



THE TENSIONS BETWEEN CULTURE AND HUMAN RIGHTS: Emancipatory Social Work and Afrocentricity in a Global World

Edited by Vishanthie Sewpaul, Linda Kreitzer, and Tanusha Raniga

ISBN 978-1-77385-183-9

THIS BOOK IS AN OPEN ACCESS E-BOOK. It is an electronic version of a book that can be purchased in physical form through any bookseller or on-line retailer, or from our distributors. Please support this open access publication by requesting that your university purchase a print copy of this book, or by purchasing a copy yourself. If you have any questions, please contact us at ucpress@ucalgary.ca

Cover Art: The artwork on the cover of this book is not open access and falls under traditional copyright provisions; it cannot be reproduced in any way without written permission of the artists and their agents. The cover can be displayed as a complete cover image for the purposes of publicizing this work, but the artwork cannot be extracted from the context of the cover of this specific work without breaching the artist's copyright.

COPYRIGHT NOTICE: This open-access work is published under a Creative Commons licence. This means that you are free to copy, distribute, display or perform the work as long as you clearly attribute the work to its authors and publisher, that you do not use this work for any commercial gain in any form, and that you in no way alter, transform, or build on the work outside of its use in normal academic scholarship without our express permission. If you want to reuse or distribute the work, you must inform its new audience of the licence terms of this work. For more information, see details of the Creative Commons licence at: <http://creativecommons.org/licenses/by-nc-nd/4.0/>

UNDER THE CREATIVE COMMONS LICENCE YOU MAY:

- read and store this document free of charge;
- distribute it for personal use free of charge;
- print sections of the work for personal use;
- read or perform parts of the work in a context where no financial transactions take place.

UNDER THE CREATIVE COMMONS LICENCE YOU MAY NOT:

- gain financially from the work in any way;
- sell the work or seek monies in relation to the distribution of the work;
- use the work in any commercial activity of any kind;
- profit a third party indirectly via use or distribution of the work;
- distribute in or through a commercial body (with the exception of academic usage within educational institutions such as schools and universities);
- reproduce, distribute, or store the cover image outside of its function as a cover of this work;
- alter or build on the work outside of normal academic scholarship.



Acknowledgement: We acknowledge the wording around open access used by Australian publisher, **re.press**, and thank them for giving us permission to adapt their wording to our policy <http://www.re-press.org>

Harmful Cultural Practices against Women and Girls in Ghana: Implications for Human Rights and Social Work

Alice Boateng and Cynthia A. Sottie

Ghana, located on the west coast of Africa, and the first African country to gain independence from British colonial rule, boasts a rich and diverse cultural heritage. Ghana has a population of about 27.8 million, with 45 percent being rural and 51.2 percent female (National Population Council, 2017). Ghana has been experiencing an economic growth rate of 7 percent per year since 2010, although wide disparities continue to exist (Cooke et al., 2016). Ghana, which has been a democratic nation since 1992, has enjoyed relative peace and is often a haven for people from countries experiencing instability in the region.

Ghana is home to about 100 linguistic and cultural groups categorized under the Niger-Congo language family. Ethnic groups across the world have specific cultural or traditional practices, which reflect beliefs held by members for periods often covering generations. In this volume, Olaore, Drolet, and Olaore, in chapter 2, discuss harmful cultural practices related to widowhood, inheritance, and property, and cultural responses to infidelity in the Nigerian context, while in chapter 8 Muchacha, Matsika, and Nhapi discuss the phenomenon of child marriages among the Apostolic sect of Zimbabwe. Some of these beliefs are beneficial to members, while

others are controversial, and harmful to specific groups, such as women or girls. Harmful traditional practices are practices that are justified on grounds of religion or culture but violate international human rights norms. These practices, under international law, fall under contemporary forms of slavery (Ame, 2011; UN Office of the High Commission for Human Rights [UNOHCHR], 2013). Countries across the world have signed and ratified laws to protect women/girls and children; though there has been some progress in implementation of these laws, it has been very slow, particularly for the most marginalized, with serious gaps and violations across the world, including Ghana (UNICEF, 2011).

This chapter is intended to generate discussions on these negative practices, with reference to Ghana, to create some awareness of the topic's importance, in line with the struggle for gender equality and women's human rights. The chapter provides the definition, reasons, and the effects of each of these practices. It further discusses some efforts made to address them and examines the effectiveness of these efforts. Finally, the implications of these practices and the way forward are deliberated. The harmful cultural/traditional/religious practices discussed in this chapter are: widowhood rites, widow inheritance, female genital mutilation/cutting (FGM/C), female ritual bondage (trokosi), and early marriage.

Widowhood Rites

Widowhood rites are cultural practices/rituals that a bereaved spouse goes through upon becoming a widow. The death of a husband can be very devastating, stressful, and traumatic for a wife, since it involves a physical, emotional, and psychological break in their union. This should be a period to sympathize with and care for the widow, but unfortunately, it is often not the case. Instead, in many African countries, culture demands that a widow go through certain traditional mourning practices, before and after the burial of her husband. Although it is prescribed for both widows and widowers, the latter goes through less harsh rituals than the former. Widowhood rites are found in every community in Africa, and the harsh treatment meted out to widows emanates from the husband's family, tradition, and the society as a whole (Dolphyne, 2005; Limann, 2003). The nature and duration of the rites differ from one traditional

society to another, due to the specific common beliefs of each group, cause of death, and the age and number of children of the widow at the time of her husband's death (Sossou, 2002). However, the common theme that runs through widowhood rites is that widows in all cultures suffer isolation, marginalization, and discrimination.

