

Asset Accumulation by Women in Ghana: Understanding the Process

Abena D. Oduro
William Baah-Boateng
Louis Boakye-Yiadom

Revised Version of paper presented at the Annual Conference of
the IAFFE, Buenos Aires, Argentina. July 2010

The Gender Asset Gap Project is a joint initiative of an international research team that was formed in 2009 with four objectives: 1) to collect individual-level asset data from three different countries (Ecuador, Ghana and India) in order to demonstrate the importance and feasibility of collecting data on women's access to and ownership of property; 2) to identify the minimal set of questions on individual level asset ownership that are needed in multi-purpose household surveys to calculate the gender asset and wealth gaps; 3) to develop various measures of gender asset and wealth gaps that can be used by national governments to track progress toward Millennium Development Goal 3 on gender equality and women's empowerment; and 4) to identify the critical enabling or constraining social, economic, and institutional factors affecting women's asset ownership in order to help policymakers and others to improve women's claims to productive assets.

The project is housed at the Centre of Public Policy (CPP) at the Indian Institute of Management Bangalore (IIMB). The project team leaders are Hema Swaminathan, IIMB; Abena D. Oduro, University of Ghana; Carmen Diana Deere, University of Florida; Cheryl Doss, Yale University; and Caren Grown, American University. FLACSO-Ecuador hosted the field work in Ecuador.

The Gender Asset Gap Project Working Papers present preliminary results and have not been formally peer reviewed. They are circulated in order to stimulate discussion and critical comment. The authors hold the copyrights to the contents of the papers and any opinions expressed are solely theirs.



भारतीय प्रबंध संस्थान बेंगलूर
INDIAN INSTITUTE OF MANAGEMENT
BANGALORE

Centre for Public Policy
Indian Institute of Management
Bannerghatta Road, Bangalore 560076, Karnataka, India
Ph: 91 80 26993323. Fax: 91 80 26994050
Email: genderassetgap@iimb.ernet.in
Project website: <http://genderassetgap.iimb.ernet.in>
Website: www.iimb.ernet.in

Asset Accumulation by Women in Ghana: Understanding the Process

Abena D. Oduro*
William Baah-Boateng
Louis Boakye-Yiadom

Department of Economics
University of Ghana
Legon
Ghana

This is a Revised Version of a Paper Presented at the 2010 IAFFE Conference, Buenos Aires,
Argentina

* Corresponding author (email: aoduro@ug.edu.gh)

Abstract

The importance of asset accumulation to the evolution of well-being for both households and individuals can hardly be overemphasized. What remains to be clearly understood though, is the interplay of the wide range of factors that influence the process of asset accumulation, and in particular, the gender dimension of this important subject. In this paper, we employ insights from focus group discussions and key informant interviews (carried out in Ghana's ten administrative regions) to shed light on issues central to the accumulation of assets by women. We examine the process of asset accumulation over the life-cycle, i.e. before marriage, during marriage and after the dissolution of marriage. We find that despite the variation in customary norms and practices across the country that impinge on the accumulation of assets by women, neither marital nor inheritance regimes create opportunities for the acquisition of assets by women or adequately protect women's assets.

Asset Accumulation by Women in Ghana: Understanding the Process

“If it is known that a woman owns property she could be cursed” – A Woman from the Upper West Region of Ghana.

1. Introduction

Data abound on the distribution of assets across different types of households. Very little information, however, exists on the ownership of assets by individuals. This is largely because most household surveys do not collect individual level asset data. Studies that have made use of the limited existing data on individual asset ownership show that the pattern of ownership between men and women does matter for several reasons. First, women use the income generated from assets differently from men. Doss (2006), using data from Ghana, finds that asset distribution between the sexes affects the pattern of household spending on food and other items. Second, asset ownership is a source of bargaining power and can empower women (Agarwal 1997; Kabeer 1999). For example, Anderson and Eswaran (2009) find that in Bangladesh the labour income of women and the value of the assets they own positively impact on different measures of women’s autonomy. Third, assets are important for coping with shocks. Ownership of assets by women will increase their ability to cope with shocks. Fourth, as argued by Deere and Doss (2006), gender equity requires equity in the access to wealth.

