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Control and Ownership of Assets: A Means for Increasing Gender Equality and Empowerment of Rural Women

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[*] The views expressed in this paper are those of the authors and do not necessarily represent those of the United Nations.

Abstract

This paper explores the evidence on women's asset ownership and the factors associated with it. It discusses the relationship between women's asset ownership and their well-being. This is a nuanced relationship as is evident in the relationship between women's asset ownership, decision-making power and the incidence of intimate partner violence. The gendered dimensions of shocks and the implications they have for women's assets will be examined. The paper examines some of the ways in which women's asset ownership can be increased, particularly in rural areas. It reviews laws and programmes that have been introduced to improve women's asset ownership, the challenges that have emerged, and the possibilities for creating enabling environments for increased control and ownership of assets by rural women.

Control and Ownership of Assets: A Means for Increasing Gender Equality and Empowerment of Rural Women.

1. Introduction

Gender inequality is usually measured along dimensions such as wages, employment and education. Rural women are particularly disadvantaged in all these dimensions. They are less likely than men to be wage employed and are concentrated in low wage jobs. Their disadvantage is not only with respect to rural men but also with respect to urban women. For example, the rural gender wage gap tends to be wider than the urban wage gap (FAO, 2011).

An important dimension of gender inequality is assets. This is because of the benefits assets confer on their owners. Assets such as land, housing, financial assets and livestock confer social status and recognition. Some assets generate income flows that can be used to acquire additional wealth. Assets can be used as collateral to access credit and can be drawn upon for consumption smoothing. It cannot be taken for granted that the benefits of asset ownership by one member of the household will be diffused to and/or shared with other household members. The unequal distribution of assets among household members can be a source of unequal intra-household power relations and the reason for different levels of well-being among household members. The Sustainable Development Goals recognise the importance of assets for gender equality. Target 5a under Sustainable Development Goal 5 is a commitment to 'undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws'. Several studies provide evidence of a gender gap in asset ownership that is biased against women (see for example Doss *et al.*, (2011) for Ecuador, Ghana and Karnataka, India; Deere *et al.* (2012) for Latin America and Kieran, *et al.* (2017) for Asia).

This paper will present some evidence on asset ownership, explore the ownership rights of rural women asset owners and discuss the factors that can explain the observed patterns. Of particular interest is women's ownership rights when they own assets jointly with their spouses. Asset ownership by rural women is expected to influence their livelihood strategies and to increase their bargaining power, thus improving their position in the household and their wellbeing

(Meinzen-Dick *et al.*, 2014). The paper will examine the evidence on this. Shocks, however, can reduce asset stocks and thus interrupt the expected positive flow from assets to wellbeing. Finally, the paper will discuss interventions and policies that have been implemented to improve women's asset ownership.

2. Evidence on Rural Women's Asset Ownership

Different studies do not always identify asset owners using the same criteria. It is therefore useful to discuss the concept of ownership before presenting evidence on rural asset owners. Ownership was initially defined as the relation between a person and a thing.[1] The current concept of ownership is that it is a bundle of rights (McCarty, 2002). Honore (1961) as cited in Breaky (2012) identifies eleven criteria that define ownership. These are the rights to possess, use, manage, income, capital, security and transmissibility. In addition, ownership includes prohibition of harmful use, absence of terms, liability to execution and residual character.

The concept of ownership as a bundle of rights recognizes that each right is distinct. A person's relation with a thing can include some rights and exclude others. Schlager and Ostrom (1992) provide a framework in which the four categories of rights holders – authorized user, claimant, proprietor and owner hold different rights. The authorized user is limited to access and withdrawal rights whilst the owner has the full range of rights identified by Schlager and Ostrom (1992). This concept of ownership as a bundle of rights is particularly pertinent from a gender perspective. It is important to know whether women and men asset owners have the full complement of rights since the basket of rights they have can determine the benefits they derive from their assets.

Surveys that collect data on individual asset ownership pose questions such as; 'Who in the household owns this asset?' The individuals identified as owners of the assets are classified as reported owners. Their claim to ownership is based on their reporting themselves as owners or others recognizing them as the owners of the assets. In contexts where formal legal systems and customary laws and traditions co-exist and the scope of the formal laws and regulations do not effectively impact people's lives, reported ownership is important. In the case of assets such as real estate and businesses, some surveys ask additional questions about the identity of the persons

[1] See McCarty (2002) for a discussion on the conceptual history of ownership.

whose names are on a document linked to the acquisition of the asset. Such persons are identified as documented owners. Registration of assets such as land, housing and businesses in many developing countries is still not widespread. In Ghana, for example large commercial farmers are more knowledgeable of the land registration process than the small-scale cash crop farmers and food crop farmers. The bureaucracy involved in registration is long and expensive. Some farmers are of the view that because they have a natural right to the land they do not need to register it (Alhassan and Manuh, 2005). In this section, we will begin by presenting some evidence on asset ownership by women for reported and documented ownership. This will be followed by a discussion on ownership rights for land and housing.

Most household surveys, such as the living standards surveys of the World Bank and the demographic and health surveys collect data on whether any household member owns assets. Very few of them collect data on who in the household owns the asset. Deere *et al.* (2012) review 167 household surveys for 23 countries in Latin America and find that only 23 questionnaires for 11 countries collected data on the owners of at least one asset.

Conducting a gender analysis of asset ownership based on the sex of the household head is not particularly revealing. This is because assets are owned by individuals. When assets are jointly owned, this does not usually mean that all household members own the asset. A gender analysis of asset ownership using information on the sex of the household head underestimates women's ownership of assets (Deere *et al.*, 2012). There is growing evidence on the ownership of assets by women as questions on who in the household owns the assets are increasingly being introduced into nationally representative household surveys. In Ghana for example, questions on who in the household owns land and housing were included for the first time in Ghana's sixth demographic and health survey conducted in 2014.

Assets may be classified into different categories – physical, financial and social. Physical assets can be categorized into real estate, non-farm businesses, agricultural land and consumer durables. (Doss *et al.*, 2017). The focus of this paper is on women's ownership of physical assets.

Rural households own assets across the different categories. For example, in rural Karnataka in India, the principal residence and agricultural land account for 25 per cent and 62 per cent of gross household physical wealth respectively. Other categories of physical asset wealth make up the remaining 13 per cent (Swaminathan *et al.*, 2011). There is much more evidence available on rural women's ownership of land, housing and livestock than there is on their ownership of other asset categories. Much of the discussion on women's asset ownership will be focused on their ownership of these three assets.

Land

Africa - Rural women do own land. Women are not always equally represented among owners of agricultural land even though in many developing countries rural women are predominantly employed in agriculture. For example, in Ghana, 36 per cent of reported agricultural land owners are women. This contrasts with three districts in rural Uganda where women's share of reported agricultural land owners is much higher at 49 per cent. (Doss *et al.*, 2011). Using data from the FAO Gender and Land Database, Demographic and Health Surveys and LSMS – ISA data base, the incidence of women's reported ownership of agricultural land – whether individually or jointly owned - ranges from 3.1 per cent in Mali to 54 per cent in Rwanda. (Doss *et al.*, 2015). Women's incidence of agricultural land ownership tends to be lower than men's with some exceptions. For example, in Rwanda and Zimbabwe, the incidence of women's and men's agricultural land ownership is about the same.