Widowhood rites are practised across the different ethnic groups in Ghana, including the Akan, Ewe, Ga, and in some communities in the northern regions, though there might be some differences in the form the rituals take. Among these groups, custom requires that the widow go through certain extensive endurance rituals in the process of mourning her husband. These rituals sometimes include seclusion, prescribed dress code, walking barefoot, fasting for a period, and, in more extreme cases, enduring the application of pepper to her eyes, sleeping in the same room where the corpse is laid, and bathing with water used to wash the corpse (UN Development Programme [UNDP], 2007; Korang-Okrah & Haight, 2014; Sossou, 2002). Some reasons put forth for observation of widowhood rites include bidding farewell to the dead, proving the widow's innocence of husband's death, showing that a widow really loved her husband, receiving blessings from the husband's spirit rather than incur bad luck for failure to go through the rites, and purifying oneself, since a widow is seen as impure and contaminated (Edemikpong, 2005; Sossou, 2002). That there are, however, no extensive widower rites for men clearly shows the inequality between men and women.

A common characteristic of these practices is that they are linked to women's sexuality and are often enforced as a way to keep women in subordinate roles. In African culture, women have always taken a subordinate role to men (Dolphyne, 2005). Through the socialization process, males view themselves as breadwinners and heads of households while females are socialized to be obedient and submissive. This conditioning diminishes the ability of women to challenge societal norms, customs, and practices, rooted in religion and culture, that are perpetuated by the patriarchal value system.

Widow Inheritance

Widow inheritance is a customary practice whereby a widow is compelled to marry her deceased husband's brother or the agnatic heir of the deceased. The decision as to who marries the widow may be made without her consent. This practice is to ensure that a widow and her children continue to be supported by the deceased man's estate and family. A widow who refuses to marry her brother-in-law may forfeit her late husband's land and other properties and may have to return her bride price (Dolphyne, 2005; International Fund for Agricultural Development [IFAD], 1998; Korang-Okrah & Haight, 2014; Perry et al., 2014;). According to the authors just cited, some of the harsh treatments meted out to widows in Ghana are gradually disappearing. However, in certain areas such as in the northern regions, and within some Akan rural communities, widow inheritance is still a common practice.

The fact that widows can be inherited presupposes that women are considered property inheritable, which undoubtedly is an insult to their dignity. Problems that may emerge in widow inheritance include rivalry, especially if the new husband already has a wife, and the likelihood that little attention may be given to the deceased's wife and children, since he may love and pay more attention to his own nuclear family. The widow may contract infections, including HIV/AIDS, because of the new husband having multiple partners (Oluoch & Nyongesa, 2013; Perry et al., 2014). In Ghana, widowhood rites have been criticized for the severity of the rituals and their effect on widows. This has led to the introduction of a provision in the criminal law that makes it an offence for a person to compel a bereaved spouse to undergo any custom or practice that is harmful or cruel in nature (Government of Ghana [1960], Section 278A).

Female Genital Mutilation/Cutting (FGM/C)

Female genital mutilation, also known as female genital cutting, or female circumcision, is a traditional practice that involves the cutting and removal of part of the female sexual organ. There are three main types of FGM/C, namely clitoridectomy—the removal of the clitoral prepuce or tip of the clitoris; excision—the removal of the clitoris and the inner lips of the

female external genitalia or labia minora; and infibulation—the removal of the clitoris, labia minora, and parts of the labia majora (WHO, 2008). An additional type is classified under other mutilations that affect the female genitalia. According to the WHO's estimation, 100 to 130 million girls/women have gone through FGM/C in Africa, Asia, and the Middle East. In Ghana FGM/C is practised among a few ethnic groups in the three northern regions, namely, the Frafras, Kusasis, Nankanis, Wallas, Busangas, Sisalas, Builsas, and Dagarbas. It also exists in some southern areas of Ghana where migrants from neighbouring countries reside and have transported their customs with them (UNICEF, 2011). Many superstitions and beliefs add to the supposed reasons for the existence of FGM/C. These include preservation of tradition, preservation of virginity before marriage, ensuring fidelity during marriage, initiation of girls into womanhood, fulfillment of religious requirements, enhancement of fertility, preventing promiscuity of women/girls, enhancing male sexual pleasure, and keeping the female clean, beautiful, and hygienic. FGM/C is thus considered an essential part of raising a girl, and a way to initiate her into adulthood and marriage (UNOHCHR, 2015; WHO, 2008, 2018).

