.

The Intestate Succession Law, 1985 (PNDC Law 111) was promulgated to inter alia:
- Regulate the distribution of property of a person who has died intestate.
- Eliminate gender discrimination in property distribution at death intestate of a spouse or parent.
- Guarantee the right of succession for the surviving spouse, children, parents and the customary family with a greater portion of property shared among the surviving spouse & children.

Marriage Laws in Ghana also provide safeguards in protecting women land rights through the following:
- Regulate the distribution of property of a person who has died intestate.
- Eliminate gender discrimination in property distribution at death intestate of a spouse or parent.
- Guarantee the right of succession for the surviving spouse, children, parents and the customary family with a greater portion of property shared among the surviving spouse & children.

The Administration of Estates Act, 1961, (Act 63) and (Amendment) Law 133 (1985)
Provides protection for women and children through:
- State intervention in the administration of estates of a deceased person.
- Providing a list of persons who must be given authority to administer the estate of an intestate, which includes surviving spouse, children, parents and the customary family.

With the Land Title Registration Law, 1986, (PNDC Law 156), it provide as follows:
- Discourages expensive litigation over land.

Certainty to land titles and to render dealings around land safe, simple, cheap and devoid of fraud.
- Encourages the use of procedures of settlement including the Land Title Adjudication Committees.
- Provides tenure security to various types of landholders.

The Head of Family Accountability Law, 1985 (PNDC Law 114) provides inter alia as follows:
- Protect the interest of family members with respect to family properties.
- Heads of Family who have custody of family property are obliged to account for all financial dealings.
- Family members (including women) can file a claim in the High Court against a head of family who mismanages property.
- The high court has the power to compel the head of family to render account.

The National Land Policy aimed among other things to:
- Increase security of tenure through land registration.
- Reduce and eliminate long-drawn-out land boundary disputes, conflicts and lawsuits.
- Enhance land tenure security and the protection of land rights under customary law.

The National Land Bill (Pending for approval by Ghana’s Parliament) seeks to further provide safeguards for women land access and ownership by:
- Better defining land management, administration and acquisition in the country.
- Revising and consolidating the 166 laws on land, with the aim of harmonizing these laws to ensure sustainable land administration and management, effective land tenure and efficient surveying and mapping regimes and to provide for related matters.
SOCIO-CULTURAL ISSUES AFFECTING WOMEN’S LAND RIGHTS IN GHANA: THE CONUNDRUM

Despite the number of legal frameworks existing in Ghana that protect the property rights of citizens, women still face widespread discrimination in their bid to access and exercise their property rights. The combined economic, social and cultural factors often stand in the way of the law, inhibiting women’s access and control over land in their environment. Underpinning these factors is the issue of “culture” depriving rural women of their land rights.

Culture shapes the way of life for a population in various ways such as behaviour, beliefs, and values. These practices are passed down inter-generationally through oral tradition and, at times, can be used to perpetuate discriminatory practices. Article 26 of the Ghanaian Constitution 1992 provides that every person is entitled to enjoy, practice, profess, maintain and promote any culture, language, tradition or religion subject to the provisions of the Constitution. It also places a responsibility on the citizenry. The constitution 1992 does however, caution against all customary practices which dehumanise or are injurious to the physical and mental wellbeing of a person.

Since 2006, WiLDAF Ghana has conducted several research initiatives focused on a Gender Perspectives to Land Ownership Access and Control in Ghana in selected communities across the Volta, Ga West, Dangme East, Akuapem North and Suhum Municipalities.

These initiatives revealed multiple cultural barriers affecting women’s access to equitable distribution of land in Ghana. The key modes through which most women acquire land in Ghana is either through outright purchase, inheritance, gift, marriage or leasing. Each mode presents women with specific challenges.

Firstly, acquiring land through purchase, particularly within patrilineal communities, often requires women to gain the consent of male figures in their households. This practice often results in women either registering their lands in the names of their husbands, or other male figures in the household.

Although these practices seem out of touch, inhumane and discriminatory, it rather favoured married women in these situations better than women who were widows, or are yet to be married, who may not have any key male figure in their life to support them during these situations. This shows the gender and status discrimination in many of these communities, as some women are somehow more favored to own land, while others are denied such an opportunity.
Inheritance is another mode through which women also acquire rights to own land. Ghana has two systems of land inheritance: matrilineal and patrilineal, whereby land is acquired through the mother’s and father’s lineages, respectively. Ostensibly, both systems position women as secondary owners of land. Indeed, as a result of patriarchal marital structures, many families believe that women’s land ownership functions merely as proxy for their husband’s ownership. Subsequently, men are chosen as the primary beneficiaries across either inheritance systems so as to preserve the family’s possession of the land.