The incidence of documented land ownership is much lower for both women and men. For example, in Ghana, about 1 per cent of rural women and 4 per cent of rural men have a document to support their claim of land ownership. The incidence of documented land ownership is higher in rural Uganda at 10 per cent and 13 per cent for women and men respectively (Doss *et al.*, 2012a).

The occurrence of joint ownership of land varies across countries. It is high in Uganda at 48 per cent of plots and low in Malawi and Nigeria at 18 per cent and 9 per cent respectively (Doss *et al.*, 2015). Joint ownership can be between spouses or with other members of the family. For example, in Ghana, 11 per cent of rural plots are owned jointly by couples. Other forms of joint ownership comprise 11 per cent (Doss *et al.*, 2012a).

Asia - There is a gender gap in land ownership in Asia. Among a sample of 9 countries for which sex-disaggregated data are available, women's share of land holders[2] ranges from 3 per cent

[2] The agricultural land holder makes major decisions and exercised management control over the land. The land holder may be directly engaged in all responsibilities or delegate day to day responsibilities to a hired manager (http://www.fao.org/3/a-i4862e.pdf)

in Bangladesh to 11 per cent in India and 27 per cent in Thailand (Lastarria-Cornhiel *et al.*, 2014). The incidence of documented land ownership among women is 4 per cent in Tajikistan, 9 per cent in Bangladesh and 16 per cent in Vietnam (Kieran *et al.*, 2017). In Karnataka, India the incidence of reported agricultural land ownership by rural women is 9 per cent and the incidence of documented land ownership is slightly lower at 7 per cent. (Swaminathan *et al.*, 2011). The proportion of women in Bangladesh who are sole owners of land is two percentage points lower than the proportion of women who own land jointly or individually; indicating that joint land ownership is the exception. Joint land ownership is relatively more prevalent in Vietnam where 9 per cent of women own land solely. (Kieran *et al.*, 2017). In Karnataka, India, joint ownership is the exception – only 14 per cent of agricultural parcels are reported to be owned jointly. The share of plots jointly owned by couples is 2 per cent.

Latin America - In Latin America, the proportion of land owners who are women is low at 8 per cent in Guatemala rising to 30 per cent in Chile (Lastarria-Cornhiel *et al.,* 2014). Using data from LSMS surveys that collected individual level data on ownership, Deere *et al.* (2012) find that the share of documented land owners who are women is 29.7 per cent in Paraguay, 19.9 per cent in Nicaragua and 14.4 per cent in Honduras. Using reported ownership, women's share of land owners is 32.2 per cent in Mexico and 23.5 per cent in Haiti. In Ecuador, the incidence of reported rural ownership of land is 17 per cent for men and 15 per cent for rural women. There is no gender gap in the incidence of documented ownership which stands at 13 per cent (Doss *et al.*, 2011). Joint ownership is the most common form of land ownership in Ecuador. The majority of agricultural plots (44%) is owned by couples and 10 per cent is owned jointly in other forms. (Doss *et al.*, 2012).

Europe, USA and Canada- The share of agricultural land holders in Europe who are women ranges from as low as 6 per cent in the Netherlands to 23 per cent in France and 47 per cent in Lithuania. In the United States it is estimated that about 14 per cent of landholders are women. The share of land holders in Canada is higher at 27 per cent.[3]

[3] This is data from the FAO Gender and Land Rights Database (http://www.fao.org/gender-landrights-database/data-map/statistics/en/)

Although there is much variation across countries, rural women are unlikely to be land owners. When they do own land, the sizes of their plots are smaller than men's and are not always of the same quality as men's (Doss *et al.*, 2015). The disadvantage that rural women face in terms of the quantity and quality of their owned plots of land is illustrated by a comparison between the proportion of land owners who are women and the proportion of land wealth owned by women.[4] Table 1 represents this information for Ecuador, Ghana, Karnataka and Uganda. The share of rural land owners who are women is much higher than the share of agricultural land wealth owned by rural women in Ghana and Karnataka. There is almost no difference between the share of land owners who are women and their share of agricultural land wealth in Ecuador and Uganda. This difference between Ghana and Karnataka on the one hand and Ecuador and Uganda on the other is due largely to the prevalence of joint land ownership by couples in the latter two countries.

Table 1: Rural Women's Share of Owners and their Share of Agricultural Land Wealth

	Rural Women's Share (%) of	
	Landowners	Agricultural Land Wealth
Ecuador	52	53
Ghana	36	25
Karnataka, India	20	12
Uganda	49	48

Source: Doss et al., (2012).

Other Assets

There is not as much data available on rural women's ownership of housing, other real estate, livestock, agricultural equipment, non-farm businesses and consumer durables. The discussion on the ownership of these assets will depend heavily on the study on rural gender and wealth gaps by (Doss *et al.*, 2012a) that provides evidence from Ecuador, Ghana, the state of Karnataka, India and three rural sites in Uganda.

In Ghana, Karnataka and Uganda, 17 per cent of rural women are reported owners of the place of residence. There is considerable variation in the size of the gender asset gap across the three countries – 30 percentage points in Karnataka, 20 percentage points in Ghana and 4 percentage points in Uganda. Ecuador is the exception where the incidence of rural women's home

[4] Land values contain information on land quality and size.

ownership at 47 per cent is one percentage point higher than it is for men. The gender parity in the incidence of home ownership in Ecuador and Uganda is driven by the form of home ownership in these two countries. In Ecuador and Uganda, 44 per cent and 68 per cent of places of residence respectively are owned jointly by couples. In Ghana and Karnataka, India on the other hand, individual ownership is the more common form of ownership. A large proportion of the places of residence are individually owned by men. A similar pattern pertains in KwaDube, a rural community in KwaZulu-Natal province in South Africa where housing tends to be owned individually by men. (Jacobs *et al.*, 2011).

In Karnataka, India, women are just as likely as men to own poultry and small livestock such as goats because these are reported as being owned by all members of the household. Women's incidence of ownership of large livestock such as cattle is high at 49 per cent and higher than in Ghana, Ecuador and Uganda. This is largely because in many households, these are considered to be jointly owned by household members. In Ghana on the other hand, where joint property ownership is less common, men are more likely to be owners of livestock and poultry. In Ecuador, the reverse is the case; women are more likely to be owners of livestock and poultry.

In Ecuador, Ghana and Uganda, rural women are more likely to be reported owners of small agricultural tools such as the hoe and machete and less likely to be owners of the more expensive larger agricultural equipment such as tractors. The ownership of agricultural tools and equipment by rural women is highest in Karnataka (82% for small tools and 16% for large equipment) than in the other three countries largely because these assets are reported as being jointly owned.

