

**CHILD BONDAGE IN GHANA: A CONTEXTUAL
POLICY ANALYSIS OF *TROKOSI***

by

Robert Kwame Ameh

B.A. (Hons.), University of Ghana, 1982

B.A., University of Oslo, 1988

M.Phil., University of Oslo, 1993

M.A., Simon Fraser University, 1996

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APPROVAL

Name: Robert Kwame Ameh
Degree: Master of Arts
Title of Thesis: Canada and the UN Convention on the Rights of the Child

Examining Committee:

Chair: Joan Brockman, LL.M.



J.W. Ekstedt, Ph.D.
Professor
Senior Supervisor



Brian Burtch, Ph.D.
Associate Professor
Member



Cynthia Price Cohen, Ph.D.
External Examiner
Childrights International Research Institute
New York

Date Approved:

August 2, 1996

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Abstract

Trokosi is an aspect of the traditional religious and crime control practices of the Dangme, Fon and Ewe ethnic groups along the West Coast of Africa. In *trokosi*, a female child, usually a virgin, is selected by her family to serve in a shrine in reparation for crimes committed by other members of the family. This practice has existed for several generations. Among the Ewes of Ghana, which is the focus of this study, the practice dates back to the seventeenth century. It was only in the early 1990s, however, that *trokosi* was identified as a national social problem. As of August 2000, about 59% of all known slave girls have been liberated, and there is already talk of success in eradicating the *trokosi* problem. Considering the tremendous problems faced by several countries, and regional and global organizations in their attempts to combat controversial cultural practices, which dehumanize and violate the rights of its victims, the high success rate achieved in this campaign is phenomenal.

The dissertation seeks to examine and explain the practice of *trokosi*, the controversy it has generated as a national social problem, and to account for the success of the Ghanaian anti-*trokosi* campaign. The focus is on "what works" (i.e. effective policies) in attempts to transform or eradicate controversial traditional cultural practices such as *trokosi*. This original research used a combination of qualitative research methods such as documentary analysis, semi-structured interviews and observation, and is informed by key perspectives in human rights and policy science theory.

A major conclusion of this study is that extensive local participation and initiative, the mass mobilization of individuals, NGOs, and statutory bodies (both national and international), and the adoption of the strategy of dialogue and education informed by cultural sensitivity, rather than a “top-down” abstract, legalistic and authoritarian approach, account for the success of the Ghanaian anti-*trokosi* campaign. It is argued that local participation and cultural sensitivity hold the key to transforming controversial cultural practices. The anti-*trokosi* campaign is a model for attempts to modify or eradicate controversial cultural practices, which dehumanize and infringe on the rights of people, especially those of women and children.

Dedication

To my children, Sena, Efram, and Edem whose sacrifices made the completion of this study possible; and my father, Seth Kweku Ameh, who rejected contrary advice and put me into secondary school.

Acknowledgments

There is hardly any academic product that is not a result of the cooperative effort of several people. In a similar vein, many people contributed in diverse ways to the completion of this study. While I cannot name all who contributed, directly or indirectly, to the success of this project, I wish to acknowledge the help of a few.

My wife, Dela, and children, Sena, Eyram, and Edem, for their support and enormous sacrifices not only in the period of the dissertation project, but throughout the course of my long and arduous period of education at Simon Fraser University. To my dad, Seth Kweku Ameh, who ignored the advice not to send me to secondary, and my children, I dedicate this dissertation. I am grateful to both the School of Criminology, and SFU at large, for giving me the opportunity to study criminology and for funding the fieldwork research for this dissertation.

As most graduate students could testify, writing a doctoral dissertation is often a laborious, if not tortuous, experience. But members of my Supervisory Committee were always there to give me the much-needed support. Dr. Brian Burtch, my Senior Supervisor, thanks for your direction, encouragement, attention to detail, and support. Dr. Margaret Jackson, you were not only my professor but also became a friend and a pillar of support, a very present help in time of need. I admire your insight and appreciate the energy and resources you put into the care and support of your students. Professor Mark Carter, you were a fountain of peace, understanding, and encouragement in the midst of frustrations. Thanks for your confidence in me.

My fieldwork supervisors, Professor G. K. Nukunya and Dr. Elom Dovlo both of the University of Ghana, provided important contacts and insight into the intricacies and

politics of trokosi research in Ghana. I am grateful to numerous individuals and organizations such as Rev. Walter Pimpong, International Needs Ghana (ING); His Holiness Osofo Kofi Ameve, Afrikania Mission; Mr. Emile Short, Commission on Human Rights and Administrative Justice (CHRAJ); and Mr. Mark Wisdom of the Fetish Slaves Liberation Movement (FESLIM) who provided access to their organizations and opened the door to others. I also thank Mr. Pappoe of Danish International Aid (DANIDA), Abigail Rupp and Leslie Wechsel of the Human Rights and Democracy Section of the United States Embassy and Marilyn Aniwa, Canadian International Development Agency (CIDA), all in Accra, for sharing their thoughts on the Ghanaian “trokosi problem”.

Mr. Wisdom Mensah of ING provided lots of information on the anti-trokosi movement and also became a friend. I am also grateful to Togbe Anipati IV, Paramount Chief of Mepe Traditional Area, Mama Adokuwa Asigble, Queen Mother of Tefle Traditional Area, Mr. Awuku Dei-Zanga former District Chief Executive of the North Tongu District Assembly, Mr. A. E. O. Morkli of the National Commission on Civic Education (NCCE), and the Shrine Priests and trokosis who provided pertinent information and granted interviews during my fieldwork. This dissertation was enriched by their unique insight on the institution and practice of trokosi.

I want to use this opportunity to thank my friend, Dr. Ken Attafuaah, for his assistance in editing the article (published in *Ghana Studies*), which represents my initial views on trokosi. To all others whom the limitations of space did not permit me to mention by name, I still remember you and appreciate all your help.

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But let us not rush into the error of condemning genital mutilations as uncivilized and sanguinary practices. One must beware of describing what is merely an aspect of difference in culture as barbarous. *In traditional Africa, sexual mutilations evolved out of a coherent system, with its own values, beliefs, cultural and ritual conduct.*

These practices, however, raise a problem today because our societies are in a process of major transformation and are coming up against new socio-cultural dynamic forces in which such practices have no place or appear to be relics of the past. *What is therefore needed are measures to quicken their demise.*

The main part of this struggle will be waged by education rather than by anathema and from the inside rather than from the outside. I hope that this struggle will make women free and “disalienated,” personifying respect for the eminent dignity of life.

(Abdoul Diouf, President of the Republic of Senegal, 1985

Emphasis added)

Chapter 1

INTRODUCTION: RESEARCHING CHILD BONDAGE IN GHANA

INTRODUCTION

Modern technological developments in mass communication and air transport have transformed the world into a global village. Today, what happens in one of the remotest corners of the earth has the potential of being transmitted, within seconds, to the other parts. In addition, we have witnessed the proliferation of regional and global unions of varying economic, political, religious and social interests. Such unions seek to influence, superintend, and monitor different aspects of social development around the world. A consequence of this has been massive and complex social, economic, political and technological transformations of all societies, particularly those of the developing countries.

Law and social control issues are equally affected by these transformations. Globalization, here defined as the the processes and consequences of, becoming part of the global village, as opposed to isolation from the rest of the world, has meant the subjection of developing countries to scores of international laws, treaties, conventions and understandings. This trend has definite implications for issues of localization, defined in this dissertation as the promotion, defence of, and preference for **local** values, norms, cultural identity, community participation, laws and modes of social control over imported foreign equivalents and modes of conduct. With localization defined this way, the focus of this study is clearly more on the issues of cultural identity, values, laws and

modes of social control than on some other implications of globalization such as the global and political economy Alan Scott (1997). Often, international documents require state parties to adapt local norms and practices to suit international standards. Consequently, local laws and mechanisms of social control, cultural identity, values, norms and community participation become affected by subscription to international laws. Inevitably, the dynamics of globalization and localization engender some dilemmas and tensions.

In Ghana, through the processes of globalization, several hitherto accepted local cultural practices have become controversial. Some cultural practices have been observed by the people for centuries without question. Increasingly, however, segments of the population are questioning the propriety of such practices and seeking to abolish them. This has generated deep debate and controversy among the people. Controversial traditional practices such as female circumcision, witch villages¹, some funeral and widowhood rites, inheritance practices, and *trokosi* are seen as inhumane practices by its opponents.

The focus of this dissertation is on the institution of *trokosi*. *Trokosi* is an aspect of the traditional religious and crime control practices of the Dangme, Fon and Ewe ethnic groups along the West Coast of Africa. In *trokosi*, a female child, usually a virgin, is selected by her family to serve in a shrine in reparation for crimes committed by other members of the family. Once the girls are assigned to the shrines, their families are not

¹ Witch villages are designated villages to which, people, usually old men and women, accused of witchcraft are banished in some parts of the northern Ghana.

enthusiastic about procuring their release. Consequently, *trokosi* could be defined as slavery or bondage for life as most girls serve at the shrines for the rest of their useful lives.

RESEARCH PROBLEM

The Ewes, who are the focus of this study, have engaged in the practice of *trokosi* since they settled in Ghana after migrating from Notsie (now in the modern Republic of Togo) around the seventeenth century.² It was only in the early 1990s, however, that *trokosi* was identified as a national social problem. Yet, by August 2000, about 2800 (59%) of 4714 known slave girls have been set free and there is already talk of success of

² It is not known exactly when the Ewes settled in Ghana. Scholars have given dates ranging from the eleventh to the eighteenth century. See Asamoah (1986) and Amenumey (1986). The Ewe are an ethnic group which inhabit the eastern part of Ghana.

eradicating the *trokosi* problem.³ Considering the tremendous problems faced by several countries, regional and global organizations in their attempts to combat controversial cultural practices, which dehumanize and violate the rights of its victims, the high success rate achieved in this campaign is phenomenal.

In this dissertation, I seek to examine and explain the practice of *trokosi*, the controversy it has generated as a national social problem, and to account for the success of the current

³ The timely and important study by S. Kufogbe and E. Dovlo (1997, 1998) took a census of *trokosi* shrines and victims. It is now known that there are 4,714 *trokosis* in southern Ghana of which 672 (14.3%) have been liberated as of September 1997. By September 6 1999, this percentage had risen to 33.9 %. This figure was based on numbers disclosed by Walter Pimpong, the Executive Director of International Needs, the leading NGO in the anti *trokosi*-campaign. In a speech at a *trokosi* liberation ceremony at Adidome on September 6, 1999, at which 600 *trokosis* were released, Pimpong stated that International Needs has since its inception liberated 1600 women from 32 shrines (GRI Newsreel, 6 September, 1999). Based on the International Needs figures alone, 33.9% of *trokosis* have been liberated as of September 6, 1999. Clearly, this percentage could be higher since the figures are not available for the other groups engaged in *trokosi* liberation. In November 13, 1999, this percentage (based on the International Needs figures) had jumped to 42% when another 400 women from a group of shrines in the Akatsi and Ketu districts were liberated (See GRI Newsreel, 15 November, 1999). On July 29, 2000, I witnessed the liberation of another 800 *trokosi* women and children at Akatsi. This puts the total of liberated *trokosis* at 2800 (59%), out of 4714 known *trokosis*. Since it was only in the early 1990s that *trokosi* became a national social problem, a 59% success rate (which could be higher if the number of *trokosis* liberated by the other groups since September 1997 are known) for the anti-*trokosi* campaign could be deemed as highly successful. This is so particularly if we consider that the *trokosi* is a centuries-old institution, shrouded in cult secrecy and fear, and believed by the practicing communities to be more efficacious in meting out justice than the modern criminal justice system.

In a report on the observation of the Ghana government's Commission on Human Rights and Administrative Justice's (CHRAJ) Human Rights Week, it was noted that Mr. J. Ebo Quarshie, Western Regional President of the Ghana Bar Association commended the CHRAJ for its work, particularly for ending the *trokosi* practice (GRI Newsreel, 12 August, 1997). Even though Mr. Quarshie's statement is clearly an exaggeration, since the practice has not been ended, it confirms that some Ghanaians think the anti-*trokosi* campaign is having the desired impact. Also, the *1997 Annual Report of Anti-Slavery International* states that the campaign in Ghana for the release of *trokosi* women and girls and abolition of the practice has had an impact (p. 11). It is now possible to see announcements, such as the one which appeared in the *Ghanaian Times* of July 23 1997, captioned "*Trokosi* Liberation", inviting the public to attend a liberation ceremony in the Ghanaian newspapers. In this particular announcement, free transportation was being provided for those interested in witnessing a liberation ceremony (Ameh 1998).

Ghanaian anti-*trokosi* campaign. The general focus of analysis is on a crucial policy issue: how most effectively to bring about social change. How do we address controversial traditional cultural practices, which violate the rights and endanger the health of people, and make changes that are meaningful and acceptable to the stakeholders involved? The core of this study includes a search for *what works* (i.e. effective policies) in the eradication of controversial traditional cultural practices such as *trokosi*. My hypothesis is that cultural sensitivity in the issue of child bondage accounts for the positive results in the anti-*trokosi* campaign in Ghana. The following questions were central to this study.

RESEARCH QUESTIONS

1. What socio-cultural context supported the practice of *trokosi* in the past? How relevant is this context to Ghana at the new millennium?
2. Under what circumstances did *trokosi* come to be perceived, defined and treated as a national social problem in the early 1990s? How is the social construction of *trokosi* as a public issue connected to Christianity, foreign cultural values (westernization), modern crime control, the negative perception of Ewes by other Ghanaians, former President Rawlings being an Ewe, etc.?
3. Which key interest groups and individuals have become involved in the *trokosi* debate in Ghana? How are these groups assembled or organized? What interests do these groups

and individuals represent? Whose interests are advanced or threatened? What points of commonality serve to unite otherwise disparate groups around a particular interest?

4. What type of policy arguments are put forth by the parties involved? What appear to be the “core” concerns of each party? How are these rationalized and developed through confrontation and debate?