The negative consequences associated with FGM/C revolve around the health risks of this practice. It exposes women/girls to severe medical risk, which violates their right to health. Considered as a health risk, FGM/C is now regarded as an act of violence against women (UNOHCHR, 2013; WHO, 2018), sometimes with fatal consequences, including death (UNOHCHR, 2015). The practice is recognized as discriminatory because it treats women and girls differently from men and boys (UNPD, 2007). Its short-term complications may include infection, severe pain, injury to surrounding genital tissue, and urinary problems. Infections (e.g., tetanus), wound healing problems, hemorrhage, or shock from blood loss can lead to psychological damage and, potentially, death. The possible long-term effects may include difficulty with urination and menstruation, painful sexual intercourse, obstructed labour, and contracting HIV as the same unsanitary tools (such as unclean shards of glass, razor blades, etc.) are used to perform the surgery on many different women without being sanitized between procedures. Other effects include psychological problems (anxiety, depression, post-traumatic stress disorder, low self-esteem)

(UNICEF, 2011; WHO, 2008). In Ghana, the Criminal Code Amendment Act 484 was passed in 1994 to criminalize FGM/C.

Female Ritual Bondage—The Troxovi System

Female ritual bondage is one of the cultural practices in Ghana that human rights activists and the Ghana government have fought for years to eradicate. In 1998, Ghana passed a law against ritual or customary servitude that carried a three-year prison sentence for those caught in the practice (Government of Ghana, 1998, Section 13.1). However, no one has been imprisoned and the practice continues, an indication that in Ghana compulsion is ineffective in ending cultural and religious practices that are deemed harmful. Ghanaian researchers have carried out studies on the practice (see Ababio, 2000, Akpabli-Honu, 2014; Ameh, 2001, Asomah, 2015; Bilyeu 1999; Dovlo & Adzoye, 1995; Nukunya & Kwafo, 1998). The practice is prevalent among the Ewe and Dangbe and the Fon of Benin, as well as in South West Nigeria and Togo. Among the important questions to be answered are: What is the origin of this practice? What motivates it? Why does the law not serve as deterrence?

Female ritual bondage is known in the local language as *troxovi* (pronounced trohorvi). This term literally means “the deity or god who receives a child” (Akpabli-Honu, 2014, p. 1). The practice, which according to Robson (2006) commenced somewhere in the 16th century in Nigeria, requires female virgins to be given to a deity for services rendered and in atonement for crimes committed by a family member to prevent the anger of the deity from destroying the family through sickness, death, and other calamities (Ameh, 2001; Dovlo & Adzoye, 1995; Kufogbe & Dovlo, 1998; Nukunya, 2003). The young maiden may not know the perpetrator of the crime personally, but affiliation through family ties is enough for her to be used as atonement. The female virgin is referred to as a *Trokosi* (pronounced trokoshi). This means wife or slave of a deity. Among some ethnic groups, she is referred to as *Fiasidi*, which literally means wife of a chief, where the chief in this case is the deity (Akpabli-Honu & Agbanu, 2014). In Ghana, this practice is found in the southern parts of the country, among the Ewe and the Ga ethnic groups. The authors will, however,

focus on the Ewe in the southern Volta region. The terms used to describe the practice are therefore in the Ewe language.

The origin of the practice has been documented by Akpabli-Honu (2014), Glover (1992), and Nukunya (2003). The caution here is that there are several versions of its origin because these accounts are based on oral tradition that relies on memory and hence some details may be inaccurate. Robson (2006) noted that it started in Nigeria but spread through migration of the Ewe people from the Niger Delta. As narrated by oral tradition, historically, education of children was carried out at the clan level. Every clan was linked to a deity and education took place through shrines. This education covered a wide range of fields from psychology to morality and ethics, vocational skills, and child care (Glover, 1992). The original intention of the *troxovi* system as documented by these authors was to train young girls to become responsible members of society and transfer the knowledge they had acquired to their children.

Some researchers have placed blame for the adulteration of the practice on Western education. Western education took over traditional education and, to ensure cultic schools (schools grounded in a system of religious worship, characterized by rites and ceremonies) did not lose out, men who seduced any of the girls were made to atone with a female virgin from their family. Furthermore, offences and requests for services from the shrines (e.g., fertility, prosperity, and cure for diseases) were paid for by committing female virgins to shrines (Glover 1992). The latter was originally paid for with animals, but this was later replaced with virgin girls. A girl is sent to the shrine without her consent. If she runs away or dies, she must be replaced by another girl from the family because so long as she remains in the shrine the anger of the gods is diverted from the rest of the family. Some girls in ritual servitude are the third or fourth girl in their family atoning for the same offence. Some of these girls are as young as eight years old (Ameh, 2001; Bilyeu, 1999; Dovlo & Adzoye, 1995).

According to Akpabli-Honu (2014), there is psychological compulsion behind this practice, as families are made aware that refusal to send a female virgin to the shrine when requested is equivalent to challenging the gods. This could have serious consequences for the family and generations not yet born. The girls are considered married to the god of the shrine, who is represented by the traditional priest. The priest engages in sexual

relations with the girls and they have children for him. The girls work on farms owned by the shrine to take care of their basic needs.

Child Marriage

The ages of marriage and consent to sex in Ghana are 18 years and 16 years respectively. A child under 18 is considered incapable of making decisions regarding marriage. In Ghana, child marriage is illegal and punishable by law. Sections 14 and 15 of the Children's Act (Government of Ghana, 1998) spell out the minimum age, caution against forcing children to marry or to be betrothed, and indicate a penalty of one year in prison and/or a fine.