The incidence of reported ownership of non-farm businesses among rural women is highest in Ghana at 35 per cent compared to Ecuador (22%), Karnataka (4%) and Uganda (4%). It is one of the few assets in Ghana for which the gender asset gap favours rural women. In rural Karnataka, jewellery is the asset that has an incidence of women's asset ownership that exceeds men's.

The availability of infrastructure such as electricity and mobile phone coverage and purchasing power of households and individuals will determine to a large extent whether rural households own consumer durables such as refrigerators, televisions, mobile phones and vehicles. In Ghana, Karnataka and Uganda, the ownership of refrigerators is low and the difference in the incidence of ownership by women and men is not significant. In Ecuador on the other hand, where rural electricity is more widespread, 47 per cent of women own refrigerators and this is nine percentage points higher than the incidence of ownership among men. There is a gender gap in the incidence of the ownership of mobile phones in favour of men in all four countries.

Rural women are less likely than men to be reported or documented owners of agricultural land, housing and other assets. In some countries, there are assets that may be described as 'women's' assets because the incidence of asset ownership is higher than men's and women comprise the majority of owners. Examples of these assets are businesses in Ghana and jewellery in Ghana and Karnataka. The evidence available on the form of asset ownership suggests that joint ownership is associated with higher incidences of women's asset ownership and a narrowing of the gender gap in asset ownership.

3. Examining the ownership rights of rural women asset owners

Each right in the bundle of ownership rights is distinct and some individuals will have claim to the full bundle of ownership rights whilst others may have some rights and not others. It is therefore important to know how ownership rights are distributed among women and men asset owners. Table 2 presents a summary of social institutions and gender index (SIGI) indicators on women's and men's rights to own, control and use land from the Gender, Institutions and Development database of the OECD. In the majority of countries in the different regions, formal laws guarantee the same rights for women and men, however, these provisions are undermined by the existence of discriminatory customary laws and religious practices against women.

Alienation rights – the right to sell

Focusing on the right to sell, available evidence suggests the majority of owners, have the right to sell land or the place of residence. However, there is a gender gap in favour of men in the right to sell land (Oduro *et al.*, 2011; Swaminathan *et al.*, 2011; Doss *et al.*, 2014; Slavchevska *et al.*, 2017.) and the place of residence (Oduro *et al.*, 2011; Swaminathan *et al.*, 2011). For example, in Tanzania, 85 per cent of plots solely owned by men and 76 per cent of plots solely owned by women can be sold by their owners (Slavchevska *et al.*, 2017.).

Table 2: Land and Women's Rights

Region	Number of Countries where: Law guarantees same rights to own, control, use land to both women & men	Law guarantees same rights but informal institutions discriminate against women	Law does not guarantee same land rights to women and men
Sub-Saharan Africa	1	37	5
South Asia	1	5	1
Latin America & Caribbean	10	12	0
East Asia & Pacific	3	12	1
Central Asia	2	3	0
Middle East and North Africa	2	16	0

Source: OECD. Gender, Institutions and Development Database 2014. Accessed 11th August, 2017.

Rights may be classified as individual (where the owner has the right to make the decision alone) or consultative (where the owner has the right to sell after consultation or obtaining permission). In Karnataka, most rights are consultative (Swaminathan *et al.*, 2011). This is even when the asset is solely owned. Rural women owners of agricultural land and the place of residence are the exception; they are more likely to have individual rights. This is because the majority of these women owners are widows (Swaminathan *et al.*, 2011).

Consultative rights have been found to dominate in some districts in rural Uganda. Individual rights to sell, bequeath or use the land as collateral are the exception rather than the rule. Whereas 41 per cent of men and 25 per cent of women can sell their land, only 4 per cent of women and 4 per cent of men report having the right to do so alone (Doss *et al.*, 2014).

In Ghana, where individual asset ownership is the norm, the majority of both women and men sole owners of the place of residence and agricultural land have individual rights to sell. In the same way, the majority of joint owners of the place of residence and joint owners of agricultural plots have consultative rights. However, the rights to sell places of residence and plots of land that are jointly owned by women are more likely to be held by someone else in contrast to those owned by men (Oduro *et al.*, 2011).

In Tanzania, about 23 per cent of jointly owned plots can be sold by men without consultation (Slavchevska *et al.*, 2017). Women who are joint owners of places of residence and land in rural KwaZulu-Natal in South Africa are less likely to have the right to sell or control the agricultural income. Being documented owners of these jointly owned assets does not automatically confer them with these rights. (Jacobs and Kes, 2015).

Management Rights

Management rights are the rights to make decisions on the use of the asset and in the case of land, what inputs to apply. In a study that examines ownership rights in six sub-Saharan African countries Slavchevska *et al*. (2017) find that in Niger, Nigeria and Tanzania, over 70 per cent of the reported owners have management rights. In Niger and Tanzania, about 78 per cent of plots solely owned by women are managed by their owners and in Nigeria it is slightly less than 60 per cent. This contrasts with Ethiopia and Malawi where about 48 per cent of plots solely owned by women are managed by their owners.

Nigeria is the only country among the six in the study where majority of jointly owned plots (53%) is managed solely by men. Only 27 per cent of jointly owned plots are managed jointly by women and men. This contrasts with 83 per cent in Uganda and 89 per cent in Niger and 80 per cent in Ethiopia.

Additional evidence on women owner's management rights is provided by the Gender Asset Gap Project which asked separate questions on who makes the decision on what to grow, what to sell and how to use the income from sales. (Deere *et al.*, 2013). The extent of women landowners' participation in each of these decisions varies across the three countries and varies across decisions. The proportion of women land owners who participate in each of these decisions is lower in Karnataka than in Ecuador and Ghana.

Joint ownership of land and the place of residence have been found to confer rural women owners with limited management rights compared to rural women who are sole owners of these assets. In Malawi, Mali and Tanzania, Doss *et al.*, (2014) find that women land owners are more likely than women who do not own land to participate in decisions concerning agricultural input use, crops for home consumption, cash crop farming and the decision to take products to the market. The size of the impact of joint ownership in these countries tends to be significantly lower compared to the size of the impact of individual ownership. In India, land ownership is not correlated with participation in any of these decisions. Individual and joint ownership both have a negative though insignificant effect (Doss *et al.*, 2014).

Economic Rights

In over 60 per cent of plots solely owned by women in Ethiopia, Tanzania and Uganda, women owners have control over the use of revenue from the sale of output. A greater share of plots solely owned by women is managed by their owners in these countries including Malawi. Women have a say in how revenue from the harvests on men's plots are used in these countries. Nigeria is the exception (Slavchevska *et al.*, 2017).

The available evidence suggests an imperfect overlap between land ownership and the rights associated with being an owner. Women land owners are less likely than men in many contexts to have these rights, although the size of the gender gap varies by type of right and by country.