5. What accounts for the success of the anti-*trokosi* campaign? How was it possible that in less than 10 years after *trokosi* was perceived and defined as a national social problem, 59% of all known *trokosis* in the country have been liberated? What enabled the shrine owners and priests to let their clients go?

6. What does the study suggest about successful efforts to eradicate controversial traditional practices? Could this work for other controversial traditional practices such as female circumcision in Ghana or other nations?

RESEARCH METHODS

Flipping through the pages of the *Christian Info News* in 1995, my eyes caught the headline “Opponent of ‘fetish slavery’ in Ghana will visit B.C.”⁴ “Slavery” in Ghana? I

⁴ It is a monthly tabloid newspaper published by the Christian Info (Vancouver/Lower Mainland) Society for the Christian Community. This article appeared in the May issue 1995 vol. 15, no. 5, p. 11

told myself this could not be true. I left Ghana as an adult and had never before heard of “fetish slavery”. I quickly devoured the contents of the article, which gave information about the “opponent of ‘fetish slavery’”, Walter Pimpong, the Executive Director of International Needs Ghana, and the public meetings he would have in the Lower Mainland of British Columbia. I decided to attend a meeting to hear for myself about “slavery” in Ghana. It was at one meeting in May 1995, when Walter Pimpong addressed the Ghanaian community in Vancouver, that I decided to rather focus on the specific issue of “*trokosi*” instead of the more general issue of children’s rights I had intended to research for my doctoral dissertation.⁵ The media was, thus, my first source of information about the practice of *trokosi*, and the turning point was the commitment and presence of a social activist.

ELECTRONIC AND PRINT MEDIA

Data collection for this dissertation, then, started in 1995 when I started monitoring reports on *trokosi* by both foreign and Ghanaian newspapers on the internet. I asked friends in Europe, North America, and Australia to let me know of media reports in their countries about *trokosi*. To this end, the Ghanaian e-mail discussion group, *Okyeame*,

⁵ In 1990 when I did research on Youth Justice in Ghana, most of my interviewees drew my attention to the fact that Ghana was the first country to ratify the UN Convention on the Rights of the Child. This made me curious about the significance of ratifying a UN Convention, but more importantly about the implications of signing a Convention on the Rights of the Child for the children of Ghana. This was how my interest in the application of international human rights norms in Africa developed. Initially, this interest was to be explored in my Ph.D. dissertation, which was to address the issue of children’s rights in Ghana with focus on the application of the UN Convention on the Rights of the Child. My research on Canada’s implementation of the UN Convention on the Rights of the Child (Ameh, 1996) was just the first step in accomplishing this.

comprising mainly Ghanaian academics, students and professionals abroad, which often engaged in heated debates about *trokosi*, proved a very important source of information. The electronic and print media (newspapers, magazines and electronic news media) sources for this study include: Ghana Review International (<http://www.ghanareview.com> or <http://212.67.202.38/~gri>); Daily Graphic (www.graphic.com.gh); Ghanaian Times (<http://www.gtimes.com.gh/>); The Mirror (www.graphic.com.gh/Mirror); Progressive Utilization Magazine; Weekly Spectator; AWO Magazine; *Trokosi* News; Ghanaian Chronicle; ghanaclassifieds (www.ghanaclassifieds.com); Reuters; Associated Press; The New York Times; the US-published Times Herald-Record (Orange County Publications); CBC Radio; BBC Radio; The Times (London) (<http://www.the-times.co.uk>), The Vancouver Sun, and the BC Christian Info News.

The electronic and print media proved to be a very important source of information on *trokosi*. This was particularly true in the early 1990s when the issue became a national social problem, and there was little published material available on the issue. Both local and foreign media were instrumental in publicizing *trokosi* as a national social problem (Ameh, 1998).⁶

During the fieldwork component of this study, I hired a research assistant whose sole responsibility was to comb all the Ghanaian newspapers from 1977 to the present for any

⁶ My initial views on *trokosi* based mainly on these sources resulted in the publication, Robert Ameh "Trokosi (Child Slavery) in Ghana: A Policy Approach" in *Ghana Studies* 1, 35-62)

news item on *trokosi*. This produced a mass of material especially from the early 1990s and onwards, when the issue became national news.

ARCHIVAL REVIEW

In addition to media material, a comprehensive review of the available academic literature on *trokosi* was undertaken. The available literature consists of anthropological works, colonial documents, reports of commissioned studies, evaluation reports by consultants, seminar and workshop reports, memoranda written by individuals and organizations, parliamentary debates in Ghana (Hansard) and student long essays. Few of these documents are available in Canada. Hence, I had to travel to Ghana to do the fieldwork component of the research.

Fieldwork was done in Ghana for three months (the whole of June through August, 2000). One task during the fieldwork was to explore collections at several libraries. In this regard, the following libraries proved very useful: the Balme (University) Library and the libraries at the Departments of Sociology, Religious Study, Social Work, the Institute of African Studies, and the Institute of Adult Education, all of the University of Ghana, Legon; the National Council on Women and Development, Forum for African Women Educationalists (FAWE – Ghana Chapter), an NGO at Achimota, Accra; George Padmore Library, Accra; Trinity College, Legon; Ghana National Commission on Children; and, the library at Parliament House, Accra.

PRIMARY DATA

Primary data were gathered during fieldwork. My fieldwork supervisors were Professor G.K. Nukunya, a renowned Ghanaian anthropologist and former Pro-Vice Chancellor, and Dr. Elom Dovlo, Chair of the Department for the Study of Religions. Both work at the University of Ghana and have themselves researched *trokosi*. A marked difference between conducting research in Canada and in a developing country such as Ghana is that in developing countries people depend on personal contacts rather than official requests. Consequently, for this study, I relied on personal contacts rather than sending out official request letters. Thus, having Professors Nukunya and Dovlo as my supervisors opened up crucial contact opportunities for me. I did, however, make some official requests. These were provided to the International Organizations identified below, all of which were sent official invitation letters to participate in this study. (See Appendix E).

In-Person Interviews and Sampling

With the paucity of published material, any in-depth analysis of the *trokosi* issue dictates gathering primary data by observation and interviewing the stakeholders within the *trokosi* system, and the key players in the *trokosi* debate and anti-*trokosi* campaign. In this vein, purposive or judgmental sampling was used in selecting research participants for interviews, since this approach does not require random sampling but enables me to center attention on the relevant stakeholders within the *trokosi* system.

Since research on the *trokosi* issue is in its early stages, it was important to use methods, which enable further exploration of respondents' answers in order to get as much information as possible. To this end, interview questions were open-ended. The main interview instrument was adapted to be relevant for the different groups of interviewees such as the advocates of *trokosi* and the anti-*trokosi* campaigners. To make for easy comparison and analysis of responses from all groups interview questions were semi-structured. In effect, all groups of interviewees were asked certain questions and in the same order, with supplementary questions tailored to particular groups of interviewees. (See Appendix A for the interview guide.)

To explore a range of opinions and experiences, 67 stakeholders of different persuasions on the *trokosi* issue were interviewed. Based on my contacts, together with a review of the literature and published and electronic media reports, I identified the following bodies and agencies as stakeholders in the *trokosi* system.

1. Shrine owners, priests and *trokosis*: Overall, 10 Shrine Priests and priestess, owners, functionaries, and 27 *trokosi* women and children (including 3 *ex-trokosis*) were interviewed. Kufogbe and Dovlo's (1998) census of *trokosis* and *trokosi* shrines was useful in identifying the location of all shrines in southern Ghana. Due to my financial limitations, the study focused on interviewing shrine owners, priests and functionaries in the Adidome and Sogakope districts, which among them have 27 of the 43 (63%) identified shrines in the Volta Region (Kufogbe and Dovlo 1998). According to Kufogbe and Dovlo (1998), the Volta Region alone has 43 (84.3%) of a total of 51

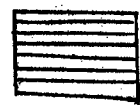
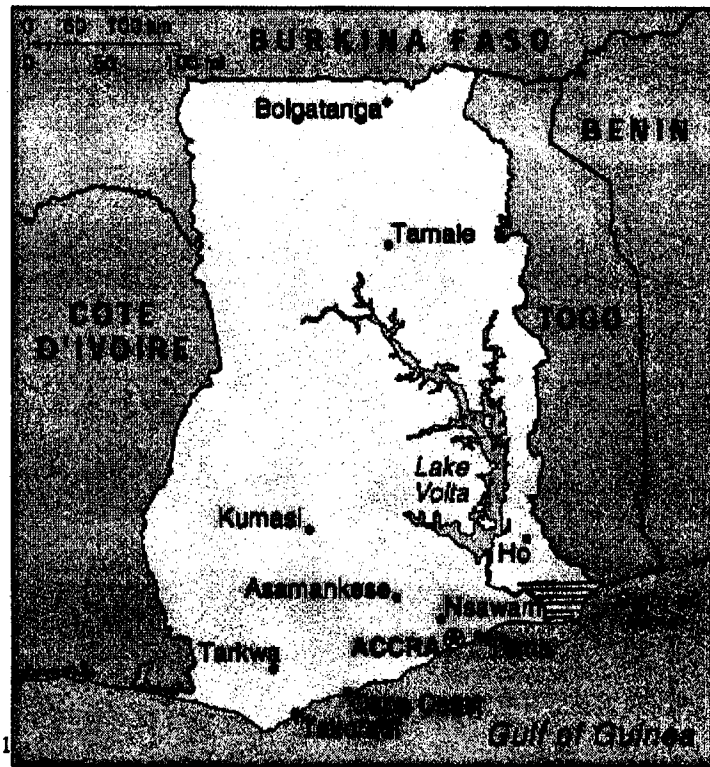
known shrines in the southern sector of Ghana. The Adidome and Sogakope districts lie at what Kufogbe and Dovlo refer to as the "... geographical core or centre of the [*trokosi*] practice in the Volta Region ..." (p. 91), and hence, the centre of the practice in Ghana.

Mr. Awuku Dei-Zanga, former District Chief Executive of the North Tongu District Assembly, was a major informant on the practice in the Tongu area. He led me to shrines in the Tongu area. Mr. Dei-Zanga is well known in Tongu. A member of the royal family at Asiekpe, a Tongu town in the Mafi Traditional area, he is well versed in the customs and art of approaching shrine owners, priests and elders. His presence with me made even some shrine functionaries who were reluctant to give out information do so.

In addition to interviews in the Adidome and Sogakope Districts, I had the opportunity to interview a priestess, several priests, and *trokosi* women and children in the Akatsi District and environs. I observed a liberation ceremony at which 800 *trokosi* women and children were set free at Akatsi on July 29, 2000. International Needs allowed me to accompany their staff as they did all the preparatory work that took place before the grand liberation ceremony. This included several meetings with *trokosi* priests, women, and children at the premises of the NCCE at Akatsi. This gave me the opportunity to do my own interviews with the priestess, five priests, and 23 *trokosi* women and children without having to go to their individual shrines.

Figure 1.

Map of Ghana showing the study area, which is the “*trokosi* centre” of the country.



Study Area

Source: Adapted from Map of Ghana at <http://www.odci.gov/cia/publications/factbook/geos/gh.html>

2001-06-28

A liberated *trokosi* was interviewed at both the International Needs Vocational Training School and the Missions International Vocational School for *trokosis*, both at Adidome. Juliana Dorgbadzi, perhaps the most celebrated *ex-trokosi*, was interviewed at her home at Adidome.

2. Government officials, traditional and opinion leaders in practising communities:

Togbega Kwao Anipati IV, Paramount Chief of Tongu traditional area and President of the Tongu Paramount Chiefs Association, granted an interview at his home in Accra and also suggested several other people from his area for interviews. Mama Adokuwa Asigble, Queenmother of Tefle Traditional Area (Tongu), a leading public speaker on *trokosi*, and member of the National Commission on Civic Education (NCCE) was also interviewed. During the *trokosi* liberation exercise at Akatsi, I also interviewed Togbe Ahotor III, chief of Akatsi.

As mentioned earlier, Mr. Dei-Zanga, former District Chief Executive of the North Tongu District Assembly, was a major source of information on the practice in the Tongu area. I had an interview and several other meetings with Mr. A.E. O. Morkli, who is a citizen of Mepe, former member of the North Tongu District Assembly and currently a Public Education Officer of the NCCE at Akatsi. He was another major informant on the practice.

3. Families of *Trokosis*: This was an almost inaccessible group. Due to the very negative media publicity the practice has attracted since the early 1990s, few people associated

with the practice, especially families which have sent children to the shrines, are willing to talk about the issue. The son of a *trokosi*, who has a doctoral degree and occupies a prominent position in the country, reluctantly granted me an interview on the condition that I do not quote him in the dissertation. He denied my request to interview his mother.

4. NGOs involved in the anti-*trokosi* campaign: International Needs Ghana, an international Christian organization with headquarters in Langley, British Columbia, Canada, is the leading group in the campaign. The Executive Director, Rev. Walter Pimpong, is the acknowledged leader of the anti-*trokosi* campaign in Ghana (Ameh 1998). Rev. Pimpong could, thus, be seen as the gatekeeper as far as the anti-*trokosi* side of the *trokosi* debate is concerned. I have maintained e-mail contact with him since I first listened to him talk about *trokosi* in Vancouver in May 1995. I interviewed Walter Pimpong, his Project Officer, Wisdom Mensah, and Publicity Officer, Vincent Azumah, and Program Officer, Ali Quaye. They also suggested several stakeholders and contact persons of organisations to interview.

In the end, I interviewed officials of several other NGOs involved in the anti-*trokosi* campaign: Festish Slaves Liberation Movement (FESLIM), whose Executive Director, Mark Wisdom, is acknowledged as the pioneer of the anti-*trokosi* campaign; International Federation of Women Lawyers (FIDA); Ark Foundation; 31st December Women's Movement; Coalition on the Rights of the Child; and the *Trokosi* Abolition Fellowship International, Koforidua.

On the other side of the *trokosi* debate are the advocates of the system. These include scholars and traditional religious leaders who see the anti-*trokosi* campaign as an attempt to impose western cultural and religious norms on the people of the practicing communities. These advocates extol the virtues of traditional society and prefer pre-colonial institutions to the modern (western). Consequently, they interpret the anti-*trokosi* campaign as an attack on traditional cultural institutions and values (Ameh 1998).