This paper is motivated by the need to understand the factors that determine the accumulation of assets over women’s life-cycle. The paper is the first (for Ghana) in a series of outputs from a three-country project that is collecting quantitative data to measure the gender gap in asset ownership.¹ This paper, using qualitative data collected during focus group discussions and key informant interviews, seeks to determine whether there are gender biases in the asset accumulation process by women over their life-cycle. The life-cycle is defined to comprise three stages. These are the periods before marriage, during marriage and during and after the dissolution of marriage. We examine the various means or channels by which people accumulate assets and the various factors that impinge on the ability of women to accumulate assets by those means. The next section of the paper contains information on the method of data collection and the sample. Section three provides a brief overview of the different channels of asset accumulation and the factors that influence these. Sections four to seven present findings on women’s accumulation of assets during each of their life-cycle stages. Section eight concludes the paper.

¹ The other two countries are Ecuador and India (the state of Karnataka).

2. The Sample and Methodology

The study draws on qualitative data collected to assess, among other things, the process of asset accumulation over the life-cycle by women in Ghana. The primary data were obtained through the conduct of focus group discussions supplemented by key informant interviews conducted between July 2009 and January 2010. A total of 18 focus group discussions were held with women and nine with men, covering nine out of the 10 administrative regions of the country. The regions covered are Northern, Upper East, Upper West, Eastern, Central, Western, Brong Ahafo, Greater Accra and Volta regions (Figure 1). Key informant interviews were conducted in all 18 regions.

Figure 1: The Map of Ghana



Five of the localities sampled are urban or peri-urban communities; these are in the Northern, Upper West, Brong Ahafo, Greater Accra and Western regions (see Table 1). The remaining four are rural communities in the Upper East, Eastern, Central and Volta regions. In terms of the ecological distribution of the localities, three each are in the northern savannah, the coastal belt and the middle/forest belt of the country (Table 1). The communities were selected on the basis of ethnic composition and the inheritance regimes practised. All the communities selected from the northern savannah, Greater Accra and Volta regions practise the patrilineal system of inheritance as against the matrilineal system practised in the Eastern, Central, Western and Brong Ahafo Regions. The only region that was not covered in the sample of focus group discussions is the Ashanti Region, which is located in the centre of the country. The matrilineal inheritance system practised in the Ashanti Region is similar to that of the other regions practising the matrilineal inheritance regime.

Table 1: Sampled Localities, Inheritance Regimes and Dominant Ethnic Group

<i>Regions</i>	<i>Community</i>	<i>Rural/Urban</i>	<i>Ecological</i>	<i>Inheritance Regime</i>	<i>Dominant Ethnic Group</i>
Northern	Walelwale	Urban	Savannah	Patrilineal	Mamprusi
Upper West	Wa	Urban	Savannah	Patrilineal	Wale
Upper East	Basengo	Rural	Savannah	Patrilineal	Frafra
Eastern	Pokrom–Nsabaa	Rural	Middle/forest	Matrilineal	Akwapim
Central	Saltpond–Ankaful	Rural	Coastal	Matrilineal	Fante
Western	Esiamah	Peri-urban	Coastal/forest	Matrilineal	Nzema
Brong Ahafo	Kintampo	Urban	Middle	Matrilineal	Mo
Greater Accra	La	Urban	Coastal	Patrilineal	Ga-Dangbe
Volta	Woeti	Rural	Middle/forest	Ptrilineal	Ewe

The focus group discussions were designed to cover four main themes. These are:

- a) Livelihood, vulnerability and shocks;
- b) The meaning of and market for assets;
- c) Life cycle analysis of asset ownership; and
- d) Empowerment and decision-making.

Three focus group discussions (two women’s groups and one men’s group) were conducted in each locality. Two separate focus group discussions were held for women to enable the completion of the discussion with women on all the modules in a maximum of two hours. The first two modules were administered to one women’s group and the remaining two modules were administered to the other women’s group in each community. Two modules were administered in the men’s group in each locality. Separate focus group discussions were held for women and men to ensure that the women would participate freely in the discussions and not hold back because of the male presence. The questions posed to the key informants centred primarily on markets for assets and their prices, as well as, the mode of inheritance and marital regimes.

Each focus group had a minimum of five and a maximum of 10 people. Two interviewers were assigned to each focus group. In localities where the interviewers could not communicate in the local language, interpreters were used. Each focus group discussion lasted about two hours. Urban female participants comprised mainly traders, seamstresses and hairdressers and rural participants were mainly farmers, fish-smokers or traders.

Social amenities vary across the sampled communities. While the urban communities had education and health facilities, only one of the four rural communities had primary and junior high schools. The children in these localities attended school in nearby communities. Clinics in the nearby communities also provide health services for members of the community. All nine communities had access to mobile telephone communication. Three of the communities (2 rural and 1 urban) did not have weekly markets. The roads leading to almost all the communities were in good shape, with a few of them not tarred. All the communities visited were accessible all year round. The main source of drinking water for the urban localities is pipe-borne water, while boreholes, streams and wells are the main source of drinking water for the rural communities. Five of the communities are reported to have non-governmental organisations operating in the community.