4. Factors that explain asset ownership patterns

Assets may be acquired through purchase, inheritance, marriage and allocation programmes of government and NGOs. The laws, rules and norms that regulate inheritance practice, the distribution of assets between couples at the time of marriage, during marriage and when marriages are dissolved due to death or divorce determine who owns assets and what types of assets. Laws, rules and norms influence the guidelines of allocation programmes. The invisible hand of the market is not alone in determining who can access asset markets. Cultural norms and rules established by major players in the market are also of considerable importance (Lastarria-Cornhiel, 1997).

Inheritance regimes determine who can inherit a spouse, parent or a sibling and what can be inherited. Marital regimes provide the framework that determines whether spouses can claim ownership to each other's property and what they can claim ownership to.

Formal laws and regulations promulgated by the state and customary laws and norms established by the family and community shape the architecture of inheritance and marital regimes. For example, restrictive testamentary freedom that requires that both sons and daughters inherit and rules that include wives in the list of necessary heirs will increase the likelihood that women will be asset owners (Deere and Doss, 2006).

Several developing countries have formal inheritance laws that treat women and men equally. In Nepal, a constitutional amendment in 2002 provided for equal inheritance rights for sons and unmarried daughters. Married women could claim a share of their spouses' property. The 2007 amendment made land provided by the state the community property of the couple and extended inheritance to married daughters (Mishra and Sam, 2016).

However, in many of these countries, there is legal pluralism. Formal legal laws and regulations co-exist with customary rules and norms and religious laws and the latter are recognised by the formal legal system. In many instances, particularly in rural areas, customary laws and norms are more strongly adhered to. The formal laws are either adhered to in part or not at all. Women are unlikely to demand their rights under the law for fear of being victimised. The cost of making recourse to the law when rights have been infringed upon can also be prohibitive, particularly for rural women.

Tables 3 presents a summary of SIGI indicators on inheritance from the Gender, Institutions and development database of the OECD. The majority of countries in each region for which data is available have formal inheritance laws that treat widows and widowers equally. However, the majority of these countries also have customary laws and norms in place that discriminate against widows.

Table 3: Indicators of Equal Inheritance Rights for Widows, Widowers, Sons and Daughters

Region	Number of Countries Widows and Widowers (Number of Countries)			Number of Countries Daughters and Sons (Number of Countries)		
	Law guarantees same inheritance rights to widows and widowers	Same inheritance rights but informal institutions discriminate against women	Law does not guarantee same inheritance rights to widows and widowers	Same inheritance rights to sons and daughters	Same inheritance rights but informal institutions discriminate against daughters	Law does not guarantee same inheritance rights to sons and daughters
Sub-Saharan Africa	4	29	10	1	31	10
South Asia	1	3	3	1	3	3
Latin America & Caribbean	11	11	0	11	11	0
East Asia & Pacific	3	11	2	4	11	1
Central Asia	2	5	0	4	3	0
Middle East & North Africa	0	0	18	0	0	18

Source: OECD. Gender, Institutions and Development Database 2014. Accessed 11th August, 2017.

Inheritance regimes in many African countries do not confer widows with inheritance rights. In a sample of 15 African countries, Peterman (2012) finds that only 47 per cent of widows inherit any assets. The proportion of widows who inherited assets was highest in Rwanda (66%) and lowest in Sierra Leone (22%). Widows and their children do not tend to inherit the majority share of assets. There are wide variations across the continent with only 16 per cent of widows and their children in the Congo inheriting the majority share, compared to almost 60 per cent in Rwanda. Khan's (2016) study on inheritance laws in Muslim societies in seven countries finds that the national laws contain provisions that favour women and that are gender equal. However, precedence is given to religious Islamic law in areas such as inheritance, marriage and divorce. Further evidence of the effects the male bias in inheritance regimes is provided in Uganda (Doss *et al.*, 2012a) and Ethiopia (Kumar and Quisumbing, 2012).

Table 3 shows that the majority of countries in the different regions – with the exception of the Middle East and North Africa- have enacted formal laws that require that sons and daughters are treated equally in wills and daughters are not discriminated against in the instances of intestacy. However, the majority of these countries maintain customary laws and practices that privilege sons over daughters in inheritance. In some African countries, for example, Ghana, husbands and fathers get around the restrictions of customary inheritance laws by gifting land to their spouses and daughters (Quisumbing *et al.*, 2001; Duncan, 2005). This usually occurs after wives and children have worked on the farms over a period of time. In some Akan communities, women demand gifts of land as compensation for their labour (Amanor, 2001). In Muslim societies, daughters and sons do not inherit equally under religious law – but daughters are provided for. In some countries, however, religious law gives way to traditional laws and when these laws discriminate against women, they can end up losing their inheritance rights.

Marital regimes can be classified into two broad categories. The first is separation of property regime and the second is community property regime. In the separation of property marital regime, assets owned prior to the union and acquired during the subsistence of the union remain the individual property of their owners. Community property regimes can be further classified into full community property regimes and partial community property regimes. In full community property regimes, assets acquired before the union and during the union are joint property of the couple. The property is divided equally between the couple when there is divorce. In partial community property regimes, property acquired before the union and inherited property are not included in the joint community property. It is the community property that is shared equally between the couple when the marriage dissolves.

An illustration of the importance of marital and inheritance regimes in explaining gender gaps in asset ownership is provided by Doss *et al.* (2013). Ghana and India have the separation of property regime whilst in Ecuador, the default is partial community property. Ghana's Will Act (1961) is silent on inheritance by children whilst the Intestate Succession Act (1985) makes provision for a specific proportion of the deceased's self-acquired property to be allocated to the surviving spouse and children. It is silent on how sons and daughters are to be treated. The Hindu Succession Act (Amendment), 2005 provides for equal inheritance of sons and daughters in ancestral property including agricultural land. In Ecuador, restrictive testamentary freedom ensures that sons and daughters are to be provided for. In Ghana and Karnataka, the formal provisions are not always adhered to in practice. These differences in the marital regime and inheritance laws between Ghana and Karnataka on the one hand and Ecuador on the other are evident in the incidence of joint property ownership by couples and the form of ownership of inherited property by couples. Joint ownership of agricultural land, housing and other real estate by couples is prevalent in Ecuador and the exception in Ghana and Karnataka. In both Ghana and Karnataka, the form of ownership of inherited agricultural land, housing and other real estate is largely individually owned by men. This suggests that men are more likely to inherit these assets than women. In Ghana, brothers' inheritance is more likely to be of higher value than that received by their sisters. The restrictive testamentary freedom in Ecuador may explain why brothers and sisters are more likely to report receiving inheritance of equal value in Ecuador than in Ghana.