Ghana's 2011 Multiple Indicator Cluster Survey (MICS) report summarizes the reasons for child marriage as "poverty, protection of girls, family honour and the provision of stability during unstable social periods" (Ghana Statistical Service, 2012, p. 216). Marriage is viewed in the Ghanaian culture as prestigious; it brings respect to a family and safeguards a girl from immoral behaviour and pregnancy outside marriage. For very poor families, marriage provides a way out of poverty. Families are involved in actively searching for an appropriate partner. Furthermore, traditionally, the main contribution of women to society is viewed in terms of being wives, mothers, and homemakers. For communities that do not particularly place much value on female education, in order not to risk pregnancy outside marriage (which is highly stigmatized, lowers the "value" of the girl, and often renders her "unmarriageable" and a liability to parents), she is married off early to a suitor who is willing to pay the marriage price. Marriage price sometimes includes cattle, which in some communities measures the wealth of a family.

These marriages are often contracted without the consent of the child, and sometimes betrothal happens during infancy. Marriage to a rich spouse indicates the girl's family of origin can meet their basic needs. Since marriage in Ghana is contracted between the families and not two individuals, the welfare of a spouse's parents and sometimes siblings becomes one's responsibility.

Statistics from the 2011 MCIS indicate that approximately 6 percent of girls in Ghana married before the age of 15 and about 18 percent before age 18 (Ghana Statistical Service, 2012). Some of these girls are found in

polygynous marriages. Early marriage is gendered because compared to the above figures for women, only about 5 percent of men married before age 18. Child marriage is mostly prevalent in the northern parts of Ghana (with the highest being in the Upper East Region—50 percent) but can be found in all the 10 regions (Women in Law and Development in Africa [WiLDAF], 2012), with rural communities having a higher prevalence rate (36 percent) than urban communities (19 percent). Child marriage is most prevalent among poor families. About 41.2 percent of females from poor families married before age 18 as compared to 11.5 percent of those above the poverty line.

Some questions have arisen about the two-year discrepancy between age of consent to sex (16 years) and age of marriage (18 years). If a child of 16 years is not able to take on the responsibilities that come with marriage, is the law implying that this same child is able to take on those responsibilities that come with having sex outside marriage? Some would insist that a child at age 16 is better “protected” in a marriage recognized by both families. The law against defilement (sex with a child under the age of consent) and child marriage appears to imply that marrying a child is less of a crime than defiling a minor. While marrying a child attracts a prison sentence of one year, defilement attracts between 7 and 25 years (Government of Ghana, 1960, Section 101). This may send a wrong message to potential violators of the law. There was a 2009 case in which the principal of a school impregnated a 16-year-old girl and married her (Oye Lithur, 2009). He was charged under Section 15 of the Children’s Act (Government of Ghana, 1998) instead of Section 101 of the Criminal Code (Government of Ghana, 1960), and the case was later discharged.

Human Rights versus Harmful Traditional Practices: A Look at Related Instruments

The human rights of women and girls are an inalienable, integral, and indivisible part of universal human rights. The harmful cultural/traditional/religious practices are mainly carried out without the consent of the woman/girl involved, and as such constitute violation of human rights, as stipulated in the Universal Declaration of Human Rights (UN, 1948). These practices have been widely condemned by human rights

groups, while proponents of the practices disagree that it is a violation (Ame, 2011; Sarpong, 2012). In Ghana, conventions and laws to enhance the protection of women and the girl child include: the UN Convention on the Rights of the Child (UN, 1989), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (UN, 1979), the African Charter (OAU, 1981), the Constitution of the Republic of Ghana (Government of Ghana, 1992), and the Children's Act of Ghana (Government of Ghana, 1998).

International legal and policy frameworks mandate legislative action to address harmful practices. The Universal Declaration prohibits all forms of discrimination based on sex and ensures the right to life, liberty, and security of persons, recognizes equal protection, and equality before the law, and calls for the elimination of laws, and practices/prejudices that affect women's well-being. Article 5 of the CEDAW (UN, 1979), for instance, charges state parties to take all appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices that make one sex inferior and the other superior. Article 16(2) also states that the betrothal and the marriage of a child shall have no legal effect, and stipulates that all necessary action, including legislation, be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory. The Beijing Declaration and Platform for Action (UN, 1995) specifies steps to fully implement all human rights instruments, especially CEDAW, to ensure equality and non-discrimination under the law and in practice, and to promote legal literacy. Nearly 22 years on, these promises have been fulfilled only partially, because they are deeply rooted in traditional (cultural and religious) beliefs, and hence difficult to change.

Besides national efforts, Ghana is noted to be the first country to ratify the 1989 UN Convention on the Rights of the Child (CRC) in 1990 (Twum-Danso, 2011). According to Twum-Danso (2011), Article 24 of the CRC charges state parties to take all effective and appropriate measures to abolish traditional practices prejudicial to the health of children. Article 34 charges state parties to protect the child from all forms of sexual exploitation, contrary to the practice of *trokosi*, where the deities take the girls as wives. Other rights are the right of the child to education (Article 28, Section 1); and protection from torture and cruel treatment (Article 37).