While women can typically access land through marriage with more ease than purchase or inheritance, this often depends on whether the land is owned by their spouse. Customary law obliges women to help their husbands on the farm. Immediately after becoming married, women are made to abandon their farms and join their partners on theirs. This arrangement deters women from patronizing cash crops cultivation such as cocoa and coffee, because these cash crops are perennial, and they would abandon these farms once they get married. It is also common for a woman to cease farming on her husband’s farm upon divorce or the demise of her husband. Additionally, during divorce women cannot access land within their own families, since these lands would have already been taken over by other family members. Also, most small holder farmers often do not progress beyond farming on their family lands. At their demise, their family members often come to take over the land from the spouse. The woman is made to look for another land to farm on. This is sometimes done irrespective of whether the woman has children with the man or not. On few occasions, some families allow the spouse and children to access the crops cultivated on the land over time.

Ghana’s constitution 1992, Article 22 provides for assets jointly acquired during marriage to be distributed equitably between the spouses upon dissolution of the marriage and a spouse shall not be deprived of a reasonable provision out of the estate of a spouse whether or not the spouse died having made a will. Additionally, the Intestate Succession Law guarantees the right of succession for the surviving spouse, children, parents and the customary family and a greater portion of the property is shared among the surviving spouse and children. Finally, men and women both access land through leasing; however, like outright purchase, women need the consent of their husbands or male family member to be given leased land for farming. Despite these provisions in our legal frameworks, women still face discrimination in accessing their property rights. Women’s exclusion from decision making in their communities is another form of cultural discrimination that they face with respect to their land rights. Such decisions are mainly the exclusive preserve of Chiefs and Heads of the families. Thus, whether women belong to the patrilineal or matrilineal cultures, it is the men in these families who allocate the family resources. These practices have serious implications on the livelihood of the rural women with respect to their socio-economic lives as well as on food security in Ghana. WiLDAF research revealed that women’s access to and control over land could yield more positive impact on the household’s food supply, income and family welfare, leading to increased agricultural productivity. (WiLDAF 2004, WILDAF 2010, WILDAF 2011) In addition, the more secure land rights would give the users of the land greater control over their labour, a rational to invest both short term and long term investment in the land and crops, access to extension services, access to credit and inputs, bargaining power and a higher status within the community.
PROMOTING WOMEN’S LAND RIGHTS: THE WILDAF APPROACH

WILDAF West African Sub Regional Office (WASRO) initiated an innovative intervention dubbed the Legal Literacy Programme for rural women aimed at addressing the deep and structural discrimination that women face in their quest to access and use land in their local communities. The programme was launched across six countries in the region including Togo, Ghana, Benin, Burkina Faso, Liberia, and Ghana. The goal of the programme was to reduce poverty through supporting rural women to advocate for and claim their economic, social, and political rights in their communities. The project’s key objective was to increase community knowledge of women’s rights leading to changes in negative traditional practices that hinder their access to land ownership.

The project achieved in training of legal literacy volunteers to raise awareness of individuals and groups on women’s subordination, women’s legal rights to ownership of land and other economic resources, and the legal consequences for violating such rights by the Legal Literacy Volunteers (LLVs). Also, both women and men were sensitized on the socioeconomic implications associated with acts that prevented women from accessing their economic rights. In addition, the project instituted effective community-based dispute resolution mechanisms comprising Legal Literacy Volunteers (LLVs) and Community Reconciliation Committees (CRCs) to promote enforcement of existing laws and to assist women to claim their rights to land ownership and inheritance. These LLVs and CRCs worked closely with traditional authorities and state agencies mainly the Police thus complementing existing institutions of law enforcement.

Other interventions undertaken by the project included, a baseline study at the inception of the project to assess levels of understanding of legal rights, the extent of women’s participation and representation on family, community and district structures, discriminatory practices against girls and women, as well as a number of formal and informal agencies for addressing problems within the districts.