3. The Means or Channels of Asset Accumulation

Assets may be accumulated through four major means: i.e. by purchase, through marriage, through inheritance and receipt of the asset as a gift. The factors that impact on whether a person will accumulate any assets will be classified under broad headings following Deere and Doss (2006) as the state, family, community and the market.

The state comprises the laws and regulations that define the marital regime, inheritance, property rights and the tax laws. Ghana has a pluralistic legal system that includes customary law and Islamic law. Three types of marriage are recognised. These are marriages under customary law, Mohammedan Ordinance and Marriage Ordinance. Marriage under the Marriage Ordinance is strictly monogamous. Marriage under the customary law and Mohammedan Ordinance allow for polygamy.

In Ghana the relevant laws are the Matrimonial Causes Act 367 of 1971, the Wills Act 360 of 1971 and PNDC L111 of 1985. The Matrimonial Causes Act provides the rules that govern the distribution of assets on the dissolution of marriage. The Intestate Succession Act 1985(PNDC Law 111) provides for the surviving spouse and children in the case of intestacy. The Act spells out the proportion of the deceased's self-acquired property that the surviving spouse and children can inherit. Article 22 of the 1992 Constitution of Ghana contains provisions for the property rights of spouses when a marriage is dissolved due to divorce or death. The first paragraph of the Article states that 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. It is stated in the third paragraph that spouses shall have equal access to property jointly acquired during the marriage and that assets which are jointly acquired during marriage should be shared equally

between the spouses when the marriage is dissolved. In addition, Article 22(2) states that “Parliament shall, as soon as practicable after the coming into force of this Constitution, enact legislation regulating the property rights of spouses”. Even though the Constitution came into force in 1992, the Parliament of Ghana had not enacted this legislation as at the time of writing this paper.

In both the customary and the modern legal framework, the marital regime is that of separation of property. Property acquired by a person before marriage does not automatically become the property of the couple when they get married nor does property acquired during the course of the marriage.

The impact of family and community on asset accumulation is through social norms and customary practices and rules. These determine the marital regime and inheritance practices. There are two lineage systems in Ghana, i.e. matrilineal and patrilineal. In the matrilineal system, lineage is traced through the female line. Children belong to their mother’s family and not their father’s (Awusabo-Asare 1990). In the patrilineal system, lineage is traced through the male line. Children belong to their father’s family and not their mother’s and can inherit their father’s property. A clear difference is made between family property and personal property among matrilineal groups. Personal property can be willed to one’s spouse and children. They however, have no rights to family property. In both lineage systems spouses maintain their separate lineages and do not have rights to family property. Husbands and fathers can transfer property to their spouses and children as gifts. For example, among the Ewes who are patrilineal, land women are more likely to receive land transfers from their fathers than from their husbands (Duncan 2010). Land transfers from husbands to wives are uncommon because land must be kept within the lineage. Land gifts from fathers to daughters revert to the lineage on the death of the daughter for the same reason that land must be kept within the lineage (Duncan 2010).

The opportunity to participate in the market for assets will depend on the extent of participation in the labour market, the type of work engaged in and the returns to labour. Women in Ghana have fewer income-generating opportunities than men. The labour force participation rate of women in 2006 is estimated at 68%, 3 percentage points lower than that of their male counterparts (Baah-Boateng 2009). The economic status of women is different from men. It is estimated that about 27% of employed men are engaged in wage employment compared with 9% of employed women. On the other hand, about 57% and 28% of employed women are in self-employment and unpaid/contributing family work as against 53% and 12% of employed men, respectively. The average earnings of women are lower than that of men. In 2006, average monthly earnings of women were estimated at about 57% of average monthly earnings of men (Baah-Boateng 20012). The different returns to labour between men and women have been partly attributed to discrimination in the labour market and even prior to their entry into the market. Until recently, girls have not had equal opportunity to attend school. Women still have fewer years of schooling and training than do men. These differences in the human capital of women and the labour market discrimination that occurs can explain why the income generation opportunities of women may be less than that of men.