Regional and national instruments also mandate legislative action to address harmful practices: The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (African Commission on Human and People's Rights [ACHPR], 2003) charges state parties to take all legislative and other measures to eliminate all forms of harmful practices that negatively affect human rights of women, including all forms of female genital mutilation. Article 2(5) also stipulates that state parties shall commit themselves to modify the social and cultural conduct of women and men through public education, with a view to achieving the elimination of harmful cultural and traditional practices. As outlined by the 1992 Constitution of the Republic of Ghana (Government of Ghana, 1992), children are not to be subjected to torture, or cruel, inhuman, or degrading treatment or punishment. The Children's Act of Ghana (Government of Ghana, 1998) also addresses non-discrimination (Section 3); the right to grow up with parents (Section 5); the right to education and well-being (Section 8, paras. 1 & 2); and the right to refuse betrothal and marriage (Section 14). The Criminal Code Amendment Act (Government of Ghana, 2003) makes all forms of FGM/C illegal. This code was amended in 2007 to include not only the performers of the operation, but also persons who request or promote FGM/C, as offenders who must face imprisonment or fines.

Harmful traditional practices have also attracted the attention of the United Nations for many years. UN efforts include seminars and conferences on traditional practices affecting the health of women and children held at Ouagadougou, Burkina Faso, in 1991, and at Colombo, Sri Lanka, in 1994; and the World Conference on Human Rights, held in Vienna in 1993. An expert group meeting was held in 1999 on good practices in legislation to address harmful practices against women in Addis Ababa, Ethiopia, where the UN developed a model framework for legislation on violence against women in 2008 (UNOHCHR, 2015). Together with UNICEF and the United Nations Population Fund (UNFPA), the WHO has issued joint statements against the practice of FGM/C, for instance, to support advocacy for its elimination. There has also been a series of strategies/guidelines/resolutions to stop the practice. Some progress has been achieved in combating FGM/C through research, community work, and changes in public policy (UNICEF, 2016).

In Ghana, government, NGOs, and other human rights organizations have made efforts to stop these harmful traditional practices. For instance, on December 10, 2014, the Ministry of Gender, Children and Social Protection, together with the Ministry of Chieftaincy and Traditional Affairs, Action Aid Ghana, and others, held a conference in Accra, on witchcraft accusations, and other human rights violations against women. In northern Ghana, a harmful traditional practice, which is a type of human rights abuse, manifests itself in the form of witchcraft allegations, with the victims (women) confined to witch camps that serve as a refuge for accused/alleged witches. This conference served as a road map for the closure of some of the witch camps in the northern regions of Ghana, and reintegration of the alleged witches into the community, after a comprehensive report of the camps had been submitted to the government in 2012. However, not everyone in the community agrees to the closure of the camps, partly because of the risk of violence against the alleged witches in their original communities. The camps are still in operation, as witchcraft accusations, and death threats, continue to drive women in the northern regions away from their homes (*The Africa Report*, 2014).

Another effort is by the Ghana Baptist Convention, in collaboration with the First Baptist Church of Midland, Michigan, USA. These faith-based organizations established the Baptist Vocational Training Centre at Frankadua in the Asuogyaman District of the Eastern Region of Ghana, where redeemed troxovi girls undertake a three-year course in dressmaking, catering, kente weaving, batik printing, beads making, and hairdressing, among other skills. The centre, established in 1998, graduates more than 20 students a year. The goal of the program is to help the girls/women recover from their traumatic experience, learn to be independent, and adapt to a normal life. Upon completion of their training, and with their specialized skills, they are provided funding to start their own businesses as entrepreneurs. One major concern is that for each girl that is redeemed from the troxovi shrine, her family is obliged to replace her with another girl. As such, there seems to be no end in sight for the troxovi practice.

Despite the support that the human rights conventions enjoy from human rights organizations, and from states who have signed, ratified, and are obliged to respect and obey the laws, many discriminatory, degrading, inhuman treatments, including harmful traditional practices

that negatively affect the well-being of women and girls, continue in many parts of the world. It is, however, encouraging that the activities of human rights activists, governments, NGOs, and the UN have resulted in some progress. Harmful traditional practices have been recognized as an issue affecting the human rights of female children and women, and Ghana can do more to eradicate these practices. The upside is that Ghana's ratifying of treaties and putting legislation in place indicates her acceptance of the obligation to ensure these rights.

Implications and the Way Forward

In Ghana, as in other parts of Africa, cultural and societal norms often put groups (children, girls, and women) in difficult circumstances and infringe on their human rights. For instance, there seems to be conflict between the desire to eliminate harmful practices on the one hand and the desire to preserve traditional values on the other. Values are centred on concepts such as obedience, responsibility from an early age, and reciprocity, which conflict with the idea of inalienable rights for individuals and groups (Twum-Danso, 2011). Additionally, in a society that gives power to adults, some see the idea of children's rights as giving too much power to children. The need to accommodate and respect culture, and at the same time adhere to internationally recognized rights of individuals, is challenging (Twum-Danso, 2011, p. 161).

Practices that are founded on religion and culture are difficult to eliminate as indigenes of those communities have much more trepidation about chastisement by the gods for contraventions than punishments by the law of the land, which is human-made and involves only the person who committed the crime. Punishment by a deity is believed to run through generations and to be very severe (abject poverty, incurable diseases, infertility, etc.). The ineffectiveness of the Ghanaian laws in eradicating troxovi and other cultural practices considered harmful such as child marriage and FGM/C, after about two decades since legislation has come into force, attest to how tightly people hold onto such beliefs as well as the fear they have for the supernatural. Knowledge of this fear of the supernatural is also used as a tool by certain individuals and groups to exploit the vulnerable. The troxovi system supplies young virgins to custodians of shrines,

who are most often men. Child marriage and FGM/C serve as a source of income for the unemployed.