Further, a land research study was conducted focusing on a gender perspective to land access and control in the project districts. The objective of the research was to unravel the socio-cultural barriers affecting women’s land rights in the project communities. Policy briefs and advocacy documents were developed from the research findings. These were used as tools to engage traditional leaders and relevant policy makers on the review of cultural practices and social norms affecting women’s access and control to land in Ghana. Finally, research on women farmers’ knowledge on agricultural technological skills in the project communities.

Policy dialogue with traditional leaders and relevant state actors at national and community levels to advance women’s rights to land and participation in decision making were also undertaken. Provision of legal aid services through mobile legal aids, mediation and conciliation by the community reconciliation committee members and the legal literacy volunteers to members of the communities in the project districts to assist them access to justice were also undertaken. (WILDAF, 2015)
Rural women in the project communities after undergoing training and increasing their knowledge on their legal and land rights, reported feeling more assertive and confident in taking ownership of lands in their communities. The women were also engaged in discussion with their traditional leaders on the provisions in the law led to the review of social cultural norms affecting women’s access and control to land. The traditional councils have now embraced women into their system to participate in decisions at that level and to support the mediation of cases under the ambit of the law. Economically women ability to access land and own land lead to increased productivity of agricultural products leading to access to incomes by rural women. This made rural women economically empowered. Some rural women also engaged in alternative livelihood activities such as soap processing to boost their income. The rural women farmers in the project communities also came together and formed women farmers groups, which they used this space to advocate for issues peculiar to them. They also used these platforms to form a micro saving groups known as the Village Savings and Loans Scheme (VSLAs) to raise money to boost their agricultural activities. The impact of this project also led to rural women coming together to advocate with traditional leaders to support them with community farms which was granted. Thus, their communities witness the emergence of women groups who farming on common land and cultivate similar products. Socially, the communities through this project witnessed improved family bonds because men and women became very supportive and took up roles initially seen to be the preserve of either the man or the woman. Men in the community began to support with household chores whiles women also supported financially at home. Incidence of domestic violence within the household level also dropped drastically. (WILDAF, 2015)
WHEN RIGHTS BECOME REALITY: SUCCESS STORIES

Prior to the start of the project, women in the Mankrong community still carried the belief that land ownership was the preserve of men. This belief, according to opinion leaders and community members, was passed down from one generation to the other and socially enforced as part of mainstream socialization in the community. The prevailing sociocultural norms invariably consigned women to operate in the shadows of men especially as regards to ownership of land and other immovable properties. Women were simply precluded from land ownership in the community primarily on the basis of their femininity and nothing else. It was, thus, rare to find a woman acquire land through inheritance. It was even rarer to find a woman directly acquire land by purchase in the community. The chiefs and family heads who administered lands in trust of their people always disregarded the interests of women in land transactions regardless of their ability to pay. At best, such interested and capable women could only acquire land through their male partners as the male landowners dealt only with male buyers but not females. The implication was that unmarried women, in spite of their ability to pay could not acquire land, unlike married women who could indirectly acquire land through their partners. This patriarchal arrangement further augmented male hegemony, deepened female docility and in the process grossly violated women’s economic rights, among others. The denial of women’s economic rights to land ownership affected their economic wellbeing as many, if not most, were compelled by circumstance to operate as farmhands on their partners’ farm or as sharecroppers on hired lands with practically no security of tenure. It is not surprising that poverty in the community has persistently carried a woman’s face. (WILDAF, 2015)

Following the commencement of the WiLDAF interventions, the narrative is beginning to change. The community members interviewed enthusiastically maintained that women’s land ownership in the Mankrong community has tremendously improved due to the implementation of the WiLDAF project. It is no longer rare to find women acquire land in the community through inheritance or direct outright purchase. Through the interventions of WiLDAF, many women in the community have gained a renewed sense of empowerment which has contributed to shedding the restrictive silence that had prevailed as the norm. Traditional authorities and many family heads in the community have also started accepting that the rights of women to land and other economic resources need to be respected and protected just like in the case of men. According to the community members interviewed, this change is significant because it represents a refreshing and remarkable break in an age-old norm which stepped on the rights of women to ownership and control of land and other economic resources. (WILDAF, 2015)