4. Accumulation of Assets Prior to Marriage

In this stage of the life-cycle, assets are acquired either through inheritance, gifts or purchase. In almost all the communities visited, the respondents stated that girls tend to get married or enter into a consensual union at an early age, i.e. between 17 and 20 years. Thus women are usually not able to purchase assets before marriage because they are unlikely to have adequate financial resources to do so. Women participants in the focus group in the Northern Region stated that women can build up the financial resources required to purchase assets over time. For example women traders can save a bag of millet each market day. Once an adequate quantity of millet has been accumulated it is sold and the proceeds used to purchase the asset. Young girls in the three northern regions migrate to southern Ghana to work as porters in the market places and save the proceeds to acquire assets. Other means of financing the purchase of assets is through work as domestic servants. Women are not always able to make cash payments. They therefore tend to purchase on credit. Women tend to purchase assets such as sewing machines, cloth, cooking utensils and livestock.

Very few people in Ghana write wills. Thus the distribution of their property is governed by customary law and practice. Three broad scenarios exist with respect to children's inheritance of their father's property. In the first scenario, reported during focus group discussions held in the Central, Eastern and Greater Accra Regions, children inherit equally irrespective of age or sex (Table 2). In some communities the rationale for the equal sharing of assets is because the cost of the father's funeral is shared equally among the children. Female participants in the focus group discussions conducted in the Volta Region and male participants in the Central Region mentioned that this was a recent development. Among matrilineal groups children would not inherit their fathers but their maternal uncles. However according to a male participant in the focus group in the Central Region this practice,

“has changed because when an uncle dies, his children inherit his properties leaving the nephews with nothing. Assuming an uncle (my mother's brother) wills a piece of land or any property to me, I cannot also give it to my children but whatever I have outside what my uncle gave to me belongs to my children. But when I die, whoever inherits me cannot claim the property I left for my children but it is supposed to take care of them. However, what my uncle left belongs to my extended family and the property I acquired is divided into five portions. Part of this will be used in paying the extra expenses from my funeral and the rest given to the children with some going to whoever inherits me. All this is done in consultation with the head of the family. In short, not all of us inherit our uncles. What goes to the nephew are properties that belong to the family but his personally acquired properties goes to his children unless he decides otherwise”.

A similar process of change has occurred among other matrilineal groups. In the Brong-Ahafo region the key informant had this to say about the matrilineal inheritance system:

“Ages ago, women and children inherited nothing. A widow was sent away to her family three months after her husband's death. When a man or a woman dies, the property was given to the man's mother's family or the woman's mother's family. The inheritance system is matrilineal. However, the current inheritance system allows the widow and

her children to inherit properties. Now we know of a law allowing both spouse and children to inherit property (PNDC law 111)”

Table 2: Inheritance Patterns of Children

Region	Focus Group Responses	
	Distribution of Male Property	Distribution of Female Property
Northern Region	Male children inherit more than female siblings.	Property shared equally among the woman’s children.
Upper East Region	Girls do not inherit their father.	Sons inherits their mothers and they may share their mother’s property with their female siblings.
Upper West Region	Male children inherit more than female siblings. Girls do not inherit cattle, land, house, sheep and goats.	Sons inherit their mothers.
Eastern Region	Assets and liabilities are shared equally among the children	Assets and liabilities are shared equally among the children
Central Region	Both sexes inherit equally	Both sexes inherit although there is a bias towards females
Brong Ahafo Region	Both sexes inherit but the eldest child receives the most	Female children inherit their mother
Western Region	Family decides on how much children will inherit	Both sexes inherit
Greater Accra Region	Both boys and girls inherit equally	Both sexes inherit
Volta Region	Daughters can inherit	Assets shared equally among children

Source: Focus Group Discussions

In the second scenario the distribution of assets on the death of the father is biased in favour of male children and/or the eldest child. In Kintampo in the Brong Ahafo Region, for example, the eldest child is allocated a larger share of the property. In Walewale in the Northern region women can inherit their father’s property but they cannot inherit his land. They have use rights only. The land is controlled by the senior son. Livestock is shared among all children, but women receive less than their male siblings. According to the women in the focus groups, the unequal distribution between the sexes is because married women are catered for by their husbands and unmarried women will be looked after by their brothers.

In the third scenario women do not inherit their fathers because families do not want their properties to be transferred to another family when daughters marry. This is a particular

concern among patrilineal groups. According to a male focus group participant in the Upper West Region “The girls are considered as strangers. They will marry and leave the house”.

The inheritance practices with respect to the property of fathers are biased against female children in the patrilineal societies, i.e. Upper East, Upper West, Northern and Volta regions. Among matrilineal groups the distribution of maternal assets can be biased towards female siblings or equally distributed (Table 2). When children in matrilineal societies inherit their father’s assets it is his self-acquired property and not property that was inherited by the father. His inherited property reverts to the lineage.