In addition to inheritance and marriage, assets can be acquired through purchase. The incidence of acquisition of assets such as agricultural land and housing through purchase varies across countries. In Ghana, only 8 per cent of rural women and 9 per cent of rural men acquired their agricultural land plots through purchase. In Karnataka, the incidence is slightly higher at 18 per cent for rural women and 9 per cent for rural men. In Ecuador and Uganda, acquisition of land through purchase is much higher. For example, 43 per cent of women in the three districts of Uganda had purchased plots compared to 55 per cent of men. In Ecuador, it is 31 per cent of rural women and 38 percent of rural men (Doss *et al.*; 2012a). With the increasing emergence of land and housing markets in rural communities, the opportunities to acquire real estate through purchase are expanding. However, rural women and men face different constraints in acquiring assets through the market. Rural women have lower purchasing power. Their plots have lower yields because they are discriminated against in the supply of inputs, access to extension advice and the allocation of fertile lands. In societies where women and men have separate plots, women may be required to provide labour on their husbands' plots. The time constraint women face implies they will spend less time on their own plots. Women who do not have control over their incomes are particularly challenged. Social norms may frown upon married women purchasing land and other real estate. This discourages them from doing so even when they have the income to do so (Doss *et al.*, 2014). Rural women may face greater constraints to accessing credit – they are less likely to have formal accounts and therefore to have developed a long term relationship with a formal institution (Doss *et al.*, 2012b). Laws may discriminate against women in the opening of accounts (see Table 4) and they are unlikely to have the required collateral.

Table 4: Access to Financial Services

Region	Number of Countries		
	The law guarantees the same rights to access formal financial services to both women and men	The law guarantees the same rights to access formal financial services to both women and men, but there are some customary, traditional or religious practices that discriminate against women	The law does not guarantee the same rights to access formal financial institutions to women and men or women have no legal rights to access financial services
Sub-Saharan Africa	14	26	3
South Asia	3	4	0
Latin America & Caribbean	16	6	0
East Asia & Pacific	13	7	0
Central Asia	5	3	0
Middle East and North Africa	2	17	0

Source: OECD. Gender, Institutions and Development Database 2014. Accessed 11th August, 2017.

Apart from laws and norms that influence marital and inheritance regimes, women's ownership rights are influenced from other factors. Women's limited rights as owners may be determined by tenure restrictions on the assets they own. For example, in South Africa, women in rural KwaZulu-Natal own land with tenure arrangements that prohibit its sale (Jacobs *et al.*, 2011). In Ghana, women were more likely than men to claim ownership to family houses. Family property cannot be sold or used as collateral without the consent of other family members (Oduro *et al.*, 2011).

Marital status and form of land ownership are important correlates of participation in decision-making. Partnered women in Karnataka are significantly less likely to be involved in management decisions, thus explaining the lower participation rates compared to Ecuador and Ghana. In both Ghana and Ecuador, partnered women who are sole owners of their plots are more likely to make decisions alone. This contrasts with Karnataka where joint decision making is the norm. Women who are joint owners of plots tend to make decisions jointly. Partnered women joint owners in Ghana are more likely not to participate in decisions, this contrasts with Ecuador where it is individual land owners who are more likely not to participate.

In a more rigorous analysis on participation in agricultural decision making in Ecuador using a sample of couples, Twyman *et al.* (2015) find that working on the land and being employed in off-farm activities are significant correlates of women agricultural land owners' participation in management decisions.

5. Women's asset ownership and their wellbeing

Women's empowerment has been conceptualized as comprising three dimensions; resources, agency and outcomes (Kabeer, 1999). Resources improve the ability to make choices and determine the fall-back position in any set of negotiations.

Participation in household decision making has been identified in the literature as an indicator of women's empowerment. This is particularly relevant in those contexts where women are excluded from particular spheres of decision making. Women's land ownership is associated with participation in different household decisions in Peru (Wiig, 2013), Nepal (Allendorf, 1997; Mishra and Sam, 2016), Ethiopia (Muchomba, 2017) and Bangladesh (Anderson and Eswaran 2009). In Karnataka, ownership of land and/or housing is positively associated with participation in household decisions (Swaminathan *et al.*, 2011). Livestock ownership in Nepal improves women's odds of participating in household decisions (Allendorf, 1997).

Women's ownership of assets has also been found to influence the pattern of household expenditures. Doss (2006) finds that rural women's share of asset wealth in Ghana is positively associated with increases in the share of food in total household spending and the decline in the share of alcohol and tobacco. In Ethiopia, girls' share of total clothing expenditure is higher in households where the land title is in the names of the couple than in households where the title is in the man's name only (Muchomba, 2017). There is a higher spending on health care in households with joint land titles. Quisumbing and Maluccio (2003) find that the assets women bring in to the marriage are positively associated with increases in educational expenditures in rural Bangladesh, the share of food in total household expenditures in rural Ethiopia and the share of spending on education in Ethiopia.

Women’s ownership of assets is associated with changes in the wellbeing of their children. In Nepal, children whose mothers own land are less likely to be severely underweight (Allendorf, 1997). In Ethiopia, children of mothers who brought livestock into the marriage were not likely to be stunted or wasted (Fafchamps *et al.*, 2009). In Ethiopia, mothers’ asset ownership is negatively associated with investing in their daughters’ education and in Indonesia, mothers who own paddy fields are more likely to invest in their son’s education. No relationship is found between mothers’ ownership of paddy land and girls’ education. Cultural norms and practices can have an important mediating influence on the association between women’s asset ownership and their children’s well-being. In Indonesia, girls are expected to inherit their mothers’ paddy farms and this may explain why investment in girls’ education by mothers who own paddy land is not different from mothers who do not own paddy land. In Ethiopia, boys are expected to look after their aged mothers. Investing in their son’s education is therefore a strategy to cement women’s relationships with their sons (Quisumbing and Maluccio, 2003).

There is mixed evidence regarding how women’s asset ownership affects their well-being. In Karnataka, India, rural women who own either land or housing are less likely to be bound by mobility restrictions compared to women who do not own these assets (Swaminathan *et al.*, 2011). Anderson and Eswaran (2009) find that women’s asset ownership has no effect on whether women can deviate from social norms such as covering their heads or wearing burquas. In Ethiopia, however, Dito (2015) finds that women’s asset ownership (measured by assets brought into the marriage) is not associated with women’s health status. Dito (2015) suggests that this may be because what women bring in is a minuscule share of the couple’s assets at the time of marriage. A second reason provided by Dito is that ownership of assets does not always translate into control of the asset.

Rural women in south-eastern Nigeria are of the view that owning assets (for example, motor transport, milling machines, televisions, and farmland) will not provide them with the bargaining power to decide when to become pregnant, the number of children to have and the spacing of child births. This is because they do not have control over the income generated from these assets.

Without the economic resources that these assets should provide them, they will not have bargaining power (Omeje *et al.*, 2011).

Kabeer (1999) emphasizes the importance of distinguishing between access and control in the discourse on women's empowerment. Ownership that does not also imply control over the asset may undermine the empowering effect of asset ownership. Evidence on the effects that joint and individual land titles have on women's bargaining power is instructive in this regard. In Vietnam, individual land titles in women's names have a larger positive impact on children's health and school attendance and the change in the composition of households spending towards food and beverages than joint titles (Menon *et al.*, 2014). It was found that there is no significant difference in the impact of joint titling and individual male titling.