Of these advocates, I interviewed His Holiness Osofo Kofi Ameve, leader of the Afrikan Renaissance Mission (popularly called the Afrikania Mission), a traditional African religious group and one of his priests, Osofo Obibinikronkron; Osofo Dankama Quarm, leader of a splinter-group within the Afrikania Mission⁷; and, Dr. Dartey-Kumordzie, a scholar of Ewe philosophy and religion.

⁷ Afrikan Renaissance Mission is popularly called the Afrikania Mission, led by His Divine Holiness Osofo Kofi Ameve. There is, however, a division in the Mission currently. One faction, led by Osofo-Komfo Kwasi Dankama Quarm is challenging Osofo Kofi Ameve's position as leader of the Mission in court. See advertiser's announcement by Counsel for Osofo-Komfo Quarm, plaintiff in the court case, in the *Daily Graphic* Saturday, March 4, 2000 and the *Ghanaian Times*, Saturday, March 11, 2000. This faction claims that Osofo Kofi Ameve is leader of only the Afrikan Renaissance Mission, which Ameve founded around 1997, but not leader of the Afrikania Mission, founded by Osofo Okomfo Kwabena Damuah in 1982. This faction opposes the position of Osofo Ameve's faction on the issue of "religious indoctrination in schools" and *trokosi*. In a letter to the *Daily Graphic*, Saturday, May 8, 1999, p. 9, Osofo Quarm reiterated that Afrikania Mission and Afrikan Renaissance Mission are two different organizations and that Afrikania Mission is in favour of *trokosi* modernization. On the other hand, Osofo Ameve's faction also recognizes Osofo Okomfo Kwabena Damuah as the founder of their faction and lay claim to both names: Afrikania Mission and Afrikan Renaissance Mission. According to this faction, they added "Afrikan Renaissance" to their original name, Afrikania Mission, after the death of the founder. They contend that "Renaissance" is the English translation of the "Sankofa" slogan coined by Osofo Damuah. Consequently, they claim ownership of both names. See Afrikania Mission/Afrikania Renaissance "Brief on Afrikania Mission" in the *Daily Graphic*, August 2-4, 2000. I interviewed both Osofo Kofi Ameve and Osofo Quarm for this dissertation and care will be taken to make clear which faction is being referred to anytime Afrikania Mission is mentioned in this dissertation. This section of the dissertation refers to Osofo Ameve's faction.

5. Governmental Organizations and Statutory Bodies: I interviewed Mr. Emile Short, Commissioner on Human Rights and Administrative Justice (CHRAJ) and had several discussions on *trokosi* with Dr. Ken Attafuah, Director of Operations and Chief Investigations Officer of CHRAJ. They were also helpful in suggesting and arranging contacts with key persons involved in the *trokosi* debate.

I also interviewed three Members of Parliament (Hon. Modestus Ahiable, from one of the practising areas in the Volta Region; Hon. Kosi Kedem, who championed the *trokosi* issue in Parliament; and Hon. Dwamena-Aboagye). Three other MPs (2 from the Tongu area, “the *trokosi* centre of Ghana”) failed to honor our interview appointment on a number of occasions. Dr. Charlotte Abaka, Chairperson of the National Council on Women and Development (NCWD) was also interviewed. In the absence of the then Executive Director, Anita Hermann Ababio, who has herself researched *trokosi*, an official of the Ghana Law Reform Commission provided documents stating the position of the Commission on the *trokosi* problem.

6. Officials of International Aid Organizations: Mr. Pappoe, Program Officer, of the Danish International Aid (DANIDA) was interviewed at his office at the Royal Danish Embassy. I interviewed Mrs. Marilyn Aniwa, Development Officer of the Canadian International Development Agency (CIDA) at her office at the Canadian High Commission, Accra. She formerly occupied the same position at the British Council, which has also provided funding to the anti-*trokosi* campaign. Abigail Rupp, Political

Officer, represented the Democracy and Human Rights Section of the US Embassy in Accra in my pool of interviewees. (See Appendices C and E for Sample of “Informed Consent” form and “Invitation to participate in Study”).

7. Scholars/Researchers on *trokosi*: I interviewed Dr. Elom Dovlo, Chair, Department for the Study of Religions, University of Ghana; S.K. Kufogbe, Lecturer, Department of Geography and Resource Development, University of Ghana, and, Dr. Bill Pupilampu, lecturer, School of Administration, University of Ghana, who is also the psychologist heading the *trokosi* rehabilitation program of International Needs Ghana; and Dr. Soyini Madison, a Fulbright scholar from the U.S.A. doing a year abroad at the University of Ghana.

OBSERVATION

Apart from observing the Akatsi *trokosi* liberation ceremony, I also attended the grand durbar at the Afenorto festival⁸ of the people of Mepe (a sub-division of the Tongu) which took place on August 5, 2000. Traditional festivals⁹ in Ghana are occasions when

⁸ For more on this festival, see A.A. Agordoh “Mepe: The people and their Afenorto festival”, a two-part feature article which appeared in *The Ghanaian Times* on Thursday, August 3, 2000, p. 14, and Saturday, August 5, 2000, p. 14; and, Bernard Kofi Yadoglah (1992) *The Dzawuwu Festival of the Agave Traditional Area* Department of Sociology, University of Ghana, Legon (unpublished student B.A. (honours) long essay for another major Tongu festival. See also G. K. Nukunya (1997) “Festivals” in Francis Agbodeka (ed.) *A Handbook of Eweland vol. 1: The Ewes of Southeastern Ghana* Accra: Woeli Publishing Services (chapter 9) for all the major festivals in the study area.

the people give thanks to the gods for protecting them and supplying their needs in the past year and making supplications for the year ahead. These ceremonies are conducted by the chiefs and shrine priests of the particular traditional area. This was a great opportunity for me to see several Mepe shrine priests performing one of their non-*trokosi* roles as the religious leaders of the traditional area.

RESEARCH TEAM

Due to financial constraints, I was able to employ the services of only one research assistant. He did an archival search of all Ghanaian newspapers from 1977 for their *trokosi* coverage, and photocopying of material I had obtained from individuals and organisations. Two secretaries and two other assistants helped in transcribing and typing out the interviews recorded on tape.

RESEARCH PROBLEMS, VALIDITY AND RELIABILITY

The refusal of some potential interviewees to participate in interviews was a problem faced during the research. This situation is quite understandable. First, until quite recently when the issue became a public social problem, the institution of *trokosi* was shrouded in secrecy and mystery (Dovlo and Adzoyi 1995). *Trokosi* is a deeply sensitive

⁹ For a discussion of the major festivals in every region of Ghana, see Kwaku Amoako-Attah Fosu (1999) *Festivals in Ghana* Kumasi, Ghana, and, A. A. Opoku (1970) *Festivals of Ghana* Accra-Tema: Ghana Publishing Corporation. Professor Emeritus Bob Wyllie of Simon Fraser University has also written two articles on the *Aboakyer* festival of the *Effutu* people in the Central Region of Ghana. See “Gods, Locals, and Strangers: The Effutu Aboakyer as Visitor Attraction” in *Current Anthropology* 1994, 35, 1, 78-81; and “Ritual and Social Change: A Ghanaian Example” in *American Anthropologist* 1968, 70, 1, Feb, 21-33.

issue in the practicing areas. *Trokosi* was regarded as an issue one could not talk about, worse still, discuss in depth with strangers. Some still believe this today. Second, since most *trokosis* are given in reparation for crimes committed by other family members, families are reluctant to discuss the issues involved. Few people can easily and openly talk about crimes committed by family members. Most families want to put the matter behind them. This may explain why most families and parents neglect their children serving as *trokosis* in the shrines and maintain little or no contact with them.

Third, the situation is complicated by the negative national and international publicity that the institution has attracted since the early 1990s. Consequently, most people from the practicing area, particularly parents and families, which have sent children to the shrines, do not want to be publicly associated with the practice, let alone grant interviews to researchers. Some researchers reported that the issue of negative publicity has made some shrine owners and priests hostile towards researchers (Kufogbe and Dovlo 1998). I was warned to stay clear of specific shrines in the Tongu area.

Such problems raise the issues of reliability and validity. At the center of the concept of reliability is the issue of consistency of results. Palys (1997: 424) defines reliability as “the degree to which repeated observation of a phenomenon – the same phenomenon at different times, or at the same instance of the phenomenon by two different observers – yields similar results.” Validity, on the other hand, “refers to the accuracy of a measure: Does it accurately measure the variable it is intended to measure?” (Monette *et al.* (1998: 107). The combination of methods used in this research, however, nullifies most

problems of validity and reliability raised by the refusal of some potential interviewees to participate in the study.

The advantage in using a combination of methods (triangulation), as done in this study, however, is that the limitations of one technique are negated by the advantages of others. This accords such studies reliability and validity. In this respect, documents produced from the archival research method produced information about two families, one from the colonial era and one from the current era, who resisted attempts to send their family members to serve as *trokosis*. Also, information given out by “hostile” shrine owners and priests to their allies and those they consider “friendly” researchers became available through the archival method of data collection.

When the Hon. MP for North Tongu, Mr. Austin Gamey, then Deputy Minister for Social Welfare, could not honor my interview appointment with him, he arranged for me to interview Mr. Tsatsu Badagbor, presiding member of the North Tongu District Assembly. I obtained the MP’s own views as expressed during parliamentary debates on the *trokosi* issue from the Hansard. I was unable to contact Professor Kofi Awoonor, a former Presidential Advisor and outspoken proponent of the *trokosi* system. I did, however, gain access to some of his speeches on the issue from media sources. Thus, information a particular method could not yield was provided through one or both of the other two research methods used in the study. Such are the advantages of triangulation.

Thus, considering the nature of the *trokosi* issue and the dearth of literature on it, I deem the combined use of archival research, semi-structured interviews, and observation study as appropriate for this study. Using these methods produced massive data including difficult to obtain historical and contemporary data on *trokosi* and related policy issues for this dissertation.

In fact, bearing in mind the sensitive nature of the *trokosi* issue, I consider myself very fortunate for the degree of acceptance I received from both sides of the *trokosi* debate in Ghana. The closest I came to facing a “hostile” *trokosi* functionary was when the secretary of one of the shrines at Tefle refused to take us to the shrine premises but, nevertheless, granted me an interview in his home because of the presence of my informant, Mr. Dei Zanga, whom he knows very well.

ETHICAL ISSUES

This study researched a sensitive issue, which has generated much heated debate in both Ghana and abroad. The *trokosi* debate and anti-*trokosi* campaign have created several dichotomies, with groups having differing opinions on the institution and practice of *trokosi*. These made it imperative for me to strictly adhere to ethical standards in the conduct of this research.

Archival research and observation of a *trokosi* liberation ceremony and shrine festivals are within the public domain. Permission was, however, sought to accompany the staff of International Needs Ghana (ING) on their field trips as they did the preparatory work for

the liberation. Similarly, permission was sought from ING and Missions International to interview *ex-trokosis* at their vocational institutions, which have become home to liberated *trokosis*. (See Appendix B for Sample of Informed Consent form signed by the Principals of the schools). Since some *trokosis* are below 18 years of age, the Principals at the Vocational institutions were asked to sign an “Informed consent for Minors and Dependents” form (See Appendix B).

All research participants were informed that participation is voluntary and that they could withdraw at any stage of the research. For example, the secretary of the shrine at Tefle – who refused to take me to the premises of their shrine – also refused to answer some of my questions. All I did was to move on to the next question. Permission was sought to tape-record interviews. Audiotapes of interviews will be destroyed at the end of the research. This is a study in policy analysis with focus on public and governmental response to controversial issues, legislation, international human rights conventions and other policy documents. Thus, while I paid attention to issues of illegality, the nature of the study gave little room to “uncover” crime.

In Ghana, a society with high illiteracy rates, asking adults to sign documents such as a “Consent Form”, after the person has already agreed to participate in an interview could raise questions about trust. As such, I rather read out the introductory passage on my Interview Guide (See appendix A), which deals with issues such as voluntary participation, anonymity and confidentiality. All responses have been treated as

confidential and reported anonymously, except for those who stated explicitly that they could be identified by name and/or position in the dissertation.

RATIONALE

As indicated in chapter two, there are few studies of the *trokosi* issue in Ghana. A result of the paucity of research information on the issue was that the NGOs, media, activists and other stakeholders involved in the *trokosi* controversy all presented whatever little information they had on the issue as the “gospel truth” about *trokosi*. This only produced several fragmented accounts of the institution of *trokosi*. Consequently, there is a need for a well-researched, integrated, valid, and reliable body of knowledge and information about *trokosi*. This need was acknowledged by the participants at the First and Second National Workshops on *Trokosi*. Consequently, calls were made for multi-disciplinary research into the issue (International Needs Ghana, 1995, 1998). This dissertation was a response to these calls and stands out as one of the few major academic contributions on the issue of *trokosi*.

Secondly, the heart of this dissertation – policy issues and effective strategies for the eradication of “the *trokosi* problem” – is unique among the few existing works on *trokosi*. Researchers have, to date, focused on describing the institution of *trokosi*, analyzing it as a religious issue, and on taking a census of *trokosis* and determining the institution’s geographic spread. These are significant contributions to the anti-*trokosi* campaign in so far as they offer the knowledge-base for campaign strategies. Further, these constitute important contributions to the developing academic issue of *trokosi*.

Equally important, however, is focusing on the effectiveness of the campaign itself. Since eradicating the *trokosi* practice looms so high in the *trokosi* debate, shedding light on the anti-*trokosi* campaign as will be done in this thesis is an important contribution. An analysis of how the campaign has gone so far, what methods have worked and which have not, as done in this dissertation has unearthed effective strategies for the future direction of the anti-*trokosi* campaign. Further, one of the major problems facing the United Nations is the enforcement of international human rights instruments in member states which are sovereign (Ameh 1998; Cameron 1994; Cohen 1993). By focusing on what is effective or not in what has, so far, been considered a successful campaign in Ghana, this dissertation has contributed significantly to strategies for combatting controversial traditional practices which violate international human rights norms.