In the Upper East and Upper West Regions the bias against females in the distribution of fathers’ assets persists in the distribution of mothers’ assets (Table 2). For example, it was mentioned during the focus group discussion in the Upper East Region that when a woman dies, her son will inherit his mother and her cloths are given to his wife. He may decide to share his mother’s property with his sisters. Mothers expect that their male children will look after their female siblings (focus group discussion, Upper West Region). Women in this community in the Upper West Region may be hesitant to leave property to their daughters because “If it is known that a woman owns property she could be cursed”. In contrast, among the matrimonial groups, a woman’s property is distributed equally among her children.

5. Accumulation of Assets at the Time of Marriage

The process of getting married involves two major steps and the presentation of gifts to the bride, her parents and extended family at each step. The first step is what is described in local parlance as “knocking”. This is when the prospective groom and/or members of his family inform the family of the prospective bride of the man’s intention to marry the woman. At this stage a small sum of money and in some instances, drinks and/or kola nuts and tobacco are presented to the woman’s family. What exactly is presented varies by ethnic group.

The second step is the marriage ceremony. At this stage the groom and his family offer agreed upon items to the bride and her family. The items presented by the bridegroom and his family vary from one ethnic group to another and can vary depending on the level of education of the bride and on the economic standing of the groom and his family. Table 3 presents a summary of the items that are presented and received on behalf of the woman. It does not include items that are presented to her parents, brothers (among some groups) and the rest of the extended family.

Among several of the ethnic groups the bride receives gifts that may be considered as assets, for example the uncut cloth, jewellery and the sewing machine. It is worth mentioning that some women sell or pawn their cloth to pay for their children’s school fees for example. Amongst the Nzema in the Western Region, the bride’s father may use some of the money he has received to set the daughter up in business. This is at his discretion.

6. Asset Accumulation during Marriage

Under the partial community property marital regime, women automatically become joint owners of assets, excluding inheritances, acquired during the course of the marriage by their husbands. Under the full community property all assets owned by both spouses become joint marital property. These marital regimes contrast with the separation of property marital regime practised in Ghana which does not confer to a spouse automatic ownership rights over assets acquired by the other during the course of the marriage. As noted by Kuenyehia and Ofei-Aboagye (1998, p. 32) “the notion of community property is unknown to customary law”. Assets acquired during marriage belong to the person who acquired it and do not become joint property of both spouses. Women can own property in their own right.

Table 3: Items offered to the Bride at the time of Marriage

Region	Ethnic Group	Money in GH¢	Items	
Northern Region	Mamprussi	7.5	4 half piece of fabric (uncut)	4 scarves
			4 sandals	4 veils
	Kasena	Amount is negotiated		
Upper East	Basiongo		Woven cloth	
			Cooking utensils	
Upper West Region	Wala	Amount is negotiated	Uncut pieces of fabric	
			Basin	
			Stool	
			Suitcase	
Eastern Region	Akuapem	50.00	6 half piece of fabric (uncut)	6 pairs of shoes
			6 scarves	Bible
			6 underpants	Ring
Central Region	Fante		Fabric	Umbrella
			Underwear	1 watch
			5 Shoes	6 scarves
			2 bags	Suitcase
			Jewellery -if man can afford it	Sewing machine (optional)
Western Region	Nzema	2.00	Cloth	Traditional beads
			The father may give her part of what he receives	Underwear
			Shoes	Jewellery
Greater Accra Region	Ga		Between 6 to 8 half pieces of fabric	Shoes and bag
			Gold Jewellery	Sewing machine (optional)
			1 Watch	Cosmetics
			Traditional beads	
Volta Region	Ewe (Christians)	200.00	6 half pieces of cloth	6 scarves
			Set of gold jewellery	1 Handbag
			Suitcase	Drinks
	Ewe (Traditionalists)	5.00	Bible	Ring
			Dipo - red cloth	
			2 half pieces of cloth	2 scarves
Ashanti Region	Asante	200.00	Dipo-red cloth	2 pieces of kente
			6 half piece of Dutch wax print	Underwear
			Gold Jewellery	Waist beads
			Wrist watch	Suitcase
			6 scarves	Cloth
			Bible	Ring
Brong Ahafo	Mo	Minimum of 20 cedis Bride uses it to buy things for husband	Shoes	
			Cloth	
A half piece of cloth is 6 yards				

Note: GH¢1.41=US\$1

Source: Focus Group Discussions

The opportunity for women to accumulate assets through marriage is determined to a large extent by their ability to earn an income, maintain control over their earned income, whether husbands will gift their self-acquired assets to them or jointly acquire assets with them independent of their wives' contribution. The attitude of wives towards their husbands was identified as being critical in determining whether the husband would give her assets as a gift and/or make her a joint owner of his assets. If she is submissive, the husband may build her a house (focus group discussion, Eastern Region).