Domestic violence and in particular, intimate partner violence reduces women's well-being. There is mixed evidence of the protective effect of women's asset ownership against intimate partner violence. Ownership of a house only or ownership of both land and housing reduces the likelihood of intimate partner violence in the past year in rural Kerala in India (Panda and Agarwal, 2005). House ownership provides women with an exit option and thus increases their bargaining power. No consistent pattern is found in the relationship between women's sole or joint ownership of assets (i.e. land, house or both land and a house) and intimate partner violence in a study of 28 countries (Peterman *et al.*, 2017). In some countries (Democratic Republic of Congo, Pakistan and Honduras) there is a significant negative association between asset ownership (whether solely or jointly owned) and physical or sexual violence. In five countries (Burkina Faso, Egypt, Jordan, Mali and Nepal) asset ownership is positively associated with intimate partner violence. Sole asset ownership has a significant protective effect in the Democratic Republic of Congo and Haiti, whilst the association is positive in Burkina Faso, Cambodia, Egypt and Mozambique. Land ownership has a protective effect in five countries and is positively associated with intimate partner violence in four. The authors do not find a significant relationship between asset ownership and intimate partner violence in the majority of countries. This is irrespective of the type of asset owned and form of ownership. A take away from their study is that context matters for understanding the relationship between asset ownership and intimate partner violence. In some countries, women's asset ownership goes against gender norms. In these contexts, asset ownership may instigate conflict instead of providing a protective mechanism (Aluko, 2015).

Oduro *et al.*`s (2015) study on intimate partner violence in Ecuador and Ghana provides an opportunity to examine this issue in much more depth for countries that have different contexts. In contrast to many studies, women's asset ownership is measured as the woman's share of the couple's wealth, thus taking into account the woman's wealth relative to that of her partner. Using a multinomial logit model, they find that in Ecuador, women's share of couples' wealth reduces the odds of physical violence as compared to no violence. The relationship is not significant in Ghana. However, women's share of couples' wealth reduces the likelihood of emotional abuse in Ghana with no significant relationship in Ecuador. The authors find that in Ecuador, women's share of couples' wealth has a protective effect against physical violence up until the critical share of 58 per cent. In both countries, women's share of couples' wealth distinguishes between physical violence only and emotional abuse. An interaction variable between women's share of couples' wealth and the socio-economic status of the household is introduced in the models. In Ecuador, the odds of physical violence compared to no violence declines with women's share of couples' wealth for women living in households in the first and second wealth tertiles. Among women in the upper wealth tertile, the odds increase with women's share of couples' wealth. In Ghana, the odds of emotional abuse compared to no abuse declines with women's share of couples' wealth across all wealth tertiles. The decline is more dramatic for women in the lowest wealth tertile. The interaction effect provides evidence on the possible mediating effect class status and social norms may have on the relationship between women's asset ownership and women's empowerment.

Women's relationship with the community and persons outside the household is an important dimension of their wellbeing. Meinzen-Dick *et al.*, (2017) in a framework to analyse the pathways between women's asset ownership and poverty reduction, identify women's participation in institutions as one of the pathways. They identify three papers that investigate the relationship between women's asset ownership and participation in instituions. Grabe's paper (Grabe (2015) cited in Meinzen-Dick *et al.*(2017)) on women's land ownership and speaking in communtiy meetings in northern Tanzania finds a positve relationship between the two. Selhausen (2015) cited in Meinzen-Dick *et al.*, (2017) finds a positive relationship between women's land ownership and participation in coffee cooperatives in western Uganda.

6. Shocks, coping mechanisms and women's asset ownership

Rural households face several risks which they address using risk management and risk coping strategies. Shocks can deplete the assets of households and individuals in two ways. First, the loss of the asset may be the direct result of the shock. Examples of asset shocks are the destruction of real estate through fire and floods and theft or death of livestock. Among rural households in Ecuador, Ghana and Karnataka, 14.7 per cent, 13.6 per cent and 5.5 per cent respectively reported experiencing asset shocks in the past five years (Doss *et al.*, 2015). Second, coping strategies may entail the sale or pawning of assets. Households and individuals may not always be able to replace these assets (Doss *et al.*, 2015). There is growing evidence that shocks reported by a household have gendered impacts (Quisumbing *et. al.*, 2011; Rakib and Matz, 2016; Doss *et al.*, 2017). This is because a shock may directly hit one household member and not the others. For example, the effect of the death or theft of livestock belonging to a man may have little or no impact on his spouse. His asset stock would have been depleted. The effect of a shock on women's and men's assets will depend on whose assets are exposed to the risk. In situations when the majority of land holdings belong to men, it is men's land holdings that are likely to be lost in the event of a flood. Using information from a sample of couples in Ghana and Karnataka, women were less likely to report asset shocks compared to men (Doss *et al*., 2015).

Another reason for the gendered impact of shocks is because the coping strategies in response to the shock may not be the same for women and men. There is evidence from Ghana and Karnataka, India that, couples who report the same shock do not always use the same number of coping strategies and they do not always use the same strategies (Doss *et al.*, 2015). In Ghana, men are more likely than women to use savings or sell assets in response to shocks. That women are less likely to do same is not surprising since they are less likely to own assets and have a smaller quantum of savings (Doss *et al*., 2012). Households may use different types of strategies to cope with different shocks. Whose assets are disposed off will depend on the strategy adopted. Households may choose to smooth consumption using proceeds from the sale of consumer durables. If women tend to own these assets, then their assets will be lost. Women own assets that are easily convertible into cash and this may predispose their assets to being sold.

Jointly owned assets are less affected by unexpected shocks (Quisumbing *et al.*, 2011; Rakib and Matz, 2016). This may be a deliberate strategy on the part of the couple or because they cannot agree on whether to dispose of it. Households will try to protect assets that can generate income in the future (Rakib & Matz, 2016). Since productive assets such as land, large livestock and agricultural equipment tend to be owned by men, their assets are more likely to be protected.

7. Improving upon rural women's ownership of assets

Women's asset ownership and rights may be increased through asset transfer programmes, legal reforms and land titling (Lastarria-Cornhiel *et al.*, 2014; Meinzen-Dick *et al.*, 2014).

Asset Transfer Programmes

These programmes involve transfers of agricultural assets such as land, livestock or machinery to targeted households. An example of a programme that increased women's land ownership is the Nijo Griha Niha Bhuni programme in West Bengal, India. Under this programme, government purchases land and allocates it to landless rural families. Priority was given to women-headed households and households that only have daughters. The plots of land are titled and there was an explicit requirement for plot titles issued to couple-headed households to be in the name of either the couple or in the name of the woman. The project was successful in increasing the ownership of titled land by women and it increased women owners' perceptions of tenure security (Santos *et al.*, 2013). However, despite the requirement that women's names must be on the title of land owned by couple-headed households, not all titles include a woman's name. This is because the policy was not always properly implemented. For example, sometimes, beneficiaries were asked whose names were to be put on the title.