Another significant contribution of this dissertation is its extensive analysis of the socio-cultural context of the institution of *trokosi*. *Trokosi* is an institution found at the interface of religious practice, traditional social (crime) control strategy, and international human rights. Unfortunately, few attempts have been made to understand the historical and socio-cultural context of *trokosi*. For example, anti-*trokosi* groups often fail to differentiate between the different forms of the practice, as all have been lumped together as *trokosis* and the victims referred to as slaves. This has often led to major conflict between campaigners and opinion leaders in *fiasidi* practicing areas, with the latter maintaining they do not practice slavery.

What is largely not known is that a category such as *fiasidis* constituted a privileged group (set aside for kings and nobles only) in Anlo society (Sandra Greene 1996). Another little known aspect of the *trokosi* issue is the religious and crime control practices of the southern Ewe of which the institution of *trokosi* is only a part. Further to my attempt to differentiate between the various categories of *trokosis* (Ameh 1998:41), chapter four in this dissertation has been fully devoted to a discussion of the socio-cultural context of the institution of *trokosi* with emphasis on the religious and crime control mechanisms of the southern Ewe.

Knowledge of the socio-cultural context of the practice has enabled me to address several questions which have been asked since the “discovery” of the institution of *trokosi*, but which, hitherto, lacked any empirical evidence for addressing them. First, is *trokosi* a religious practice or bondage? On the one hand, most participants in the two National Workshops on *Trokosi* and most anti-*trokosi* groups see it solely as bondage. On the other hand, the traditionalists, such as Ahiabile (1995), Darteh-Kumordzie (PUM, 1994, 1995), and Togbui Addo VIII (1998:63) see it as a “... religious system which ... is fused with some sort of bondage”, albeit, in a negative sense of having some unintended consequences.

Second, why would respectable members of the community send their wrongs for redress at the shrines instead of seeking other legal remedies available? A closely related question is what compels a right-minded family to send its own offspring into severe conditions of hardship as known to exist in the shrines? Insight into the religious and

crime control practices of the southern Ewes helped address these questions without demonizing the practitioners. This is very important in making change meaningful and acceptable to practitioners.

Third, how best can we deal with “the *trokosi* problem”? Depending on whether the problem is seen as a legal, human rights, cultural or religious issue, suggestions have ranged from outright abolition, through locking-up all shrine owners and priests to transformation or modernization of the practice using education and dialogue as the tools (Dovlo and Adzoyi, 1995; International Needs Ghana, 1995, 1998; Okyeame 1996, 1998). The understanding offered in this dissertation about the wider socio-cultural context which gave rise to the practice, and identifying the policy strategies which have “worked” for the anti-*trokosi* campaign, gives better insight into how the “*trokosi*-problem” could be resolved.

DEFINITIONS

Cultural Sensitivity:

Cultural sensitivity involves an understanding and recognition of cultural practices and appreciating that these practices have not only negative but also positive aspects. In this vein, with regards to social change, it is only the negative aspects which are targeted. As such, the positive aspects, which have worked for the people of the practicing communities over the centuries, are not lumped together and dismantled with the negative. Consequently, this stance is devoid of the demeaning and contemptuous

attitude towards other cultures, and the attempt to coerce or exercise power over people of other cultures, which has become so characteristic of the current Western efforts to eradicate controversial traditional practices in other cultures. Such a stance also makes advocates of controversial traditional practices susceptible to change.

Internal Cultural Discourse:

This is one of the elements of the “cross-cultural universals” approach (see chapter three) adopted in this study. It refers to all the debates, discussions and confrontations between opposing *indigenous* people, groups and government of a country centered around a particular social issue. It could occur through any medium such as conferences, workshops, reports, debates, speeches, research, and the media. In this dissertation, internal cultural discourse then refers to all that debate between the anti-*trokosi* groups and advocates of the *trokosi* system and governmental agencies regarding the institution and practice of *trokosi*. An effort is made in the dissertation to identify the various positions and interpretations of the groups involved and to give voice to the marginalized groups in the debate such as *trokosis* and shrine priests.

Cross-cultural Dialogue:

This is another element of the “cross-cultural universals” approach. Cross-cultural dialogue involves culturally-sensitive discourse between external (foreign) and indigenous people, organizations, and governments regarding a particular social or cultural issue. In the *trokosi* issue, this will refer to all the discourse between international organizations – NGOs, international organizations, foreign governments,

donor agencies – and indigenous people, groups, and government of Ghana. Cross-cultural dialogue could lead to the adoption of relevant foreign values, norms and practices.

Shrine

It is a place where traditional gods or deities are worshipped and consulted.

Troxovi

“Tro” means a deity or god in the Ewe language, “xo” means to accept or to receive, “vi” means child. So literally, “*troxovi*” means a deity or god that accepts children. Within the Ewe religious and crime control system, a “*troxovi*” is a deity that accepts that accepts children or human beings as punishment for crimes. There are shrines in Ghana, even in the *trokosi* practicing areas, which do not accept human beings as penance for crimes.

The *troxovi* system is an institution with a well-defined structure. Its officers include shrine Owners; Elders; and Priests. *Troxovi* is the institution which establishes or enables the practice of *trokosi*.

Trokosi

Trokosi is a practice whereby human beings, usually females who are virgins, serve in shrines in atonement for crimes committed by family members. The practice of *trokosi* is only possible in a “*troxovi*” shrine.

The term “*trokosi*” also refers to a person, often a female and virgin, who serves in a shrine in reparation for crimes by family members. The plural form is “*trokosiwo* or *trokosiso*”. The plural form has, however, been anglicized as “*trokosis*”, and this usage is more popular in the literature. This category of *trokosis* constitute the subject of the *trokosi* debate in Ghana and the focus of analysis in this dissertation. Ameh (1998: 40-41) identifies other types of *trokosis*. The *fiasidi* (also spelt *fiashidi*; the plural is *fiasidiwo*, *fiashidiwo* or *fiashidis*), is usually a girl given by their families to shrines as compensation for services rendered by the gods. *Fiasidi* is a more humane form of *trokosi* practice as the girls are treated with more respect than *trokosis* proper. *Fiasidi* is the term used by the Ewes in Anlo, Togo and Benin. The Tongus mainly use the term *trokosi*.

Another type of *trokosis* under this category are *dorfleviwo*. *Dorfleviwo* (*dorflevi*, singular) are children produced when a childless woman solicits the help of a god to reverse her infertility. These children are usually dedicated to a shrine. The Anlos also call *dorfleviwo* as *trokosi*, while the Tongus also call them *bavi*. Another type of *trokosis* are *zizidzelawo* (plural) (Greene 1996:87) who are initiates of the Nyigbla deity.

They were specifically recruited once a year from each clan in Anlo to worship Nyigbla from six to twelve months.

OVERVIEW OF CHAPTERS

Whereas there are few publications on the practice of *trokosi*, there is available a massive literature on the issue from official and personal documents, reports and memoranda by NGOs and governmental bodies, unpublished student theses, and media publications. These are reviewed in chapter two. Chapter three is an analysis of the conceptual framework that informs this study. The socio-cultural context that gave birth to, and maintains, the *trokosi* system is discussed in chapter four. The discussion covers the traditional religious and crime control system of the Ewes, and the modern criminal justice system. This paves the way for an analysis in chapters five and six of the Ghanaian anti-*trokosi* campaign, the key individuals and groups involved, the interests they represent, arguments they advance and the strategies they adopt. Chapter seven wraps-up the study with a discussion of findings and conclusions.

Chapter 2

LITERATURE REVIEW

Little has been published on the issue of *trokosi*. As *trokosi* has not, until recently, been labeled a social issue, scholars did not pay much attention to it as a topic. There is, however, a massive literature comprising anthropological works, colonial documents, reports of commissioned studies, evaluation reports by consultants, seminar and workshop reports, memoranda written by individuals and organizations, student research essays and magazine and newspaper articles.

In the anthropological literature, where attention is usually paid to such controversial traditional cultural practices, only bits and pieces on *trokosi* could be gleaned from the works of Ellis (1890, 1996) and Greene (1996). The first mention of the word “*trokosi*” in the literature was by A.B. Ellis (1890) in his book, *The Ewe Speaking People of the Gold Coast*. Writing on the topic of “Priesthood” within the context of religion among the Ewes, Ellis stated that “edro-kosi”, as he called it, was a term which is used to convey not only the meaning of the word “priest”, but also extends to all persons belonging to, or associated with, an “edro” or god. According to Ellis’ account, recruitment was either by affiliation of young people or dedication of adults. Whether dedicated or affiliated, such people, both male and female are then called “kosio” or “kono”. He explained that the word “kono” or “kosi” must not be translated as “wife of the gods” because the word “kono” has the connotation of “being unfruitful” in the sense that a “*trokosi*” is a “child

who is lost to her parents”, since all her services could now only be rendered to the priests. According to Ellis, the term “edro-kosi” was not used to mean the girls or women are wives as thought by Europeans who, within this context, wrongly translated the word “si” to mean “wife”. Rather, according to Ellis, the use of the term was “entirely restricted to persons consecrated to the gods” (p. 140). Ellis’ definition of “*trokosi*” concurs with that offered by both Dovlo (1995) and Nukunya and Kwafo (1999).

Ellis’ account implied that there were separate institutions for male and female *trokosis*. Like the females, male *trokosis* undergo training for 3 years. Ellis points out, however, that shrines which train male *trokosis* were much less common than those for female *trokosis*. He indicates that female *trokosis* engaged in prostitution in the temples. Ellis notes that the most attractive girls between the 10-12 years of age served at the institutions for three years learning the chants and dances peculiar to the worship of gods. They prostituted themselves with the priests and inmates of male institutions, and children of such unions belonged to the gods. These female prostitutes became public prostitutes at the end of the period. Some of the girls did not always serve all the period in the shrine, but lived outside the shrine and bore the names of the gods and made sacrifices to the gods on their birthdays.

Ellis states that in Dahomey, a distinction was made between “vodu-sio”, those who served in the temple and “kosio”, temple prostitutes. The “kosio” were confined to certain localities, paid an annual tax to the king, and had the price of their services fixed by law. The price was low. Their dress code is similar to what we know about *trokosis*

today. According to Ellis, they wore blue cloths and white fillets and had their bosoms covered. Ellis also drew attention to the difference between “kosio” and “vodu-sio” on the one hand, and “vodu-vio”, children of “vodu-sio”, and who wore priestly garments on ceremonial occasions, on the other (p.142). Vodusio and “kosio” may not marry, whereas “vodu-vio” may marry. ‘The husband of a “voduvi” must, however, treat her with great respect and may not reprove or punish her for any excesses, be it sexual or otherwise’ (p. 143).

Apart from describing the practice itself, Ellis did not offer anything about colonial policy on *trokosi*. In fact, that was not his aim in writing the book. His purpose was to trace the evolution of religion, using the ethnic groups of West Africa as his examples (p.v). In effect, other issues on which he collected information were only incidental: the intention was not to provide a complete analysis of these (p.v).

After the work of Ellis (1890), it was not till 1919 that *trokosi* is mentioned again in the literature. In November 1919, Mr. Nyagbledsi, a native of Tongu asked for help to stop *trokosi* practice in his villatge.¹⁰ The colonial administration ordered an inquiry on the issue¹¹.

¹⁰ Daniel K. Nyagbledsi, letter to the Colonial Secretary of Native Affairs, Accra, dated November 1, 1919. National Archives of Ghana ADM. 11/768. I believe more archival material exists on the issue but researchers have not yet come across it. The Public Records Office in London, U.K. could be a good source of such material.

¹¹ J.T. Furley, Secretary for Native Affairs, letter to the Honourable Commissioner, Eastern Province, Koforidua, dated November 22, 1919. SNA Case 54/1919. National Archives of Ghana ADM 11/768

Among the findings of the inquiry¹² were that:

- when sicknesses occur in families, a young girl, “who is about to or has first had her menses, is sent by the family to the fetish priest to appease the fetish”;
- the girls are released after three years and could marry someone according to native custom;
- when a girl is released, her family provides a replacement;
- the priests have sexual relations with the girls and children born out of such unions are regarded as belonging to the priest;
- both the girls and their children provided free labour for the priest;
- the girls were sent to the fetish priest against their will;
- the girls fear the fetish, causing them to stay with the priest against their will;
- the girls were slaves to the priest;
- parents were equally afraid of the fetish and would not do anything to offend it;
- the girls decided to go back to their parents on the advice of the District Commissioner;
- Mr. Nyagbledsi objected to replacing a family member who had served her time with another.

¹² Captain Price Jones, letter to the Honourable Commissioner Eastern Province, Koforidua, dated March 19, 1920 Case No. 78/41/09 National Archives of Ghana ADM. 11/768

These findings conform to what is known about the practice of *trokosi* today. The District Commissioner found the practice of sending the girls to serve in the shrines offensive but did not find any problem with the other functions of the Atigo fetish.

Cosequently, the Colonial government did nothing about the issue as the practice continued in the village. This forced Mr. Nyagbledsi to write another complaint to the Colonial Administration.¹³ While the Administration launched another investigation into the issue, the report of the investigation advised the government to ignore Mr. Nyagbledsi.¹⁴ Mr. Nyagbledsi's campaign will be discussed in more detail when we discuss the anti-*trokosi* in general in chapters five and six.

Against the general background of paucity of published material on *trokosi* and the need for information on the practice, the leading NGO in the anti-*trokosi* campaign, International Needs Ghana (ING), conceived the idea of a "National Workshop on *Trokosi* System", with a two-fold objective:

1. "To create awareness and educate the public on *trokosi*, and,
2. To bring together all parties with an interest in the practice for dialogue to find a collective solution to end the practice" (International Needs 1995:5).

¹³ Daniel K. Nyagbledsi, letter to the Colonial Secretary of Native Affairs dated November 19 1923. National Archives of Ghana ADM. 11/768

¹⁴ Commissioner Eastern Province, letter to the Honourable Secretary for Native Affairs dated September 10, 1924. Eastern Province No. /87/250/1910 National Archives of Ghana ADM. 11/568

Thus, on July 5 and 6, 1995, the stakeholders in the controversy – anti-*trokosi* NGOs, CHRAJ, FIDA, policy makers, scholars, shrine priests, owners and custodians – met for the First National Workshop on *Trokosi* System. The report of this workshop, 'International Needs' (1995) *Report of the First National Workshop on Trokosi System in Ghana*, is the first major publication devoted entirely to the issue of *trokosi*.