Married couples do not tend to own assets jointly. When women in the Northern Region focus group discussion were asked whether women's property was jointly owned with husbands, the response was that "It is for the woman and her children. The man's property is for the children." Among women in the Upper East Region focus group, women's assets are considered jointly owned with their spouses when the husband contributes to its acquisition; otherwise it belongs to the woman and her children. In the Eastern Region however, the purchase of assets by a husband for his wife was not associated with joint ownership. Polygamy can reduce the likelihood of joint ownership of assets by a married couple. Women in the Upper West Region focus group discussion reported that assets would be held in the names of their eldest sons. This is to prevent the assets being inherited by the children of the other wives. According to women in the focus group discussion in the Greater Accra Region, "When there is polygamy women can even hide their property".

The process of acquisition and disposal of assets by women during marriage depends on power relations within the marriage. There was some debate among women in the focus group discussions in the Upper West Region as to whether husbands must be informed prior to the purchase and sale of assets. Some women were of the view that wives must inform husbands before the purchase and disposal of assets. Others claimed that if the land, for example, belonged to the woman she could decide what to do with it. However, many women were of the view that if wives do not let husbands know about their purchase of land, husbands can "chase her out of the house" because by not informing husbands, wives are usurping their husbands' authority. Her parents will support the action of the man when she complains to them. The situation of women in the Upper West Region can be considered an example of an extreme case of women's lack of decision-making power and control and how this impinges on women's acquisition and management of their assets. Discussions with women in other regions revealed that women will inform their husbands when they want to start a business because of the assistance husbands may provide. Some women would want assistance with start-up capital. In the Northern Region the women said they would inform their husband because they would need storage space. Amongst women in the Eastern Region focus group, husbands are informed about the sale or purchase of land, for example, because failure to do so would be a sign of disrespect. Some men could however forbid their wives to start a business. The women attributed this to jealousy on the part of the man.

In most instances, husbands are not involved in the running of their wives' businesses. However, if he has provided capital for the running or establishment of the business, then this can provide a basis for his involvement in the business and control over the use of its income. Among women in the Upper West Region, if husbands provide capital for the business, then

they must be informed about how much money the business is generating. Indeed some of the women from the Upper West Region focus group mentioned that even if the husband has not invested in the business, he would still want to know how the money is spent. The authority that husbands have over wives can have negative impacts on asset accumulation. For example one of the respondents in the Upper West focus group mentioned that she wanted to expand her sheanut business by travelling to Kumasi (in the Ashanti region). Her husband did not approve and threatened her with divorce if she travelled outside Wa – where they resided. In the Eastern Region the women reported that husbands will not restrain wives from expanding their businesses. A lot however depends on ‘the understanding between the two’.

Although women in almost all the focus groups stated that they can decide on how they use their earned income, they are constrained in their choices because husbands do not always meet their financial obligations.

7. Asset Accumulation at the Dissolution of Marriage

In this section the implications for women’s asset accumulation when a marriage is dissolved due to death and divorce will be discussed separately.

Divorce

The traditional system does not make provision for the divorced woman. When there is separation or divorce, wives do not have a claim to assets acquired by husbands during the course of the marriage. This is despite the fact that women contribute to the ability of husbands to acquire assets by providing labour on husbands’ farms and contributing to the running of the household. Table 4 presents information from the focus groups on what happens to women’s asset stock when there is divorce. In most instances women can leave the marriage with their assets. Joint assets, however, can be a source of conflict and women can end up losing these assets. In the Greater Accra Region focus group discussion, it was stated that whether a woman leaves the marriage with more than her belongings and assets depends on her family. If she has a family that is willing and able to negotiate with the husband, the wife may be given some compensation from the husband. This however is not alimony in the usual sense of the word.

In some communities not only can the woman risk losing her assets; in addition her family will have to return some of the assets acquired at the time of her marriage. In the Upper East Region, if the couple had children, the husband will expect to receive a cow; otherwise, he will expect to be compensated with two cows if there are no children.

Death and Widowhood

According to customary law, wives do not inherit husbands. This pertains in both the patrilineal and matrilineal systems. This is because women are not members of their husbands’ families. The focus group discussions (see Table 5) revealed that in the patrilineal system women are likely to gain access to the assets of their deceased spouses through their children and in the

matrilineal system the widow and children are allocated part of the deceased's estate by the deceased's family. Women without children have the highest risk of losing access to their deceased spouses' assets in both lineage systems.