The redistributive land reform in Brazil faced challenges similar to the Nijo Griha Niha Bhuni programme in Bangladesh. The implementing state agency registered land parcels in the name of the household head despite the constitutional provision for joint titles (Lastarria-Cornhiel *et al.*, 2014).

The Challenging the Frontiers of Poverty Reduction – Targeting the Ultra-Poor (CFPR-TUP) project in Bangladesh transferred productive assets to women in ultra-poor rural households.

The objective of the project was not to increase ownership of assets by women but to increase household incomes. The women in targeted households received cows or goats and chickens or ducks and were provided training on the use of the assets. An evaluation of the programme finds an increase in women's ownership of livestock including cattle (Roy *et al.*, 2015). Cattle in Bangladesh are perceived to be men's assets. Thus, the programme was successful in breaking gender norms by increasing women's reported ownership of cattle. However, the increased reported ownership of livestock did not extend to ownership rights over the livestock. Not all reported women owners of livestock have the right to sell their cattle or the right to decide how revenue from the sales is spent. They are more likely to have the right to sell than the right to spend income from livestock (Roy *et al.*, 2015).

Land titling

Land titling is a contentious issue. On the one hand, land titling is considered beneficial because it will provide tenure security. However, concerns have been expressed against land titling because there is evidence that formalisation perpetuates existing gender inequalities if not exacerbate them (Lastarria-Cornhiel, 1997; Meinzen-Dick and Mwangi, 2008). Joint titling programmes are expected to increase women's ownership of documented land. However, joint land titling will face resistance when it goes against cultural norms of land ownership by men. The resistance to joint titling is not only from the men whose documents will include their wives' or parnters' names but also from the employees of agencies and departments whose responsibility it is to register the land. Joint titling of land has been slow in some countries for this reason (Deere, 2016).

In Ethiopia, the land certification programme has increased documented land ownership by women. The certification programme began in Tigray where land was registered in the names of household heads, leading to the majority of owners of documented land being men. In Amhara, Oromia and SSNP regions which embarked on land certification after Tigray, joint certification was implemented and between 3 per cent and 13 per cent of land titles in these regions are in men's names only (Muchomba, 2017).

In Vietnam, although joint ownership of plots by couples is required by law, implementation has been weak because of the failure to enforce the law. Women-headed households are disadvantaged because they are allocated smaller acreages. This is because the acreage allocations are determined by age, in particular the age of working adults, and women-headed households have fewer working adults. Second, since the official retirement age for women is 55 and that of men is 60, women aged 55-59 received half the allocation of men (Menon *et al.*, 2014).

Madagascar's land tenure reform sought to modernize and decentralize land services, formulate new land legislations and educate land authority staff. Gender equality principles were not directly included because they are contained in the country's Constitution. It was established that the certification programme that issued land title deeds to landholders strengthened both men's and women's formal claims to individually held land (Widman, 2014). However, there were some drawbacks; for instance, mechanisms to ensure that couples' jointly held land is jointly secured was absent and this reinforced the primary ownership of land by male household heads, at the expense of women's land rights. In addition, the reform failed to address threats to land tenure security such as colonial titles and commercial pressure on land, as large parts of the country were still not covered by the certification program. Older women and women with fewer children were more likely to have their names on the certificate of jointly owned land. Women who worked in agriculture were less likely to have their names on the certification.

Tanzania provides an example of how resistance to joint titling may be overcome. Ali *et al.*, (2014) show how small price incentives (in the form of general or conditional subsidies in the purchase of a certificate of right of occupancy) for female co-titling in rural Tanzania achieved almost complete gender parity in land ownership. The programme, which encouraged women to be included in land title applications, was successful because of the conditional subsidies offered. Indeed, Ali *et al.*, (2014) emphasized that for households purchasing a land title, receiving either a general or conditional subsidy substantially and significantly increased the probability that a woman's name is included on the title.

Legal reforms

Legal reforms that change inheritance laws and marital laws that discriminate against women and girls is an important route to increasing women's asset ownership.

Examples of reforms that have changed the marital regime are the Revised Family Code in Ethiopia that was passed in 2000. It provides for wives to obtain an equal share of all assets when there is divorce. Kumar and Quisumbing (2012) find that compared to before the Revised Family Code was introduced, there is an increase in the share of male and female heads of households who believe that land and livestock will be distributed equally when there is a no-fault divorce. Interestingly, wives living in households with large plots of land are unlikely to have changed their views regarding the equal division of land and livestock when there is divorce. This suggests that wealthy men will resist the equal division of assets when there is divorce.

Rwanda's Succession Law of 1999 provides couples with the choice of three marital regimes at the time of marriage; the full community property regime, the limited community of acquests and the separation of property regime. Under the limited community of acquests which is a variant of the partial community property regime, each partner decides which of their assets should become joint property. Most couples choose the community property regime whilst persons remarrying choose the other option. Inheritance by spouses is determined by the marital regime that governs the marriage. Widows and widowers inherit equally under the community property marital regime. The Succession Law is not applied retrospectively.

Despite the fundamental change that the Succession Law has made to women's asset rights, there are some challenges and grey areas. There is limited awareness of the Law. Resistance to the idea that women and men can have equal land rights remains. Some men have been found to exclude their wives from decisions concerning their jointly owned land. The Succession Law does not state explicitly that assets should be shared equally when there is divorce or separation. It simply states that joint property should be shared between the spouses. The provisions of the Succession Law do not extend to women in 'non-legal' unions, such as consensual unions (Daley *et al.*, 2010). Isaakson (2015) examines gender inequality in land rights in Rwanda over the period 2005 – 2011 using data from a survey of 17,000 Rwandan households. She finds that in both 2005 and 2011, households headed by women have a significantly smaller proportion of plots that they have the right to mortgage or sell compared to households headed by men. The size of the gap is about the same in the two periods. She suggests that persistence of the gap can be explained by the slow pace of institutional and behavioural change. Daley *et al.'s* (2010) findings provide some support for this.

Rwanda's Succession Law of 1999 also contained provisions that changed inheritance practices between parents and children. Both daughters and sons have a right to equal inheritance of their parents' property. Traditionally, sons were given the majority share of land when they got married.

Under India's Hindu Succession Act Amendment (HSAA), daughters of coparceners acquire coparcenery rights at birth. Prior to the passing of the Act, the coparcenery comprised male members of a dynasty. The coparcenery can inherit ancestral assets and this includes land. By including daughters in the group of coparceners they are given the same status as sons. Deininger *et al.* (2013) find that passing of the HSAA increased the likelihood of women's land inheritance. In addition, land inheritance has not been a substitute for inheritance of other assets. Despite these findings, there is evidence that patriarchal attitudes towards land persist. Women do not insist on their inheritance rights when it is denied them. They choose to avoid conflict with family members and choose to give up their inheritance rights in exchange for support from family if they should have marital problems. Sircar and Pal (2015) in a study in three states in India: Andhra Pradesh, Bihar and Madhya Pradesh, find land inheritance is not common among women whose parents owned land. When women do inherit land, they do not receive the amount that they should have. They also find that there is resistance to women's land ownership by men. Knowledge of the provisions in the HSAA is still not widespread.