Justice Emile Short (1995)¹⁵ and Anita Ababio (1995),¹⁶ in their presentation at the Workshop, provided a catalogue of national and international laws which the institution of *trokosi* violates. This established firmly that the practice is illegal, criminal, and a violation of numerous international human rights conventions to which Ghana is signatory. On the other hand, the paper, "The Anatomy of *Trokosi* System in Ghana",¹⁷ presented by the Honorable Modestus Ahiable, MP for Ketu and Volta Regional Minister, generated much heated debate during discussions. Ahiable sought to defend the institution of *trokosi* on the basis of religion and tradition. Participants could not agree on the definition, types and nature of the *trokosi* system, and how to change it.

¹⁵ Justice Emile Short (1995) "Trokosi - Legal or Illegal" in International Needs Ghana *Report on the First National Workshop on Trokosi System in Ghana*. July 6 & 7 pp. 22-28

¹⁶ Mrs. Anita Ababio (1995) "The Legal Basis for Abolishing The *Trokosi* System" in International Needs Ghana *Report on the First National Workshop on Trokosi System in Ghana*. July 6 & 7 pp. 37-43

¹⁷ Hon Modestus Ahiable (1995) "The Anatomy of *Trokosi* System in Ghana" International Needs Ghana *Report on the First National Workshop on Trokosi System in Ghana*. July 6 & 7 pp. 17-21

The need for research and better documentation of *trokosi*-related issues became even more urgent. This became one of the recommendations of the Workshop¹⁸. Despite calls by several participants for the practice to be abolished (International Needs 1995: 9-11), the general consensus of the workshop was that since it was “evident that the practice emanated from the belief and religion of the people ... the solution could best be found in education rather than legislation’ (p. 6). Consequently, the Workshop participants recommended vigorous education of the people to bring about change in their belief (p. 6). This, in my opinion, was a crucial strategy which contributed immensely to the success of the anti-*trokosi* campaign. Other recommendations of the Workshop include provision of counseling, training and rehabilitation – not only for *trokosis* but also shrine priests – and cooperation among all stake-holders involved in forging a solution to the problem (p.7). Implementation of these decisions, as opposed to other alternatives, contributed significantly to the current success of the anti-*trokosi* campaign.

Dovlo and Adzoyi’s (1995) *Report on the Trokosi Institution* was the first academic searchlight thrown exclusively on *trokosi*. This was a short (26-pages) study commissioned by International Needs Ghana (ING). It was a follow-up on the recommendation of the First National Workshop on *Trokosi* for well-researched documentation on the institution of *trokosi*. Dovlo and Adzoyi grappled with the issues of definition, origins and a description of the life of *trokosis* in the shrine. Elom Dovlo, a professor of religion and his graduate student, A. Adzoyi, gave a definite religious

¹⁸ International Needs Ghana *Report on the First National Workshop on Trokosi System in Ghana*. July 6 & 7 p. 6

approach to the issue of *trokosi* as they delved into issues of traditional ontology. As they put it, “our main concern in this paper is the gods” (p. 3).

Any scholar interested in *trokosi* will have to grapple with traditional Southern Ewe religion since it is in the shrines of the religious priests that *trokosis* serve their lives of “service”, which most people consider as bondage or slavery. Several scholars (Busia 1951; Fiawoo 1958; de Graft-Johnson 1965; Nukunya 1969; Abotchie 1988; and Gyekye 1996) acknowledge the central role religion plays in traditional African social life. The institution of *trokosi* is, however, at the interface of the religious and social crime control institutions of the Southern Ewes. Thus, an analysis of the *trokosi* system, which focuses on only its religious aspects, is incomplete. Traditional social (crime) control institutions must also be discussed.

Dovlo and Kufogbe in their 1997 landmark study, *Baseline Survey on Female Ritual Bondage in Ghana: The Geographical Spread and Count of Victims (Phase I, Southern Ghana)*,¹⁹ provide an important and timely contribution to the issue of *trokosi*. Commissioned by International Needs Ghana and financed by the Canadian International Development Agency (CIDA), the study set out to “... identify and map out the geographical spread of practices that amount to institutional female ritual bondage, and to

¹⁹ The authors made a presentation of the findings from this study at the Second National Workshop on *Trokosi* System in Ghana, titled, “The Geographical spread of ‘*trokosi*’ in Ghana”. See International Needs Report on the Second National Workshop on *Trokosi* System in Ghana 27-29 April 1998.

estimate the number of women currently involved in such practices” (1997:i, 4; Kufogbe and Dovlo 1998:87).²⁰

Dovlo and Kufogbe (p. 23-43) (See also Kufogbe and Dovlo (1998:89-93)) determined that there are 51 *trokosi* shrines, spread over 30 localities in three (Volta, Greater Accra and Eastern) regions in southern Ghana. Of these, 43 (84.3%) are in the Volta Region, 5 (9.8%) are in Greater Accra Region, and 3 (5.9%) are in Eastern Region. North and South Tongu in the Volta Region have the greatest concentration of shrines in southern Ghana, with Adidome District recording the largest number of 19, and Sogakope District for 8. Together, these two districts account for over 50% of all shrines in Southern Ghana. The authors confirm that 13 (25.5%) of the 51 shrines in Southern Ghana have been liberated by September 1997. They also identified active, dormant, satellite and liberated shrines in southern Ghana (p. 82-84).

The researchers estimated that there are 4,714 *trokosis* of which 672 (14.3%) have been liberated as of September 9, 1997. Of the remaining 4,042 *trokosis*, only 355 are in active confinement, with the majority of these (327, representing 92.1%) living in Volta Region shrines (1997:44-53). This confirms that more *trokosis* live outside confinement than earlier thought.

²⁰ International Needs (1998) *Report on the Second National Workshop on Trokosi System in Ghana*. p. 87.

Dovlo and Kufogbe (1997:65-69) have called for another study to update their figures in view of the many obstacles they faced in taking a census regarding such a sensitive issue as *trokosi*. This suggests that the researchers themselves believe that their findings are not as accurate as they could be. Consequently, even the findings of their research and the statistics they provide must be used cautiously. Nevertheless, their study currently provides the most reliable statistics on the issue of *trokosi*. The statistics from their study are now cited widely by those engaged in the anti-*trokosi* campaign.²¹

Taking a census of *trokosis* and the shrines involved in the practice was a timely and important issue at that stage of the anti-*trokosi* campaign. In fact, at the beginning of the anti-*trokosi* campaign, *trokosi* was not a well-researched subject. As a result, information and statistics on the issue were sparse and sometimes highly inaccurate. As Ameh (1998:36 footnote # 6) showed, several organizations and news media gave different figures for different (sometimes overlapping) periods regarding the number of liberated *trokosis*. For example, Mark Wisdom, acknowledged as the first activist to draw attention to the plight of *trokosis* (Dovlo and Adzoyi 1995; Pimpong 1995, 1998), put the number of *trokosis* at a minimum of 19,000 - 20,000 (PUM 1995: 3; Pimpong 1998:52). The Kufogbe and Dovlo study has now shown that this number was highly exaggerated.

²¹ See for example Pimpong (1997); The 1997 US Human Rights Report on Ghana, (website: www3.itu.int/missions/US/hrr97/ghana.html); and the papers presented at the Second National Workshop on the *Trokosi* System (International Needs 1998).

The study findings have important policy implications. It is now possible to determine the size of the problem facing the anti-*trokosi* campaigners, the amount of resources needed, where efforts should be concentrated and to measure the level of success that has been achieved. For example, the current success rate of 59% was calculated on the basis of the statistics from this study.²² The researchers confirmed that *trokosis* come from not only all over Ghana, but also across the border from neighboring countries such as Togo and Benin. In effect, policy measures aimed at eradicating the problem must ultimately aim at a regional approach.

The Report on De-Criminalising Trokosi: A Research into the Nature and Operations of Ritual Enslavement in South Eastern Ghana by G.K. Nukunya and S.K. Kwafo is another important study on *trokosi*.²³ Commissioned in 1997 by the National Population Council of Ghana, the study had a three-fold objective: (i) to take a census of *troxovi* shrines in the Ewe and Dangme areas of the country; (ii) to examine the nature and modes of operation of the system with focus on the Tongu area; and, based on (i) and (ii), to make appropriate recommendations for dealing with the *trokosi* problem (p.4).

The census carried out by Nukunya and Kwafo was not as extensive as Dovlo and Kufogbe's (1997). Whereas the latter census covered the whole of southern Ghana, the

²² See footnote # 3 for the source of the figures used in the calculation of this recent success rate.

²³ A summary of the findings of this study appeared as a two-part series titled, "The '*Trokosi*' System in Ghana," in the leading Ghanaian newspaper, *Daily Graphic*, on Wednesday, July 21, 1999, p. 7, and on Friday, July 30, 1999.

former was limited to only the Ewe and Dangme areas in south-eastern corner of Ghana. It came to light from the Dovlo and Kufogbe study, though, that this area constitutes the major *trokosi* practicing area in the country. But just as Nukunya and Kwafo did not cover an extensive area of study as did Dovlo and Kufogbe, their study did not cover as many shrines in their chosen area of study as that of Dovlo and Kufogbe. In all the districts of their study area, they discovered a lesser number of shrines than did Dovlo and Kufogbe, even though not by a large margin. The only exception was in the Sogakope District and in Dangme where both studies produced the same number of shrines – 8 and 5 respectively. With respect to their objective of census taking, what their study contributes to the literature is to confirm the Dovlo census to a large extent.

On the researchers' second objective of studying the nature and mode of operation of the *trokosi* system, Nukunya and Kwafo again confirm the findings of Dovlo and Adzoyi (1995) regarding definition of the practice, reasons for committal, life in the shrine, duration of confinement and liberation. Nukunya and Kwafo were, however, more detailed in their analysis of these issues, drawing on Nukunya's (1969a; 1969b; 1969c; 1973) rich anthropological knowledge of the Ewes. The glossary of important Ewe words related to the *trokosi* system (p. 54-57) is an important set of terminology for understanding the religious and socio-cultural context of the institution and practice of *trokosi*.

It is in making their recommendations that the problems inherent in the study surface. The report rightly concludes that the practices of both *trokosi* and its variant, *fiashidi*, are

too cruel to be allowed to continue (p. 50-51). Acknowledging that the practices will be difficult to stop, and that law alone will not be able to stop the practice, one of the major recommendations of the study was enacting a law to ban the practice (p. 46, 51). Nukunya and Kwafo went beyond just banning the practice of *trokosi*: they advocate “a total ban on their [the shrines’] operations would be the only solution capable of stopping both the *trokosi* system and the deaths and misfortunes it causes” (p. 47). They hope that new institutions will evolve to take over the non-*trokosi* functions that *trokosi* shrines perform.

There seems to be a contradiction in the title of the study report, *De-Criminalising Troksosi ...* and the recommendation of a law not only prohibiting *trokosi* practice but which places a total ban on all activities of the shrines. How do you effectively de-criminalise something which you are at the same asking to be prohibited? Further, there is contradiction between this recommendation and the authors’ earlier statement “[a]gain it is necessary to isolate the purely religious aspects of the practice from what are patently the exploitative elements” (p. 4). Is it fair to ban the purely religious aspects of the practice in a country whose constitution recognizes freedom of religion? As Anita Ababio (1998) rightly points out in a review of the legal issues raised by the Nukunya and Kwafo study,

“[a] ‘total ban’ on the operations of fetish priests as advocated on p. 47 is therefore contrary to the laws of Ghana and is not practical. It violates their freedom of worship. The reason for legislation is to stop the

dehumanizing aspect of the practice and not the practice of shrine worship.” (p. 16)²⁴.

Nukunya and Kwafo were very critical of the liberation efforts. Anyone familiar with *trokosi* practice will agree with them regarding the problems arising from the fear and the stigma attached to *trokosis* and the negative attitudes of parents and other relatives and the community at large. During my fieldwork for this dissertation, I have interviewed *trokosis* who returned to the shrine after their liberation because they have no living parents, or have received no support from their parents or other relatives upon their liberation. Some *trokosis* (eg. Juliana Dorgbadzi and a 67 year old lady) have returned to the shrines after liberation because of this reason and not because life in the shrine was “... the best portion of their lives” (p. 43) as Nukunya and Kwafo put it. Even if some liberated *trokosis* really “fondly remember their days there [in the shrine] and would love to return” (p. 43), this is not surprising. For most *trokosis*, this is the only life they have ever known. The situation of such *trokosis* is akin to the one alluded to in the Ewe proverb, “it is the child who has never traveled before that says that only her mother prepares tasty dishes.” These *trokosis* are, however, entitled to exposure to other lifestyles as other Ghanaian women in order to make an informed choice for themselves.

In any case, by the time of the Nukunya and Kwafo study (as will be seen later in this dissertation), International Needs Ghana, the leading NGO in the anti-*trokosi* campaign, had already instituted extensive educational, follow-up, micro-credit scheme, and

²⁴ Anita M.H. Ababio 1998 “Nukunya and Kwafo Report on Decriminalizing *Trokosi*: A Research into the Nature and Operations of Ritual Enslavement in South East Ghana: Review” Accra.

psychological counseling programs for liberated *trokosis* in an effort to deal with some of the problems liberated *trokosis* face. Nukunya and Kwafo did not indicate any awareness of these programs²⁵ (apart from mentioning the existence of the vocational training institutes) and its impact on liberated *trokosis*.

Apart from my own field observations which will be discussed in other chapters, an evaluation of the anti-*trokosi* activities of the International Needs, including its *trokosi* liberation efforts, done by Kwasi Opoku and Margaret Ahiadeke (of Grabco Associates Ltd.), independent consultants, while acknowledging that liberated *trokosis* face some problems, commended International Needs for “their initiative, boldness and courage to have accomplished so much ...[regarding a] ... subject citizens [of the area] themselves feared to talk about ...” (p. 19).²⁶ Also, my own interviews and those of Opoku and Ahiadeke with liberated *trokosis*, shrine priests and community members²⁷ generally do

²⁵ See Ameh (1998) for some of the programs put in place by International Needs Ghana towards the rehabilitation of liberated *trokosis*. These programs will be described in more detail in this dissertation.