Table 4: Women's Assets at the Time of Separation or Divorce

Region	Focus Group Responses
Northern	The woman leaves the marriage with the assets that belong to her.
Upper East Region	The woman may risk losing her own assets when she leaves the marital home. She cannot take assets that were gifts from her husband. Her father will have to return the cow presented to him at the time of the marriage. If at the time of the divorce she does not have any children her father may have to present the husband with two cows.
Upper West Region	The woman can leave the marriage with her assets but cannot take assets that were gifts from her husband.
Eastern Region	Property that was jointly acquired is shared
Central Region	The woman can leave the marriage with her assets. Joint assets are shared.
Brong Ahafo Region	Women leave with the assets that belong to them.
Western Region	The woman runs the risk of losing her property.
Greater Accra Region	The woman can leave with her property. Some families can negotiate with the husband to provide her with some compensation.
Volta Region	The woman can leave with her property. The sharing of jointly acquired property can be problematic and women can risk losing these assets.

Source: Focus Group Discussions

It was to address this injustice in the traditional system and the unfairness of the Marriage Ordinance provision on inheritance that the Intestate Succession Act 1985 (PNDC Law 111) was enacted². The Law applies to all forms of marriage – customary, Mohammedan Ordinance and Marriage Ordinance – and self-acquired property. Under the Intestate Succession Act 1985 the surviving spouse and children are entitled to one house and the household chattels of the deceased spouse. If the deceased had more than one wife and children outside the marriage they are all entitled to inherit the house and household chattels. The Act provides for how the remainder of the estate is to be distributed. Despite the existence of the Intestate Succession Act 1985, women are still not assured of inheriting their husband's self-acquired property after his death. This is because in many instances the Act is not applied to the distribution of assets when there is intestacy. It was only during the focus group discussion conducted with women in

² The provisions under the Marriage Ordinance were different between women and men. Under the Marriage Ordinance a husband could inherit two thirds of the estate of his deceased spouse. However, a widow could inherit one third of the deceased spouse's estate.

Table 5: Women's Assets and Widowhood

Region	Focus Group Responses
Northern Region	Women with children can inherit the house. A childless widow can be given some of his assets, but not the house.
Upper East Region	The assets-with the exception of cattle, sheep and land- are divided between wives and children on the one hand and the family on the other. Wives can still farm their late husbands' lands. If the woman does not have children the family can inherit all of her late husband's assets.
Upper West Region	Husband's family decides on how the assets are distributed. Husbands' assets belong to the children. Women's access to the assets is through their children. If the widow has no children she is unlikely to be receive any of her late husband's assets.
Eastern Region	Property is shared equally between wives and children on the one hand and the deceased's family on the other. Sometimes whether, and how much of, a deceased husband's assets are distributed to wives and children is at the discretion of the family. Childless widows have children have a lower probability of inheriting anything.
Central Region	Property is divided between wives and children and the deceased's family. If the couple had no children the widow risks not inheriting anything.
Brong Ahafo Region	Properties are shared among widows and children
Western Region	Property is divided between wives and children and the deceased's family. Family of the deceased spouse can claim the entire property leaving nothing for wife and children.
Greater Accra Region	Wives married under the Marriage Ordinance can apply to the courts for what is their due under the Intestate Succession Act 1985. Wives married under Customary Law and their children are entitled to the man's property. Wives with no children may be given a part of the property.
Volta Region	Wives with children can inherit the deceased's property. Wives without children can end up with nothing.

Source: Focus Group Discussions

a suburb of the Greater Accra Region and interviews with key informants in the Brong Ahafo Region that it was mentioned that women could make recourse to the provisions of this Act. When asked about the relevance of the Act during discussions with the key informant in the Upper West Region, his response was “It is Islamic principles and tradition that work here. it is believed that if you do not give everything to the children of the deceased, the ghost will haunt you”. The Law may also not be made recourse to because of ignorance and fear on the part of women to make recourse to it and the financial cost involved (Fenrich and Higgins, 2001)³.

8. Discussion and Conclusion

The findings indicate that the marital regime, inheritance practices and unequal power relations between couples are important factors that define the parameters for the accumulation of assets by women. There are important variations in inheritance practices and conjugal relations across the country that suggest substantial heterogeneity in the pattern of asset ownership among women on the one hand and between women and men on the other. There are also important similarities that can be observed across the different localities.

The separation of property marital regime is a common feature across all regions and lineages in Ghana. Women can own property in their own right. Marriage does not provide women with ownership rights to their spouses’ assets even though they may contribute to their husbands’ acquisition of these assets.