As one ponders cultural practices and human rights, some of the questions that emerge are: Where do cultural and religious freedoms end, and human rights begin? Given that international human rights conventions and state laws have so far not been as effective as expected, is it time to brainstorm alternatives that are acceptable to all involved? From a social work perspective, is it prudent to make people give up their religious and cultural beliefs and practices without first researching the significance it holds for them? The time has come to adopt a less punitive stance and to engage with custodians of traditional and religious practices to gain a deeper understanding of the beliefs behind these practices and together brainstorm ways in which such beliefs can be expressed without having any harmful effects on the vulnerable. The attitude of “we” are more enlightened than “them” does not encourage dialogue. In Ghana, poverty and unemployment also fuel certain harmful practices. If the local *Wansam* (person who performs FGM/C) is gainfully employed, for instance, cutting girls will no longer be appealing, since it is against the law.

As Sarpong (2012) opined, though these practices are generally held to be harsh, cruel, senseless, and archaic, they cannot just be abandoned, and perpetrators condemned. Rather, the alternative approach is to understand the genesis of the practices, the meanings the groups attach to those practices, and the reasons these practices have been so resilient. In other words, we do not have to use our own methods of change; instead we should adopt explanation, persuasion, and conviction methods. Sarpong (2012), for instance, prefers the term labiadectomy or clitoridectomy, and rejects the term female genital mutilation, to make the reader aware that for those who practice it, it has got nothing to do with mutilation; it is the female version of the male circumcision, meant to usher the initiate into adulthood. Thus, sitting as partners and allowing indigenes of such cultures to educate us signals that we respect them, and this could make them more open to engaging in conversations to modify such practices.

Additionally, there needs to be a liberal approach to the practice of these outmoded/barbaric customs. Social workers can spearhead a social change campaign, to stand against such outmoded and dehumanizing practices. They can advocate for victims’ support, for instance, resources

for redeemed trokosi girls and widows. The survival of the excluded, especially when they face such hardships, is threatened when they lack support, material resources, and do not enjoy protection from an inclusive group (UNDP, 2007). Oftentimes, among the challenges that face an excluded group is reintegration into a society that is unwelcoming. The alleged witches in the northern regions of Ghana, for instance, refuse to return to their homes and communities, due to the fear of rejection by their own people. Therefore, a meaningful reintegration of such victims includes showing empathy, love, care, and support.

Efforts to change harmful practices or traditions are more effective when they emerge within the culture/community that practises them. The social worker as a mobilizer can adopt the Community Conversation Framework to foster stronger partnership among stakeholders (government, civil society, traditional and religious leaders, gender advocates, the media, the international community, victims, and perpetrators of the practices). This is a tool to promote community discussion and active dialogue and interaction without fear and discrimination, to assist community members in understanding the harmful impact of the traditional practices, and to decide what action to take to abandon these practices (Banda & Atansah, 2016). At this forum, the social worker and other human rights activists can use the media to raise awareness about the negative effects of the practices, explore alternatives, and create public declarations to foster wider public pressure and commitment to support the elimination of the practices. The social worker can also mobilize community members, including students, churches, and assembly members, to declare in public gatherings the need to abandon these practices, and devise their own solutions. Such conversations may not only dramatically decrease the support for the harmful traditional practices but may also direct the government to act on enforcing human rights laws.

It is crucial for social workers to advocate for empowerment of women and girls. Most women/girls in developing countries are not aware of their basic human rights. It is this state of ignorance that fosters the acceptance and, consequently, the perpetuation of harmful traditional practices affecting their well-being and that of their children. Even when women acquire higher education and exercise some awareness, they often feel powerless to bring about the change necessary to eliminate gender

inequality (Banda & Atansah, 2006). Empowering women is vital to any process of change and to the elimination of these harmful traditional practices. Social workers should target political empowerment by creating real opportunities for women, girls, and vulnerable people to be active and be heard by people in authority. For instance, why should a girl be silent when she is going to be used at the troxovi shrine as atonement for the sins of her parents or even unknown relatives? Why should marriage be contracted without the consent of the girl child (bride)? In many parts of Africa, long before the girl child attends school, she is disadvantaged by these traditional practices that minimize her potential for educational achievement and self-actualization. This mindset is one that emerges from the day a girl is born and manifests strongly in socialization in the home, eventually justifying harmful rituals and low investment in the girl child (Banda & Atansah, 2016).

There needs to be a shift in the cultural mindsets and behaviours that discriminate against and devalue girls. Social workers should also target the economic empowerment of women and girls, for instance, finding resources to assist them through formal education and vocational skills training, so they have opportunities to gain better livelihoods and, ultimately, a voice in decision-making processes that affect their lives.

Social workers also have a responsibility to promote social justice, in relation to their clients and society in general. This means challenging discriminatory practices, including harmful traditional or cultural practices. The social worker can take the initiative by acquiring knowledge in understanding the negative practices, as well as knowledge on the human rights laws discussed in this chapter. Social workers, in partnership with teachers and other stakeholders, can create educational awareness in schools, lobbying government to cover the traditional practices in the secondary school curriculum. In Burkina Faso, for example, the government assisted in incorporating the risks of FGM/C into their science curriculum and provided anti-FGM/C trainings for teachers, and a Gambian organization, GAMCOTRAP, lobbied the government of Gambia to incorporate the risks of FGM/C into their public-school curriculum (WHO, 2008).