²⁶ Kwasi Opoku and Margaret Ahiadeke (1998) *Danida Support To the Trokosi Modernization Project: An Evaluation Report (Final Report)* Grabco Associates Ltd. Tema. Opoku and Ahiadeke were contracted by the Royal Danish Embassy, one of the funders of International Needs Ghana, to evaluate DANIDA's (the Danish Development Agency's support to the “*Trokosi* Modernisation Project” and to make recommendations regarding the Project. This report also evaluates the numerous programs put in place by International Needs Ghana to ease the problems of liberated *trokosis*.

²⁷ *Ibid* p. 27-42, Appendix 4.

not reflect the Nukunya and Kwafo finding of negative sentiments among these people towards the liberation exercise.

Anita Ababio (1998) in her review of Nukunya and Kwafo's study wonders how *trokosis* who undergo "... terrible punishments which leave permanent scars on their bodies ..." (p.10), something acknowledged by Nukunya and Kwafo in their study, could have fond memories of their days in the shrine as stated by Nukunya and Kwafo. Nevertheless, Nukunya and Kwafo make an important recommendation that the government should do more and not leave all the liberation work to NGOs. Apart from passing a law that abolished all traditional practices which dehumanize women (including *trokosi*) the Ghana government has not been directly involved in the anti-*trokosi* campaign.

In a short but thoughtful report, "'Tro-Kosi' – Bride of the Gods or a Human Rights Anathema?", Joan Attu (1997)²⁸ addressed the issue of how to change the *trokosi* practice to enable the women involved to exercise their fundamental human rights. She suggested that for this to happen a strategy which involves the following factors must be adopted: (i) change must be generated from within the practicing community, (ii) dialogue with, and education of the practitioners, (iii) offering practitioners with alternatives of economic importance, and (iv) collaboration with other NGOs and the media. She attributes the success in liberating *trokosis* so far to these factors.

²⁸ Joan Attu (1997) "'Tro-kosi' – Bride of the Gods or a Human Rights Anathema?" in Bisi Adeleye-Fayemi and Algresia Akwi-Ogojo (eds.) *Taking the African Women's Movement into the 21st Century Report of the First African Women's Leadership Institute* Kampala, Uganda: A publication of the Akina Mama wa Afrika pp. 100-102

Attu's position is confirmed by research which appear in a more detailed article, "*Trokosi* (Child Slavery) in Ghana: A Policy Approach".²⁹ In this study, I situate the Ghanaian anti-*trokosi* campaign within the context of the universalism-relativism debate in international human rights discourse. I found the "cross-cultural universals approach" by Alison Renteln (1990) and Abdullahi An-Na'im (1992) a more practical and workable approach than others to the *trokosi* problem in Ghana. I argue that cultural sensitivity as embodied in the strategy of dialogue with, and education of the practitioners, and the involvement of the local people accounts for the success of the Ghanaian anti-*trokosi* campaign.

The *Report of the Second National Workshop on Trokosi System in Ghana* gives an account of the proceedings and recommendations of the Second National Workshop on the *Trokosi* System held from 27-29 April, 1998, at the British Council Hall in Accra.³⁰ The workshop was a follow-up on the First National Workshop, discussed earlier. With the theme, "Securing the Inalienable Rights of Women and Children in *Trokosi* Bondage", the aim of the workshop was to:

1. create a forum for dissemination of information and assessment of "the *Trokosi* Modernization Program" since the first workshop,

²⁹ Robert Ameh (1998) "*Trokosi* (Child Slavery) in Ghana: A Policy Approach" in *Ghana Studies* 1, pp. 35-62

³⁰ International Needs Ghana (1998) *Report of the Second National Workshop on Trokosi System in Ghana* Accra, Ghana. 27-29 April

2. develop "... strategies and follow-up programs for the complete abolition of the *Trokosi* practice", and
3. develop strategies and programs to rehabilitate and integrate *Trokosi* victims into society (Pimpong 1998c:54).

Some information presented at the workshop was redundant. Several speakers presented similar information. Also, some of the presentations did not signify any new development over those at the First National Workshop. For example, Mr. Emile Short, the Commissioner for Human Rights and Administrative Justice, in the two presentations he made at the workshop reviewed the national and international legislation the practice violates, the Commission's position on *trokosi*, and the importance of education as the strategy to best combat the practice. The issues raised, and positions taken, are not significantly different from those expressed before and at the First Workshop.³¹ Overall, however, the papers presented at the Second Workshop significantly contribute to the literature on an issue with sparse literature. With one of the objectives of the Workshop being to educate the public and share information with all the stakeholders in the *trokosi* issue, it was important to reiterate some of the already accepted knowledge about *trokosi*.

³¹ Compare his position in the papers at the Second National Workshop: Emile Short (1998) "Keynote Address" in *International Needs Ghana Report of the Second National Workshop on Trokosi System in Ghana* pp. 59-62; and "'Securing the Inalienable Rights of *Trokosi* Women and Children in Bondage" in *International Needs Ghana ibid*, pp. 73-76, with the following two: Emile Short (1995) "*Trokosi*—Legal or Illegal?" in *International Needs Ghana Report of First National Workshop on Trokosi System in Ghana*, pp. 22-28 and Emile Short (1997) "*Trokosi* Transformation" Unpublished speech delivered at the *Trokosi* liberation ceremony at Dzamong Shrine, Tokpo. 18 July.

In my opinion, the novel contributions to the literature in the *Report of the Second National Workshop on Trokosi* include the paper by Bill Puplampu (1998), “*Trokosi Modernization: Rehabilitation and Integration of Trokosi Women and Children*”.³² Dr. Puplampu is the principal psychologist providing counseling and rehabilitation services for liberated *trokosis*. His paper, based on working with 400 liberated *trokosis*, provides the first psychological profile of *trokosis*. He cautioned that, “the extent to which this profile is typical of any one released individual is dependent on the severity of their experience at the shrine” (p. 83). According to him,

“psychologically, at the time of release, the women are characterized by the following:

- a rationalization of the experience, leading to resignation to fate
- extreme concern for economic sustenance
- inappropriate understanding of mother-[and]-child relations
- deference to male authority
- lack of internal sense of security
- fear - both economic and spiritual
- a yearning in some cases for alternative spiritual experiences
- repressed anger directed at the system for taking away their youth

³² Bill Puplampu (1998) “*Trokosi Modernization: Rehabilitation and Integration of Trokosi Women and Children*” in *International Needs Ghana Report of the Second National Workshop on Trokosi System in Ghana*” pp. 81-86.

- pain at the lack of understanding or explanation as to why they had to serve in the shrine
- lack of a sense of own identity, manifested by many of them wanting to change their names ...
- dependency syndrome
- the older ones tend towards excessive use of hard liquor
- emotional despondency, typified by crying for no apparent reason” (Puplampu, 1998:83).

By the third period of the anti-*trokosi* campaign, the anti-*trokosi* groups had decided on the strategy of education and dialogue with the shrine owners and priests as their major approach in the campaign (Ameh 1998). The Second National Workshop offered the groups the opportunity to confirm the wisdom in their choice of strategy as shown by the large number of liberated *trokosis*. The Workshop also offered the speakers (representing the major groups on the issue) the chance to affirm that transformation (or modernization instead of abolition) was the key goal of the campaign. They also asserted that the strategy for attaining this was through education – as opposed to a legal approach – and consultations with stakeholders such as the shrine owners and priests, resettlement of liberated *trokosis*, and coordination of the efforts all anti-*trokosi* groups (Pimpong, 1998; Short, 1998; Ouattara, 1998; Benyiwa Doe, 1998; Asigble, 1998).

Togbui Addo VIII's (1998) paper, "*Trokosi* System: Religion or Bondage with particular reference to *Fiasidi* of Klikor Shrines"³³ attempts to differentiate between different types of *trokosis*. He is right to point out that current terminology on *trokosi* lumps together the three categories of *trokosis* he identified. First, are *fiasidis* - women specially trained and set aside for kings to marry.³⁴ Second, are *Kosis* - female children born in response to a barren woman's supplication to a god. *Klu* is the name of a male child born in this manner. According to Dovlo and Adzoyi (1995) this act is known as *dorfefle* (womb purchasing) and the children known as *dorflewiwo*. The third category is *trokosis* proper: children, mainly female, appointed by their families to serve in the shrines in reparation for crimes committed by other members of the family. Sandra Greene (1996:87) introduces another category, *zizidzelawo*, women who were specially recruited to worship the Anlo deity, Nyigbla. According to Greene, the tradition of *zizidzelawo* enabled the priests to induct two or more young women from each clan in Anlo once a year.

On August 23, 2000, the Ghana Human Rights NGO Coalition organized a seminar with the theme "Enforcing the Law on Ritual Servitude in Ghana". The objective was to discuss the continuous practice of *trokosi* in spite of the passage in 1998 of the law which

³³ Togbui Addo VIII' (1998) "*Trokosi* System: Religion or Bondage with particular reference to *Fiasidi* of Klikor Shrines In International Needs Ghana Report of the Second National Workshop on *Trokosi* System in Ghana pp. 63-65

³⁴ See Sandra Greene (1996:87-88) for more on *fiasidis*.

prohibits all “Dehumanizing Customary Practices”.³⁵ Merley Wood, The Attorney-General’s representative at the seminar, ascribed the failure to enforce the law to the fact that the *trokosi* system is a cultural practice deeply embedded in the beliefs of the people. She acknowledged that it is not easy to change traditions and attitudes ingrained in a people over a long period of time.³⁶ This is, however, an issue which has long been acknowledged by others such as Anita Ababio (1995, 1998), Emile Short (1995, 1998) and Joan Attu (1997) and Robert Ameh (1998). In effect, the Coalition seminar did not add anything substantive to the ongoing *trokosi* discourse. If anything, the seminar only “more than ever before publicized the existence of the Ghana Human Rights NGO Coalition” (p. 3).³⁷

³⁵ The Criminal Code (Amendment) Act 1998, which amends the Criminal Code, 1960, Act 29 by the insertion of section 314, states: “(a) whoever sends to or receives at any place or (b) participates in or is concerned in any ritual or customary activity in respect of any person with the purpose of subjecting that person to any form of forced labour related to a customary ritual commits an offence and shall be liable on conviction to imprisonment for a term not less than three years”.

³⁶ Merley Wood (2000) “The Enforcement of the Law on Ritual Servitude (*Trokosi*)” in Ghana Human Rights NGO Coalition *Seminar Report on Enforcing the Law on Ritual Servitude in Ghana* Accra, Ghana.

³⁷ Ghana Human Rights NGO Coalition *Seminar Report on Enforcing the Law on Ritual Servitude in Ghana* Accra, Ghana.

Starting in 1992, student long essays³⁸ focusing on the issue of *trokosi*, started appearing in the Department of Sociology and the Institute of Adult Education at the University of Ghana and the Social Studies Department of the Kwame Nkrumah University of Science and Technology.³⁹ After reviewing these essays, I readily agree with Nukunya and Kwafo (1998:14) that the level of analysis by these student researchers and, hence, the quality of essays, is limited as could be expected from undergraduate students. These essays, however, provide a wealth of information on different aspects of the *trokosi* institution, practice, liberation exercise and practicing communities. Most of these students are natives of their study area and so bring a unique perspective on the *trokosi* issue. Also, by cutting just a small piece of the vast and complex *trokosi* issue for investigation, some students have been able to provide detailed information on some aspects of the issue which other researchers have not been able to provide. For example, chapter two of Tordey Gershon Amaglo's (1997) long essay, *The Troxorvi System" and*

³⁸ A long essay is a student research paper (dissertation) submitted in partial fulfilment of the requirements for the award of the B.A. (Honours) degree in Ghana. I am aware of a Masters student, Pat Vormawor, of the Institute of African studies and Projects Officer of International Needs Ghana, writing a thesis which addresses the rehabilitative aspects of the *trokosi* liberation exercise. See also Hilary Amesika Gbedemah (1996) *Trokosi: Twentieth Century Female Bondage, A Ghanaian Case Study* (unpublished L.L.M. paper, Georgetown University Law Center)

³⁹ Long essays with focus on *trokosi*: Yao Glover (1992) *Vestal Virgins (Troxovi): Its Social Funvntions Among the Tongu of the Lower Volta* Legon-Accra: Department of Sociology, University of Ghana; Daniel Agbemavah (1993) *The Training of Vestal Virgins: A Case Study of the Training of Inmates of Awakpe Shrine At Adidome* Legon-Accra: Institute of Adult Education, University of Ghana; Cudjoe Azumah (1996) *The Trokosi Practice in North Tongu. Its Impact on the Rights of Women and Children* Legon-Accra: Department of Sociology, University of Ghana; Tordey Gershon Amaglo (1997) *The "Troxorvi System" And the "Trorkosi Practice" in Bakpa and Mafi Traditional Areas* Legon-Accra: Institute of Adult Education, University of Ghana; and Joyce Nyamadie (1997) *The Trokosi, Problems and Prospects and Prospects: A Case Study of Dada Piem Traditional Area of Ada Foah, The Korgbor Clan of Ada Foah and the North Tongu District of the Volta Region* Kumasi: Faculty of Social Studies, Kwame Nkrumah University of Science and Technology.

the “*Trokosi Practice*” in Bakpa and Mafi Traditional Area, offers the most detailed description of the organizational structure of a *trokosi* shrine and steps involved in inviting a deity to mediate a *trokosi* case that I have come across so far.

Another undergraduate student research paper worth mentioning because it is one of the few studies that offer support to the position of the proponents of the *trokosi* system is that of Dana Romanoff (1999).⁴⁰ Romanoff is a student of the University of Rochester who researched and wrote the paper, “Neutral and Independent Report on *Troxovi/Trokosi*”, during her “college semester abroad” in Ghana in the spring 1999.⁴¹ Her stated objective was to discover “the truth” about the *trokosi* system in light of the controversy engendered by the anti-*trokosi* campaign.