The differences in the inheritance regimes between matrilineal and patrilineal groups are a source of heterogeneity in the accumulation of assets between women and men and among women. Female siblings in patrilineal lineages are more likely to be either left out of the distribution of assets or to receive a smaller share of assets compared to male siblings. For example the inheritance system discriminates against the inheritance of real estate and livestock by female children in the Upper West Region whilst in the Northern region women can inherit cattle although the cattle must be kept with the family herd.

The focus group discussions provided two illustrations of how unequal power relations in marriage are manifest. The first is the discretion that husbands have in deciding whether and when to compensate wives for the provision of their labour services on their husbands’ farms that goes beyond providing for food, school fees and medical expenses of the children. Among matrilineal groups, husbands may offer land as gifts to their wives in return for their labour. The timing of this transfer is at the discretion of the husband. The second is the perception that women should not be seen to acquire more wealth than their spouses. Women participants in focus group discussion in both the patrilineal Upper West Region and matrilineal Eastern Region reported that women have to be conscious of the effect their asset acquisition may have on their relationship with their spouses.

³ The new Intestate Succession Bill seeks to address some of the problems with Intestate Succession Law 1985.

In both lineage systems, according to Customary Law, women do not inherit their spouses. Women in the patrilineal system can gain access to their deceased spouses' assets through their children. Widows in the matrilineal system are likely to be at a greater disadvantage since the definition of family excludes children from their fathers' inheritance. However, the focus group discussions reveal that in the matrilineal systems inheritance practices are changing. Widows and children do inherit their husbands'/fathers' properties even though in many instances how much they inherit is at the discretion of the deceased's family. The division of the deceased's property is not guided by the provisions in the Intestate Succession Act.

The effect of the interplay of the marital regime, inheritance practices and unequal power relations between couples is to create barriers to the acquisition of assets by women. If women's ownership of assets is to extend beyond consumer durables, changes will be required in the inheritance regime and how society views women's contribution to the domestic economy and the support they provide husbands in their husbands' economic ventures. The Constitution of Ghana recognises the concept of community property in marriage and the enactment of a Property Rights of Spouses Bill will go a long way towards introducing some form of community property into Ghana's marital regime. The discretion families have in deciding how the self-acquired assets of men who die intestate are distributed will have to be reduced. This can only happen if greater recourse is made to legal provisions such as those provided in the Intestate Succession Act.

References

- Agarwal, Bina (1997) "Bargaining and Gender Relations: Within and Beyond the Household" *Feminist Economics*, Vol. 3, No. 1, pp. 1-51.
- Anderson, Siwan and Mukesh Eswaran (2009) "What Determines Female Autonomy? Evidence from Bangladesh" *Journal of Development Economics*, Vol. 50, pp. 179-191.
- Awusabo-Asare, Kofi (1990) "Matriliny and the New Intestate Succession Law in Ghana" *Canadian Journal of African Studies*, Vol. 24, pp. 1-16.
- Baah-Boateng, William (2009) "Analysis of MDG Employment Indicators in Ghana", submitted to the ILO.
- Baah-Boateng, William (2012) *Labour Market Discrimination in Ghana: A Gender Dimension*, Lambert Academic Publishing, Germany.
- Deere, Carmen Diana and Cheryl Doss (2006) "The Gender Asset Gap: What do We Know and Why Does it Matter?" *Feminist Economics*, Vol. 12, Nos 1-2, pp. 1-50.
- Doss, Cheryl (2006) "The Effects of Intrahousehold Property Ownership on Expenditure Patterns in Ghana" *Journal of African Economies*, Vol. 15, No.1, pp. 149-180.
- Duncan, Beatrice A. (2010) "Cocoa, Marriage, Labour and Land in Ghana: Some Matrilineal and Patrilineal Perspectives", *Africa*, Vol. 80, No. 2, pp. 301-321.
- Fenrich, Jeanmarie and Tracy E. Higgins (2001) "Promise Unfulfilled: Law, Culture, and Women's Inheritance Rights in Ghana" *Fordham International Law Journal*, Vol. 25, pp.259-341.
- Kabeer, Naila (1999) "Resource, Agency, Achievement: Reflections on the Measurement of Women's Empowerment" *Development and Change*, Vol. 30, pp.435-64.
- Kuenyehia, Akua and Esther Ofei-Aboagye (1998) "Family Law in Ghana and Its Implications for Women," in Akua Kuenyehia (ed.) *Women and Law in West Africa. Situational Analysis of Some Key Issues Affecting Women*, WALWA, Accra.