Additionally, social workers can help generate public pressure during public activities and events, such as Independence Day celebrations, festivals, and conferences. These gatherings, where large groups come

together, can be used to garner support, and to take a collective stand against these negative practices. People may, for instance, show their support by appending their signatures on a document that would be sent to key stakeholders, such as traditional/religious leaders, government, and both national and international human rights NGOs. Thus, lobbying individuals, organizations, and communities is critical in efforts to eradicate these practices. Also, the lack of scholarly research and the scarcity of contemporary data on these negative practices call for research to understand how the realities women/girls experience as victims affect their lives, since lack of research and accurate demographic data contribute to misconceptions about prevalence and effects of these practices. We suggest that social workers do research on these practices, present their findings to policy makers and at conferences, and publish their work, to add to knowledge on the topic.

Conclusion

Women and girls disproportionately bear the brunt of the harmful cultural practices in society. They are the target of outmoded customs/beliefs/practices intended to control women's behaviour. Ghana is seen as a leader in human rights on the continent, but the country has its share of negative traditional practices. These practices are discriminatory because they treat women and girls differently from men/boys, and are associated with rites that are harmful, degrading, and injurious to the health and welfare of women/girls. Though these practices have received global attention because of their negative impact on females, they persist, and thus reflect society's inhumanity to women, and signify gaps in laws and their enforcement. Though women's and girls' human rights are more widely understood and championed today, it needs to be the reality for every woman and every girl, including those undergoing harmful traditional/cultural practices. This calls for a concerted effort to increase education about the existence of these laws, enforcing the laws to deal with violations, improving rights awareness in communities, modernizing customary/traditional practices, and partnering with all stakeholders.

REFERENCES

- Ababio, A. M. H. (2000). *Trokosi, worryokwe, cultural and individual rights: A case study of women's empowerment and community rights in Ghana*. (Unpublished master's thesis). St. Mary's University, Halifax, NS.
- African Commission on Human and People's Rights. (ACHPR). (2003). Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa. Banjul, GM. https://www.un.org/en/africa/osaa/pdf/au/protocol_rights_women_africa_2003.pdf
- Akpabli-Honu, K. (2014). *Female ritual bondage: A study of Troxovi System among the Ewes of Ghana*. Accra, GH: Woeli.
- Akpabli-Honu, K., & Agbanu, H. K. (2014). Types and statuses of children of Troxovi shrines. *International Journal of Humanities and Social Studies*, 2(12), 308–317.
- Ame, R. K. (2011). *Children's rights, controversial traditional practices, and the Trokosi system: A critical socio-legal perspective*. New York, NY: Lexington Press.
- Ameh, R. K. (2001). *Child ritual bondage in Ghana: A contextual policy analysis of Trokosi* (Unpublished doctoral dissertation). Simon Fraser University, Vancouver, BC.
- Asomah, J. Y. (2015). Cultural rights versus human rights: A critical analysis of the trokosi practice in Ghana and the role of civil society. *African Human Rights Law Journal*, 15, 129–149.
- Banda, J., & Atansah, P. (2016). *An agenda for harmful cultural practices and girls' empowerment*. Center for Global Development. <https://www.cgdev.org/publication/agenda-harmful-cultural-practices-and-girls-empowerment>
- Bilyeu, A. S. (1999). Trokosi—The practice of sexual slavery in Ghana: Religious and cultural freedom vs. human rights. *Indiana International Comparative Law Review*, 9(2), 457–504.
- Cooke, E., Hague, S., & McKay, A. (2016). *The Ghana poverty and inequality report*. UNICEF. [https://www.unicef.org/ghana/Ghana_Poverty_and_Inequality_Analysis_FINAL_Match_2016\(1\).pdf](https://www.unicef.org/ghana/Ghana_Poverty_and_Inequality_Analysis_FINAL_Match_2016(1).pdf)
- Dolphyne, F. A. (2005). *The emancipation of women: An African perspective*, Accra, GH: Ghana University Press.
- Dovlo, E., & Adzoye, K. A. (1995). *Report on the Trokosi institution*. Accra, GH: Department of the Study of Religions, University of Ghana Report Commissioned by International Needs Ghana.
- Edemikpong, H. (2005). Widowhood rites: Nigerian women's collective fights a dehumanizing tradition, *Off Our Backs*, 35(3/4), 34–35.
- Ghana Statistical Service. (2012). *Ghana multiple indicator cluster survey 2011 final report*. Accra, GH. <https://www.dhsprogram.com/pubs/pdf/FR262/FR262.pdf>
- Glover, Y. (1992). *Vestal virgins* (Unpublished doctoral dissertation). University of Ghana, Accra, GH.