Romanoff concluded that “[t]he *Fiasidis* of Klikor are not the slaves to the shrine as the abolitionists claim, they are the Queens of the community. ... There are many shrines in many places, which I would have liked to visit. However, what I have seen in Klikor, if it is representative of all, then it is the practice of humanity in its purest form” (p. 26-27). On the controversy, she concluded that, “the real controversy over the ‘anti-*Trokosi* campaign’ is about the imposition of one culture upon another. It is a clashing of western

⁴⁰ Romanoff’s report is a cursory work of an undergraduate visitor on a short stay, and is not worth much attention. I have, however, given it considerable space in this section only because it is being passed around by Afrikania Mission as an authentic study, which supports their stand on the *trokosi* issue. I am surprised Afrikania has not yet adopted Sandra Greene’s (1996) authoritative work which analyses what could be described as the golden era of *fiasidis* in Anlo in the eighteenth century.

⁴¹ There is a summary of this report by Kweku Tsen (1999) “‘*Trokosi*’ at Klikor” in *Daily Graphic* Saturday, August 28, p. 9.

ways with traditional practices and the case of Christianity fighting traditional African religion. Christians believe their method is the only correct way to worship. ... Traditional African religion, however, is all encompassing and welcoming” (p. 24). In summary; it is a clash between western values as represented in Christianity and traditional African religion (p. 24).

The study suffers from issues of validity and reliability. Romanoff generalizes from her 24-day study of fiashidis in Klikor to all types of *trokosis* in Ghana. Even though “Klikor has the most prominent and active shrines” in Ghana, as asserted by Romanoff (p. 8), and their fame spreads even beyond the borders of Ghana, their fame is better attributed to their non-*trokosi* than their *trokosi* functions. When it comes to *trokosi* practice, however, it is the shrines in Tongu which are better known. The census done by Dovlo and Kufogbe (1997) shows that 50% of all *trokosi* shrines in southern Ghana are in Tongu and that Tongu accounts for about 80% of all shrines in the Volta Region. This has been confirmed by Nukunya and Kwafo’ (1998) census.

Further, it is now generally agreed among *trokosi* researchers that there are variations in *trokosi* practice of which fiashidi, the variant studied by Romanoff, is the more humane version (Dovlo and Kufogbe 1997; Nukunya and Kwafo (1998); Ameh 1998). Romanoff’s study does not reflect this commonly accepted fact among *trokosi* researchers.

Second, Romanoff contends that *fiashidi*, is not slavery without offering any analysis of the concept of “slavery”. Her conclusion was clearly based on the non-*trokosi* functions of the Klikor shrines and the roles performed by *fiashidi*’s in this context. This is misleading. The anti-*trokosi* campaigners have no problems with the non-*trokosi* roles performed by *fiashidis* and *trokosis* (Ababio 1998; Ameh 1998; Short 1998, 2001).

Romanoff asserts that “[t]he question which interested me is not whether human rights are being violated or not, but rather whether the information of women slavery is factual” (p. 14). Other researchers, who are citizens of the practicing area, such as Nukunya and Kwafo, and Dovlo and Kufogbe (1997, 1998) claim the practice is slavery. So one would have expected Romanoff to take up issue with, and do a more thorough comparison of, the bases of these researchers’ assertion with the information from her informants and her observations before drawing her conclusions. No such analysis appears in her study.

Romanoff contends that *trokosi* abolitionists erroneously interchange the use of the words “*trokosi*” and “*fiasidi*”, claiming that women and girls who atone for the crimes of relatives are “*fiasidis*”, while all other women and children who serve in the shrines are “*trokosis*” (p. 7, 11). The Paramount Chiefs of Tongu have come out openly to declare that they have a practice in their area whereby women/girls are sent to the shrines in reparation for crimes committed by other family members and that these women and girls are called ‘*trokosis*’ and that these are known as “*fiasidis*” by the Anlos (Klikor is an

Anlo town).⁴² Researchers who are natives of the practicing area in the Volta Region such as Dovlo and Adzoyi (1995), Dovlo and Kufogbe (1997) and Nukunya and Kwafo (n.d.) all agree with the Paramount Chiefs' definition of the practice.

It is true that at the beginning of the anti-*trokosi* campaign there was no distinction made between the *trokosi* and non-*trokosi* functions of the shrines, and hence, no differentiation between the various categories of women serving in the shrines. Nevertheless, by 1999 when Romanoff did her study, these issues had already been resolved (Ameh 1998; International Needs 1998; Short 1998; Ababio 1998; Dovlo and Kufogbe 1997). Her use of the concept of "*fiasidi*" is similar to Dartey-Kumordzie's. Dartey-Kumordzie, however, agrees that the current practice of *fiasidi* is a radical departure from the original practice whose objective was to train women/girls fit for royals to marry (PUM 1994, 1995; Ameh 1998). A more exhaustive literature review by Romanoff could have prevented this confusion of terminology on her part. It is impossible that after only 24 days of living at Klikor, Romanoff, a complete stranger to Africa, has become an expert of Ewe names and concepts to the extent of challenging the natives' use of these.

⁴² "Resolution of Tongu Traditional Rulers in Response to Afrikania Publication on the *Trokosi* Practice" in the *Daily Graphic* Thursday, June 29, p. 6; Saturday, July 15, p. 10; Monday, July 17, 2000. The news conference was also reported by Hannah Hesse "*Trokosi* still exists in Eweland – Chief" in the *Daily Graphic*, Thursday, June 29, 2000, p. 13; and by the *Public Agenda* "Tongu Chiefs Challenge Afrikania", July 3-9, 2000, p. 8. I also attended this press conference.

Romanoff also gives certain inaccurate information in her report. She claims Mark Wisdom funded the study done by Nukunya and Kwafo (p. 7, 12). Contrary to her assertion, it was the National Population Council (NPC) through the Population Impact Project (PIP) of the University of Ghana, Legon, which funded the study with financial support from UNFPA and DANIDA. The NPC commissioned the study in an attempt to find a solution to the *trokosi* problem.⁴³

Romanoff gives the impression that the Ghana government has recently passed two laws prohibiting the *trokosi* practice, one in 1996 and the other in 1998 (p. 14). Whereas there are several Ghanaian legal instruments which could be used to deal with the *trokosi* issue (Short 1995, 1998; Ababio 1995, 1998), the Ghana government has so far passed only one law dealing specifically with *trokosi*. It is The Criminal Code (Amendment) Act of 1998 (Act 554), which effectively criminalizes all customary practices, such as *trokosi*, that involve ritual servitude by amending Act 29 with the insertion of section 314A. The Bill was introduced in 1996 and passed by Parliament on June 12, 1998.

Romanoff also claims that "... if a taboo is broken, the girl or woman undergoes no consequences and is still accepted as *Fiasidi*" (p. 18). That is not an accurate representation of the situation. The girl/woman is still accepted as a *Fiasidi*, but she must buy the necessary items for the priests to perform cleansing rituals. The same is expected of any shrine functionary or adherent if they break a shrine taboo. For some categories of

⁴³ See a summary of Nukunya and Kwafo's study titled, "The '*Trokosi*' System in Ghana," in the leading Ghanaian newspaper, *Daily Graphic*, on Wednesday, July 21, 1999, p. 7, and on Friday, July 30, 1999.

trokosis, especially those in the Tongu area, where the harshest form of the practice is found, finding money for the ritual items is often very difficult.

A contradiction appears in Romanoff's methodology section when she stated that, "... they **did not allow me to tape record discussions**, but only to write them out" (p.8; emphasis added). Only to state again in the same paragraph that "[u]sing a **tape recorder, I spoke with** and questioned *Fiasidis* of all three shrines and formally interviewed about six" (p 8, emphasis added).

Overall, Romanoff's work is better described as a cursory report of a visitor on a short stay and is not worth much attention. While I do not question her position of "neutrality and independence" *vis-à-vis* the *trokosi* debate in Ghana, as suggested by the title of her report, the flaws in her methodology, and inaccuracies and contradiction in some of the information she presents undercut the validity and reliability of her study.

Romanoff's findings, however, seem to echo some of the positions of Dr. Dartey-Kumordzie, a vocal proponent of *trokosi* practice, and the Afrikan Renaissance Mission. Dr. Dartey-Kumordzie's views on *Troxovi/Trokosi* are spread across several unpublished papers authored by him and articles published in Ghanaian newspapers and an interview

in a magazine.⁴⁴ Since the same ideas run through all these documents (except with different points of emphasis and detail) I will attempt a summary of Dartey-Kumordzie's ideas in general on the issue of *trokosi* instead of a discussion of each separate document. Dartey-Kumordzie views the institution of *Troxovi* and the Practice of *Trokosi* as an ancient Cultural Institution of Education for women.

According to Dartey-Kumordzie, the ancestors of the Ewe people believed that society could only function well if it operates on a good moral foundation. To the ancestors, the Creator of the Universe is both male and female, but the female is the main creator of life. This creative function is embodied in a woman and her womb is the centre of life. According to this line of reasoning, the woman was the most important factor in state building. As Dartey-Kumordzie put it, “[t]hat race which degrades and enslaves Womanhood can never make any moral and socio-economic Progress” (n.d (b):5). To empower women to realize their special potential, special institutions of knowledge – the *troxovi* institutions - were created. Thus, the original purpose of *troxovi* institutions, and the resultant *trokosi* practice, was to initiate and train women and female children into the laws and mechanics of life – the knowledge base of society. From this point of view, *troxovis* were centers of enlightenment.

⁴⁴ Sammy Dartey-Kumordzie (1995) “*Trokosi* or *Fiasidi*: Pillar of Africa’s Survival” in *Weekly Spectator* July 15, p. 5; Sammy Dartey-Kumordzie (n.d.) “Report on *Fiasidi*-Vestal Virgins” Accra: Hu-Yehweh Society; Sammy Dartey-Kumordzie (n.d.) “Origin and the Importance of *Troxovi* or *Fiashidi* (*Trokosi*) in Modern Ghana”; Sammy Dartey-Kumordzie (n.d.) “The Relevance of *Trokosi* (*Fiasidi*) in Modern Ghana”; Sammy Dartey-Kumordzie (2001) “Re-defining Hu-Yehweh the Knowledge of Africa and the Various Organs for Development of Human Resources” in *The Ghanaian Times* Saturday, July 1, p. 14; *Progressive Utilization Magazine* (1994) “*Trokosi* – Virgins of the Gods or Concubines of Fetish Priests?” 1, 1, pp. 2-6

Dartey-Kumordzie argues that every race is built on a stock of knowledge; for the survival of a race, each generation must be initiated into this stock of knowledge. Moral discipline is a prerequisite for entering into this stock of knowledge. This requires the “[c]ultivation of virtue and unalloyed purity of body, mind and soul” (n.d. (b): 7). Souls who have been able to achieve these qualities and been initiated into a society’s stock of knowledge Dartey-Kumordzie calls *Ameteme*, *Dzidakoko* or *Humanu*. These are usually men of virtue and self-knowledge, the living embodiment of the race’s knowledge, the link between society and the gods, and the carriers of the State (p. 5). There are four categories of *ameteme* – the seers; psychologists and teachers, mathematicians and natural-scientists; and, the philosopher or the God-man. Rulers and leaders of a state emerge out of these (p. 8).

Ameteme, according to Dartey-Kumordzie, cannot be produced by education alone. *Ameteme* can only be brought forth by special women who have attained purity of mind, body and soul through long moral and spiritual discipline. The *trokosi* system was instituted by the ancestors of the Ewes to produce such dedicated women. “To train virgin girls in cultic clan school and to produce *Ametemewo* and train their own offspring as well as less fortunate children in society is the original aim of the *Fiasidi* institution” (p. 10). In this sense, *trokosis* were not slaves but were special women who served a dual purpose: (i) gave birth to *ameteme* and (ii) served as the link between the race and the ancestors. They held the key to progress of society.

Dartey-Kumordzie claims that lack of ameteme in a race leads to a lack of knowledge base or darkness, while its presence leads to progress. In this sense, he accounts for the rise and fall of civilizations. He argues that all the ancient societies of mankind were founded on the *Troxovi* institution and cites the Vestal Virgins system of the Romans as an example. Dartey-Kumordzie posits that the stock of knowledge on which Ewe society was built is a mystical philosophic system, *Hu-Yehweh*. He traces the origins of Ewes, originally called Amus, to the Amorites, Noah and the Babylonians of the Christian Bible, who after migrating through several places such as Yemen and Abyssinia, founded Egypt and its ancient civilization. “The whole gamut of life of the Amu race was governed by the mystical religious philosophic system called Hu-Yehweh – (Yahweh) System” (n.d. (b): 2). Dartey-Kumordzie claims that Moses and such great Greek philosophers such as Plato, Socrates and Pythagoras learned at the feet of the Ewes in Egypt. He notes that the Ewes moved after the fall of ancient Egypt to ancient Ghana before finally settling in present-day Southeastern Ghana.

The long migration to the present area of settlement has had its toll on the Hu-Yehweh knowledge system. It led to the death of the sages who held the keys to understanding the system. The slave trade also led to the loss of the best men and women who should have been initiated into the knowledge system. Dartey-Kumordzie claims the ancestors of the Ewes originally brought with them seven *Troxovi*-institutions from Egypt. Near the turn of the twentieth century, however, new schools emerged in the Tongu and Avenor areas of south-eastern Ghana and in Togo and Benin. The adoption of colonial cultures and values meant the abandonment of original knowledge base and the loss of ameteme. In

his redefinition of the Hu-Yehweh knowledge system, Dartey-Kumordzie (2001) attributes the lack of development in Africa in terms of Africa planning its education system on the knowledge foundation of other nations. This has stunted the creative genius of Africa and led to the debasement of the current *trokosi* system.