Juliana, one of the legal literacy volunteers based in Yahoman in the Ga West Municipality of the Greater Accra Region narrated that, her father died three years ago leaving behind nine children comprising seven men and two women. He left his family with a large plot of land. After the burial of her father, the large
portion of land was divided among her brothers leaving the women with none. She did not oppose this act because customarily most women were not encouraged to own lands in the districts and this was a common practice in the community. During the five days training workshop, Juliana learned that women also have the right to own land in the community as well as inherit their father’s property in the district. Back into the community, she called the family heads together and with the help of some of the legal literacy volunteers educated her family heads on the law and why women need to be given the opportunity to access land and property in the community. After this meeting, her father’s land was reapportioned among the children and this time the women were allotted their portions of land. (WILDAF, 2010)

Although the police or traditional authorities have been known as avenues for law enforcement, women in the community were not able to use these mechanisms because of the direct and hidden charges involved in resorting to them. However, with the LLVs and CRCs, one need not pay any direct or hidden charges. All that is required is for the person whose rights have been violated to get them informed and the issue will be diligently pursued and resolved”. – (Queen mother, Mankrong)

Until the inception of the project, I never knew that I could benefit from my mother’s share in my grandfather’s land bequeathed to his children. Because my mother’s rights to inheritance was flatly disregarded by the elders and considered out of place by virtue of her sex, it followed through affecting all other women in the family. Only men were deemed qualified and so benefited. After becoming aware following the sensitisation by the LLVs on women’s rights to inheritance, I resorted to the LLVs and CRCs for help. With their support and directions, I successfully engaged my family head and elders resulting in getting hold of my own parcel of land. I no longer farm on family lands. I also have my own parcel of land just like the men in my family which I have put under cocoa cultivation. I could not have achieved this without education and practical support offered by the LLVs and CRCs. In fact, I did not even know before the project that a woman could venture into cocoa production, which hitherto was seen as the preserve of men farmers. I acquired this knowledge and confidence through the education provided by WiLDAF. I am hopeful that in two years’ time, I will harvest and sell my first cocoa beans which will enable me financially support my family and better provide for my children”. – (Nana Menko, Queen mother of Mankrong)

“Through the education provided by WiLDAF, I now have my own farm besides helping my partner on his farm. Hitherto, I solely assisted my partner on his farm without having any direct control as regards the management of the farm proceeds. That has changed now. I am fully in charge of the management of proceeds from my own farm. Because, I also have what I call my own, I am able to financially support my family by complementing what is provided by my partner. I no longer unduly quarrel with my partner as regards housekeeping money because I am also economically empowered. I can say that my relationship with my partner has improved so much since I started my own farm. Through, the education and advice provided by the Agricultural Extension Services, I am poised to increase my productivity and income”

“I have benefited so much from the project because my knowledge on the importance of education especially for the girl child has been enhanced. Also, the fact that women have to be economically empowered so to acquire valuable property, that is why I have set the example by giving my wife a portion of land to farm.”– (Alhaji Alhassan, Chief Imam and CRC Member, Amanase)
THE FUTURE OF LEGAL LITERACY AND WOMEN’S LAND RIGHTS IN GHANA: DRAWING ON BEST PRACTICES

While the issue of legal literacy and women’s land rights is complex and multidimensional, WiLDAF has gleaned some best practices through our own work. As we move towards future-focused strategies for rural women’s access to land, we want to encourage activists and policy makers to consider some of the best practices that we have gathered in our own work. Some of the strategies under this programme that should be considered and replicated in similar programmes include:

**Use of Legal Intermediaries:** The training of Legal Literacy Volunteers (LLVs) as a key component of the programme in aiding legal education and offering communities with legal “first aid” enabled the organisation to extend its reach to communities where there are no lawyers. The LLVs used the Rights Based Advocacy (RBA) to educate citizens on their rights under five main family laws (Marriage, Inheritance, Domestic Violence, Wills and Land Rights), their roles and responsibilities under such laws and institutions that provide support for asserting those rights.

**Development of Behavioural Communication Change Materials:** Behavioural Communication Change (BCC) materials were developed for education by the Legal Literacy Volunteers to aid their educational and outreach programmes in the communities. Some of the materials produced included picture books, training materials, simplified versions of the family laws, policy briefs and brochures in order for people to engage them.

**Free Counseling and Mediation:** The project offered free legal aid services such as mobile legal aid services by lawyers, counselling and mediation mostly for women who seek assistance in various cases. This enables WiLDAF Ghana to bring justice to the doorstep of women, especially impoverished women in both urban and rural communities. The Community Reconciliation Committee (CRCs) component strategy was developed to support community members with out-of-court settlement for property rights and family related cases that fell within their jurisdiction.

