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The Paradox of Gender Equality and Economic Outcomes in Sub-Saharan Africa: The Role of Land Rights

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For centuries, women all over the world had been regarded as fragile and second class citizens without inalienable rights and freedoms. Indeed, strides have been made, enabling women to be granted some rights and enjoy some freedoms, thanks to the struggle for women’s suffrage movement and other numerous feminist movements and efforts of international organizations that continue to fight for women social and economic rights and freedoms (Global Fund for Women, 2018; Saiget, 2016; Dancer, 2017). Moreover, many governments now recognize the rights that women have fought for, and have taken deliberate measures to protect them (at least in theory) by incorporating relevant statutes in the statutory Law (Santos, Fletschner and Daconto, 2014). Women have benefited from such laws, including the right to vote; but, they are still disadvantaged in many ways, including; lower education attainment, poor access to employment and high-value jobs, lack of empowerment to make decisions impacting their health and wellbeing, and participation in public decision making, among others. In fact, in some instances, women are unaware of their rights and freedoms beyond what is dictated to them by the clan or tribal norms and customs through patriarchal systems. And even when laws to protect women’s rights exist and women are aware of them; most often, many women feel strongly bound by norms and customs within their groups, which impair or override any statutory laws. Furthermore, institutions that are meant to protect and advance women’s rights, are predominantly staffed with men whose gender discriminatory patriarchal ideologies impair their judgements and decisions.

In this study, we take a narrow approach and focus on the right of women to own land in sub-Saharan Africa (SSA) as a means to promote gender equality and empower women in the region. A large proportion of the poorest people in the world are in SSA as evidenced by the disproportionate concentration of the number (33/47) of least developed countries in Africa, all of which are in the SSA sub-region (United Nations Department of Economic and Social Affairs, 2018). In addition, a large percentage (more than 50 percent) of the poor globally, tend to be women, which holds true across age and marital spectra (The World’s Women, 2015). In a

region where ownership and access to land determines both economic and social outcomes of individuals and families; and where women are at the heart of the society, it becomes obvious how land and poverty are intertwined, and why women ownership and access to land in SSA is an important social and economic policy issue that warrants more study and exploration.

The goal of this study is to provide an in-depth analysis of the role of women ownership and access to land in SSA in determining gender equality and women economic and social outcomes. A number of studies have explored the general access and ownership of land in Africa, with most of these studies focusing on the marriage channel (FAO, 2008; Kimani, 2012; Wanyeki, 2012; Odeny, 2013; Yeboah, 2014; UN Women, 2018; Kalabamu, 2006; Jacobs and Kes, 2015). We deviate and look at the inheritance channel through birthright, with a conviction that it is the most effective with no strings attached, and socially and economically empowering, relative to the marriage channel.