The Intestate Succession Act PNDC Law 111 was enacted in Ghana in 1985 to provide protection to spouses, in particular widows and children who could be at risk of destitution when a breadwinner dies without making a will. Wives do not inherit their husbands under the separation of property regime, the default marital regime in Ghana. In the matrilineal system, children do not inherit their father's property (Awusabo-Asare, 1990). The customary successor is required to permit the children of the deceased to live in their deceased father's home so far as they are of good behaviour. The Intestate Succession Act provides the widow(er) and children with one self-acquired house and the household chattels and the personal property of the deceased. The surviving spouse is entitled to one-quarter of the deceased's self-acquired estate and the children are entitled to five-eighths. The extended family which includes the parents are entitled to the remaining one-eight[5].

The Law suffers from several weaknesses. These include failure to take account of the practice of polygamy and the possibility of the deceased leaving behind children from different mothers. It is silent on how jointly acquired property is to be treated. The Law has features that introduce a gender bias against women. Widows have to provide evidence that they were married to the deceased. This is particularly difficult when they are married under customary law because these marriages are not usually registered. The surviving spouse must prove that the deceased's property is self-acquired. Widows who have made a contribution to this property, must provide proof of this to prevent it being included in the property that will be divided. There are problems of enforcement due to lack of knowledge of the Law, difficulty in accessing legal counsel and social resistance against its enforcement (Fenrich and Higgin, 2002). Men have more knowledge of the Law than women and urban women and men are more likely to know of the Law than rural women and men (Appiah *et al.*, 2012).

Kutsoati and Morck (2012) in a study that covered two villages that are predominantly patrilineal and two that are largely matrilineal find that the majority of respondents who know of the Law had their deceased spouse's estates settled using customary or religious laws. This notwithstanding, they were more likely to use the PNDC Law 111 to settle the deceased's estate than those who had no knowledge of the Law. Quisumbing *et al.*, (2001) in their study on Ghana's Western Region find that the Intestate Succession Law is not used by all ethnic groups to distribute the property of the intestate.

8. Conclusion

Rural women do own assets such as land, housing and livestock but they are less likely than men to be asset owners. They do not always have full ownership rights over assets for which they are reported or documented owners.

[5] The distribution formula depends on whether there are children and surviving parents.

Joint ownership of assets by couples increases the likelihood that women will own assets. Joint ownership is prevalent in some countries and not in others. Assets may be jointly owned because it is a legal requirement, for example in the case of joint land titling for couples, or because of the prevailing marital regime or because it is a social norm. The evidence on the benefits of joint asset ownership for women is mixed. Women’s bargaining power with respect to agricultural and household decisions may be diluted. However, women who are joint owners of land, for example, may find it easier to access required resources for its use. Importantly, joint ownership of titled real estate should provide women with the assurance that they will not lose the asset if the marriage should break down and that they can pass the asset on to their children. Joint titling of real estate may be the line of least resistance to adopt in societies with entrenched patriarchal norms. In Ecuador, the protective effect of women’s asset ownership is eroded when women’s share of couples’ wealth exceeds 58 per cent. Also in Ecuador, decision making is more likely to be egalitarian when both partners own real estate (Deere and Twyman, 2012)[6]. Egalitarian decision making does not occur when either the wife or the husband alone owns real estate. Another example of the advantage of equality in the distribution of wealth between couples is provided by Nkwake (2015) in his study on fathers’ involvement in child care in Uganda. Fathers are more likely to be involved in child care when they perceive that their wives’ wealth is equal to theirs. When fathers perceive that their wives’ wealth exceeds theirs or that their wealth exceeds their wives’ they are unlikely to participate in child care.

Collective ownership of land by groups of women may be another means to increase women’s access to, ownership of and control over land and output. Women can come together to purchase land or in instances when they do not have enough cash for outright purchase they can lease it. Successful examples of collective land ownership by women can be found in India (Agarwal, 2003) and Mali (Khan, 2016).

A thread running through this paper is the influence that informal institutions, i.e. customary laws and practices, religious laws and patriarchal values, have on whether rural women can own assets and which assets they can own. These informal institutions mediate the relationship between women’s asset ownership and their well-being and determine the effectiveness of changes in

[6] Decision making is egalitarian when both partners agree that they make decisions jointly.

statutory laws and regulations aimed at enhancing women's ownership rights. In Ethiopia, Dito (2015) finds that women's asset ownership is not associated with their health status. This is probably because gender norms place limits on women's control of their assets. In south-eastern Nigeria, women do not perceive that owning assets will improve their ability to negotiate issues of reproductive health. Again this is because patriarchal norms deny them control over the income from their assets. Thus contrary to the arguments by Grabe (2010) that gender ideologies can be changed by, in her particular example, land ownership, the evidence from other countries suggests this may not always happen. For women's asset ownership to be effective in improving women's bargaining power and wellbeing, norms and practices that deny women control over the income the asset generates will have to be removed.

In rural communities, traditional leaders have a lot of influence. Advocacy and education programmes targeted at these leaders is an important first step towards chiselling away at customary laws and practices that discriminate against women (Khan, 2016). Increasing rural women's access to traditional leaders increases the opportuntiy for them to make their needs known and to participate in decision-making. The Ujaama Community Resource Trust in Tanzania is an example of a non-governmental organisation that has projects that work towards improving women's participation in local governance and development of their leadership skills (Goldman *et al.*, 2016). The Ethiopian experience suggests that including women in land administration committees will increase women's willingness to participate in land registration programmes.

Lastarria-Cornhiel *et al*. (2014) provide suggestions to reduce the influence that informal institutions have on the implementation and efficacy of laws and projects that will reduce the barriers to the owning of assets by women. They recommend gender training programmes for local level personnel who implement the projects and programmes. Increasing the number of women personnel employed by implementing agencies is a priority. Ignorance about the existing laws and the provisions contained in the laws is another reason for their ineffectiveness. Gender advocacy NGOs have an important role to play in increasing women's awareness of these provisions. Pressure must also be put on governments to devote resources towards the effective implementation of the laws. Women's groups can play a critical role to pressurize governments to develop the political will for effective implementation of laws and regulations concerning women's asset ownership. When governments do not adequately resource implementing agencies, the costs of accessing services is higher than it otherwise should be, creating barriers for the poor and for women.

Context matters and this can partly explain the different country experiences with regards to the relationship between women's asset ownership and their wellbeing. Context also matters in the design of laws and policies. The failure of Ghana's Intestate Succession Act, 1985 to take into account the implications of men having children by different women is one such example.

Gender equality in asset ownership is an important dimension of gender equality. Unlike education which has seen significant progress in reducing gender gaps, to achieve gender equality in asset ownership will require a concerted attack and dismantling of core patriarchal values and norms.

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