**Quality of Staff:** The high quality of staff contributed to the success of WiLDAF’s programmes. Since most of the work that WiLDAF does is law based, there was the need to recruit lawyers, especially female lawyers. WiLDAF also had high quality support staff, with a number of them holding university degrees; as well as other professional qualifications essential for the successful running of these programmes.

**Strategic Alliances, Partnerships and Networking with Organisations such as the Farmers Organisation Network in Ghana:** Strategic alliances and partnerships based on mutually beneficial relationships with civil
society organisations promoting women’s rights and gender equality in Ghana was a key factor in the programme’s success. WILDAF collaborated with the Farmers Organisation Network in Ghana to reach out to their members at the community level. This strategy helped strengthen the project at the community level due to the networks support based at the community level by the Farmers Network as well as their influence at national levels.

**Advocacy:** Advocacy actions were undertaken at the community and national levels particularly with traditional leaders, policymakers and change actors in the land sector in advancing the property rights of women particularly on their land rights. These advocacy actions lead to the review of customary laws that discriminates against women particularly on land. At the national levels, WILDAF worked closely with the Land Administration Project to advocate for the incorporation of gender and spousal provisions into the Land Bill.

**Working Relationship with State Institutions:** Leveraging with relevant state institutions to advance policy changes and implementation was one of the key strategies. WILDAF worked closely with Domestic Violence Victim Support Unit (DOVVSU), Ministry for Gender, Children and Social Protection (MoGCSP), Ministry of Food and Agriculture (MoFA), Commission on Human Rights and Administrative Justice (CHRAJ), the Judicial Service and Ghana Legal Aid Board in supporting the project beneficiaries’ access services, opportunities available and ensuring gender equality.
CONCLUSION

WILDAF’s legal literacy programme achieved major successes in communities that this project was implemented. About 50% of rural women in the communities are engaged in farming and after five years of implementing the project, they had taken steps to access their own land as a result of the project deliverable outcomes, leading to improved productivity with its resultant increases in incomes of women farmers consequently leading to their economic empowerment. The programme impact also had rippling effects to other sectors of the communities, such as increased retention of girls in schools, reduction in cases of early and forced marriages, improved community peace and security. It is with respect to this context that WiLDAF recommends legal literacy as one of the key strategies for consideration in advancing the rights of rural women at both community and national levels.

In conclusion, one key avenue to reducing rural poverty is through the recognition, and respect of human rights principles, particularly women’s rights. The marginalisation of women regarding the denial of their political, social, economic and cultural rights, undeniably affects their access to health, education and property rights leading to high poverty levels in their environments. Thus, the enforcement of legal provisions protecting women’s rights particularly their property rights and the review of traditional practices and social norms affecting women land rights in our rural communities by traditional authorities will go a long way in improving the economic situations of rural women in Ghana now and into the future.


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Lois Aduamoah-Addo

Lois Aduamoah-Addo is a passionate women’s land right advocate. She has been working with Women in Law and Development in Africa (WiLDAF Ghana) for the past 11 years as a Programme Coordinator for Women’s Economic Empowerment which focused on Land Right and Agricultural Policies. She has been instrumental in advocating for rural women’s land rights at all levels both national and international. At WiLDAF, she has managed over 10 projects, of which 7 focused on Women’s Land Rights.

At the local levels, she has worked and liaised with key stakeholders such as District Assemblies, traditional authorities, land sector agencies and community members, especially women on issues of women’s land rights.

At national levels she has proactively served and made significant contributions on various platforms, such as Civil Society Coalition on Land (CICOL), Oxfam GROW Campaign, and as a member of the Land Administration Project Gender Committee. At the International levels, she has represented WiLDAF at Economic Community of West African State (ECOWAS) African Union (AU), African Land Policy Conference, International Land Coalition (ILC) and United Nations CSW meetings on women’s land rights. She’s being part of international campaigns such as the Kilimanjaro Initiative on women’s land rights both at national and the African levels.

She has two key publications and a video documentary on women’s land rights in Ghana to her credit. She is a Ghanaian, with a Bachelor of Art Degree in Integrated Development Studies from the University for Development Studies, Tamale, a Master’s Degree in International Affairs from University of Ghana, Legon and currently pursuing Bachelor of Laws Degree at the Ghana Institute for Management and Public Administration, Green Hill, Accra.