- Government of Ghana. (1960). The Criminal Code (Act 29). <http://www.wipo.int/edocs/lexdocs/laws/en/gh/gh010en.pdf>
- Government of Ghana. (1992). Constitution of the Republic of Ghana. http://www.ghana.gov.gh/images/documents/constitution_ghana.pdf
- Government of Ghana. (1998). The Children's Act (Act 560). <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/56216/65194/E98GHA01.htm>
- International Fund for Agricultural Development (IFAD). (1998). *Ghana: Mid-Term evaluation of LACOSREP I*. Rome, IT: IFAD Office of Evaluation and Studies.
- Korang-Okrah, R., & Haight, W. (2014). Ghanaian (Akan) women's experiences of widowhood and property rights violations: An ethnographic inquiry. *Qualitative Social Work*, 14(2), 224–241.
- Kufogbe, S. K., & Dovlo, E. (1998). The geographical spread of Trokosi in Ghana. *Bulletin of the Ghana Geographical Association*, 21, 143–156.
- Limann, L. H. (2003). *Widowhood rites and the rights of women in Africa: The Ugandan experience* (Unpublished master's thesis). Makerere University, Kampala, UG.
- National Population Council. (2017). *Population of Ghana: Population and the economy factsheet no. 8*. Accra, GH: Government of Ghana.
- Nukunya, G. K. (2003). *Tradition and change in Ghana*. Accra, GH: Ghana Universities Press
- Nukunya, G. K., & Kwafo, S. K. (1998). *Report on de-criminalizing trokosi: A research into the nature and operations of ritual enslavement in south eastern Ghana*. Accra, GH: National Population Council.
- Oluoch, E. A., & Nyongesa, W. J. (2013). Perception of the rural Luo community on widow inheritance and HIV/AIDs in Kenya: Towards developing risk communication messages. *International Journal of Business and Social Science*, 4(1), 213–219.
- Organization of African Unity (OAU). (1981). African Charter on Human and People's Rights. <https://au.int/en/treaties/african-charter-human-and-peoples-rights>
- Oye Lithur, N. (2009). *Lamptey-Mills case—Matters arising*. *Modern Ghana*. <https://www.modernghana.com/blogs/246549/lamptey-mills-case-matters-arising.html>
- Perry, B., Oluoch L., Agot, K., Taylor, J., Onyango, J., Ouma, L., Otieno, C., Wong, C., & Corneli, A. (2014). Widow cleansing and inheritance among the Luo in Kenya: The need for additional women-centred HIV prevention options. *Journal of International AIDS Society*, 17(1), 1–7.
- Robson, A. (2006, Oct. 26). Slavery in the name of God. *The Independent*, London. 1–3.
- Sarpong, P. K. (2012). *Odd customs, stereotypes and prejudices*. Accra, GH: Sub-Saharan Publishers.
- Sossou, M. A. (2002). Widowhood practices in West Africa: The silent victim. *International Journal of Social Welfare*, 2(2), 201–209.
- The Africa Report*. (2014). *Ghana shuts down witches' camp*. <http://www.theafricareport.com/Society-and-Culture/ghana-shuts-down-witches-camp.html>

- Twum-Danso, A. (2011). Assessing the progress of the 1998 Children's Act of Ghana: Achievements, opportunities, and challenges of the first ten years. In R. K. Ame, D. L. Agbenyiga, & N. A. Apt (Eds.), *Children's rights in Ghana: Reality or rhetoric?* (pp. 151–168). New York, NY: Lexington Books.
- UN. (1948). Universal Declaration of Human Rights. <http://www.jus.uio.no/lm/un.universal.declaration.of.human.rights.1948/portrait.a4.pdf>
- UN. (1979). Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). <http://www.ohchr.org/Documents/ProfessionalInterest/cedaw.pdf>
- UN. (1989). Convention on the Rights of the Child (CRC). <https://www.unicef.org/crc/>
- UN. (1995). Beijing Declaration and Platform for Action. Adopted at the Fourth World Conference on Women (Beijing Conference). UN Women, the United Nations Entity for Gender Equality and the Empowerment of Women. https://www.un.org/en/events/pastevents/pdfs/Beijing_Declaration_and_Platform_for_Action.pdf
- UN Development Programme (UNDP). (2007). *Ghana human development report: Ghana: Towards an inclusive society*. UNDP, Ghana Office. http://hdr.undp.org/sites/default/files/nhdr_2007_ghana.pdf
- UNICEF. (2011). *Ghana's multiple indicator cluster survey report*. https://www.unicef.org/ghana/Ghana_MICS_Final.pdf
- UNICEF. (2016). *Female genital mutilation/cutting: A global concern*. http://www.unicef.org/media/files/FGMC_2016_brochure_final_UNICEF_SPREAD.pdf
- UN Office of the High Commission for Human Rights (OHCHR). (2013)., *Harmful traditional practices affecting the health of women and children* (Fact sheet No. 23). <http://www.ohchr.org/Documents/Publications/FactSheet23en.pdf>.
- UN Office of the High Commission for Human Rights (OHCHR). (2015). *An assessment of human rights issues emanating from traditional practices in Liberia*. http://www.ohchr.org/Documents/Countries/LR/Harmful_traditional_practices18Dec.2015.pdf.
- Women in Law and Development in Africa (WiLDAF). (2012). *Early and Forced marriage and gender based violence*. Accra, GH: WiLDAF.
- WHO. (2008). *Eliminating female genital mutilation: An interagency statement*. Geneva, CH: WHO.
- WHO. (2018). *Female genital mutilation fact sheet*. <http://www.who.int/mediacentre/factsheets/fs241/en/>