Dartey-Kumordzie thus acknowledges that the *trokosi* system we have today is not the same as the original: there has been a misconception of the *fiasidi/trokosi* ideal and a pollution of the original teachings, especially in the Tongu area. He points to some of the misconceptions and pollutions in the present system as lack of organized instructions, perceiving the *trokosis* as brides of the shrine priests and not as brides of the gods whom the priests cannot have sexual relations with, insisting that the *fiasidis/trokosis* from Klikor must only marry men from Klikor and the lack of any vocational training for the women. Dartey-Kumordzie (n.d.(b)) adds that:

In the Tongu area, the priests consider these girls as their wives and slaves and would find themselves deprived if these girls would go to school. ... The state of desolation, fear and the feeling of insecurity about the future that this situation has generated in the children have been expressed by many of the grown girls I have interviewed. Many of the adolescent girls feel very sad that they have been caught in this situation and expressed fervent desire to be freed from it. ... It is true that some of the priests do not exercise the selfless love and moral control that is demanded by this delicate and sensitive duty and begin fumbling with or misusing these tender girls” pp. 14-15.

In spite of these problems plaguing the institution today, Dartey-Kumordzie is against abolishing the institution of *troxoviltrokosi* as the girls were once treated as princesses and given the best education under the original system. He argues that “whatever

mistakes there maybe in the *Troxovi* system cannot be located in the fundamental laws governing the *Troxovi* institution, but probably may be attributed to the human beings, the custodians of the houses” (n.d (a): 5). He thus proposes a modernization of the system to rekindle the ideals, principles, and teachings of the original system.

If the original principles and ideals of the *troxovi* institution hold true as claimed by Dartey-Kumordzie, then, it could be described as one of the best institutions for women in a typical patriarchal society as that of the Ewes. In this sense, his reform-oriented account could have provided an excellent answer to one of the persistent questions in the *trokosi* debate: why is it mainly women, and not men, that are accepted by the *troxovi* shrines? Unfortunately, Dartey-Kumordzie is the only scholar putting forth this particular view of the *trokosi* institution. Apart from inferring that he interviewed priests and inmates of *trokosi/troxovi* shrines under the current perverse system, he does not indicate his sources about the history and religion of the Ewes, the Hu-Yahweh system, and the original version of *troxovi* about which he has written and talks so much. Neither does he make any attempt to compare his version of the history and religion of the Ewes, with other well-documented versions.⁴⁵

In fact, Dartey-Kumordzie does not provide any references in his works on *trokosi*. This major deviation from the established norm in scholarship casts doubt on the validity and

⁴⁵ G.K. Nukunya (1969, 1997); Ansa Asamoah (1986); D. E. K. Amenumey (1986, 1997); Agbodeka (1997).

reliability of his works. His version of the origins and migration of Ewes puts Ewe language and religion as the foundation around which world civilization revolves. He did not compare his version of world civilization to other versions nor provide sources of his information. In the end, his works raise more questions than are answered and rest at the level of opinion, not evidence.

The “Report of the Fact-Finding Mission to Genuine *Troxovi* Shrines” by the Afrikan Renaissance Mission (1998) was their response to the controversy surrounding the *trokosi* practice. The Mission appointed a “Fact-Finding Committee” of five people “... to investigate the truth and or otherwise of the various allegations against the various genuine shrines of this institution” (p. 2). The Report’s authors:

- (i) take issue with the use of the term “*trokosi*” by the abolitionist movement (p. 1);
- (ii) deny there is any practice known as “*trokosi*”;
- (iii) concluded that there are only 12 genuine *troxovi* shrines, with only 14 *fiasidis* in the whole country (p. 3); and,
- (iv) argued that the anti-*trokosi* campaign is a Western Christian attempt to destroy African Traditional Religion, and,
- (v) contended that the campaign is an unholy alliance between Ghanaian Christian NGOs and fake shrines to defraud international donors and the public (pp. 3-20).

These sentiments, arguments and conclusions have become the position of the Afrikania Mission in the *trokosi* debate.

The 1988 Report lists 12 “genuine” *troxovi* shrines without specifying the criteria for separating the genuine from the fake shrines. The general impression one gets from the report is that any shrine linked to *trokosi* liberation is fake. Togbe Gidisu, one of the shrine priests interviewed by the Fact-Finding Committee offered a more cogent standard: “No custodian of a genuine shrine would abolish a shrine to which he is only a custodian. It is impossible to do so” (p. 9). But this only leads to a question, which has boggled the minds of *trokosi* researchers and abolitionists alike: do the shrine gods take advice from the shrine priests and owners?

Some priests and owners answer this question in the affirmative and conclude that they can decide to liberate their *trokosis* after consultation with the gods. Other priests, such as Togbe Gidisu, believe shrine priests and owners are custodians who only take instructions from the gods and cannot give the gods advice. At this stage in the *trokosi* research, it is difficult to answer this question. But on what basis could one group of priests say the others are wrong? More research is needed to determine which group of priests is right. In this regard, is it not too early to label some shrines as genuine and others as fake only based on the willingness of a shrine to liberate its *trokosis*?

The “Fact-Finding Report”, like Romanoff’s (1999) study, vehemently denies that *trokosi* is slavery. The Report is, however, devoid of any analysis of the concept of “slavery”. Instead, the Report highlights the non-*trokosi* functions of the shrines – healing, spiritual protection of individuals and the community in times of stress, bestowing blessings and

prosperity – and concludes that *trokosi* is not slavery. In fact, most of the issues raised in response to Romanoff's report regarding *trokosi* terminology, *trokosi* as slavery, the anti-*trokosi* campaign being seen as a Christian attack on African Traditional Religion, apply equally to the Afrikania Mission's Fact-Finding Report.

The Afrikania Report also contains some inaccuracies. First, it challenges the *trokosi* abolitionists to explain how they arrived at their data on *trokosis* and *troxovi* shrines, and to provide names of the shrines, the custodians and their locations (p. 3). Those familiar with the literature on *trokosi* know that by the time the Afrikania Mission's Fact-Finding Committee started its work on Saturday, July 10, 1998, the reports of two major research projects which involved a census of *trokosis* and *troxovi* shrines were available. Dovlo and Kufogbe (1997) listed the names of *troxovi* shrines, custodians and locations, and counted the number of *trokosis* in these shrines in the whole of Southern Ghana. Nukunya and Kwafo (1998) did the same for the Greater-Accra and Volta Regions of Ghana, confirming to a large extent the findings of Dovlo and Kufogbe (1997). Dovlo and Kufogbe's research was commissioned by International Needs Ghana, while that of the Nukunya and Kwafo was commissioned by the National Population Council.

The Report also charges the abolitionist movement with not conducting a thorough research on the issue of *trokosi* to inform their campaign (p. 18). This charge is false because both Elorm Dovlo and G. K. Nukunya, who conducted a census of *trokosis* and *troxovi* shrines, are prominent scholars at the University of Ghana. Professor Nukunya is a renowned anthropologist and former Pro-Vice Chancellor while Dr. Dovlo is Chair of

the Department for the Study of Religions. Also, at the early stages of the anti-*trokosi* campaign, International Needs Ghana commissioned the first academic study on the subject of *trokosi*.⁴⁶

It is also inaccurate to state that it is "... some non-Ada and non-Ewe people who often do not understand what they are crying about" (p. 2) who oppose the *trokosi* practice. This claim creates the impression that it is only people from the non-practising areas who are against *trokosi*. It fails to acknowledge the prominent role played by individuals and organizations from the practicing areas and other Ewes in the anti-*trokosi* campaign. Mark Wisdom, the first person in modern times to "blow the whistle" on the practice, is an Ewe and he hails from Tongu, the centre of *Trokosi* practice in Ghana. The Chiefs and Queenmothers of Tongu have played a prominent role in the *trokosi* liberation exercises. The North Tongu District Assembly, Tongu Students Union and other opinion leaders in Tongu have equally played important roles in the liberation movement.

In fact, the majority of the staff of International Needs Ghana, the leading NGO involved in the liberation exercise, are Ewes. The second-in-command to Walter Pimpong at International Needs, Wisdom Mensah, is a southern-Ewe. Based on my observations during the fieldwork for this dissertation and all that I know so far about the *trokosi* abolitionist movement, Wisdom Mensah is the unsung hero of the anti-*trokosi* campaign. Some of the leading *trokosi* researchers - Dr. Dovlo (1995, 1997, 1998); Kufogbe (1997,

⁴⁶ See Dovlo and Adzoyi (1995) *op cit*

1998); Professor Nukunya (1998); and Ameh (1998) - are all Ewes. In essence, both Ewes and non-Ewes are actively involved in the *trokosi* debate. In any case, the attacks directed in the Report on the persons of Walter Pimpong (described as an “opportunist” and “fraud”); Sharon Titian (“divorced Canadian national”); Mark Wisdom (“mischievous”) (p. 2); and to some extent, Emile Short (p. 18) are below the standards of decorum for a fact-finding report. These *ad hominem* attacks are not scholarly refutation but only personal disparagement.

As shown in this chapter, there is some evidence of gross ignorance of the socio-cultural context of the *troxovi* institution and practice of *trokosi*. Some of the existing literature on *trokosi*, especially media reports, has, so far, mainly emphasized the negative aspects of the *trokosi* practice outside the socio-cultural context which produced and maintains the practice. But to fully understand the institution of *troxovi* and the practice of *trokosi* that it has created, it is imperative to also understand the socio-cultural context, which produced and sustains both the institution and practice. In Chapter 4, I discuss this socio-cultural context. Before doing that, however, I discuss the theoretical framework that informs this study in Chapter 3.

Chapter 3

THEORETICAL PERSPECTIVE

A range of theories and approaches are applicable to this study. Feminist approaches apply to this study because of gender discrimination in the practice of *trokosi*. Even though boys could, and have been accepted, as *trokosis*, it is girls who invariably become *trokosis*. Equally applicable are theories of *slavery* and *abolitionism* as *trokosi* is definable as bondage or slavery since *trokosi* women and girls are virtually owned by the shrine priests and elders. *Trokosi* is lifelong service to the shrine priests who control their movement and appropriate their labor and sexual services, for the rest of their lives. *Trokosis* who die or become sexually unattractive must be replaced. Also applicable are theories of *social movements* and *interest groups* as NGOs and individuals have played a more pro-active role in Ghana's "*trokosi* problem", both at the local and national level, than the government.

The answer to the following questions proved useful in my search for the most appropriate conceptual model for this research⁴⁷:

1. Which of the theories/approaches in the social sciences best offer the greatest explanatory power of developments in Ghana since the "discovery" of the "*trokosi* problem" in the early 1990s? Thus, which approaches offer the more satisfactory explanation of the "*trokosi* problem", defined as the institution of

⁴⁷ The first question was adapted from the one posed by Kenneth A. Attafuaah (1987:54-55) "Toward a Deconstruction of Homosexuality as Deviant Conduct: A Case Study of Homosexual Lobby Groups in Manitoba" Unpublished M. A. Thesis, Department of Sociology, University of Manitoba, Winnipeg.

trokosi, the controversy it has engendered, and the anti-*trokosi* campaign in Ghana?

2. Which of the theories/approaches in the social sciences captures the essence (the motivation and objectives) of this project?

To address these questions, I first turned my attention to the context of the *trokosi* problem in Ghana. The anti-*trokosi* campaign in Ghana has mainly been cast in terms of international human rights discourse. *Trokosis* are often denied access to basic education, medical treatment, and sometimes do not have enough food to eat. They are forced to have sex with shrine priests and bear children with them at an early age, and the shrine priests owe no obligation to the upkeep of the offspring (Dovlo and Adzoyi 1995; International Needs, 1995, 1998; Ameh, 1998).

The human rights violations of the institution and practice of *trokosi* have been well articulated by Emile Shorts (1995, 1997, 1998a, 1998b) and Anita Ababio (1995). Both provide a long list of Ghanaian laws and international human rights instruments that the practice of *trokosi* violates. This study cannot adequately explain the *trokosi* problem in Ghana without grappling with the human rights context of the problem.

On the question of motivation and objectives, the search for creative and practical solutions to social problems has been the guiding principle and underlying motivation of

my scholarship.⁴⁸ In this instance, it was my interest in the application of international human rights norms in Africa that led to this particular research project. The focus is on two practical and related issues: (ii) how do we get people of other cultures to implement international human rights norms? (i) how do we make change meaningful and acceptable to practitioners of controversial cultural practices? Hence, the underlying objective of this study is a search for *what works* (i.e. creative solutions) in the eradication of controversial cultural practices within the context of international human rights norms.

From the above, I concluded that in order to adequately explain and develop creative solutions to the *trokosi* problem in Ghana, this project is better informed by approaches in international human rights theory. My approach to searching for creative solutions, however, does not eschew the active involvement of the scholar. Consequently, this dissertation was guided by an approach in international human rights theory, a cross-cultural approach, which encourages activism, of both scholars and others, at the grassroots level.

⁴⁸ I believe the objectives of a study cannot always be separated from the personal interests and motivations of the researcher or researchers involved. I do not believe in pursuing knowledge for its sake. I see pursuing knowledge for its sake as a luxury, which scholars from the developing countries cannot afford. For someone born and bred in a country characterized by so much need and poverty, this is quite understandable. Ever since my undergraduate sociology days, when I first read Robert Lind's book, "Knowledge for What?," I became convinced that what I could give back to my people for offering me free university education was that my scholarly research should help alleviate some social problems in my country of origin, Ghana. I have since wanted my studies to lead to practical, usable results. This has been the guiding principle and major motivation in all my researches thus far. Consequently, "value free" social science, if there is still anything called that, means little to me.

A HUMAN RIGHTS APPROACH

A review of the international human rights literature reveals that the dilemmas and tensions surrounding globalization and localization are cast in terms of universalism-versus-relativism debate. In this section, the key issues in this debate are briefly reviewed and then the cultural universals approach proposed by Alison Dundes Renteln (1990) and developed by Abdullahi Ahmed An-Na'im (1992) is presented as a way in which the debate could be resolved. I argue that the cultural sensitivity and yet universal nature of this approach, and its activist stance, present a significant programmatic approach to making international human rights norms implementable in Africa. Further, I argue that cultural sensitivity in the issue of child bondage in Ghana, is akin to the cultural universals approach, and accounts for the current success of the anti-*trokosi* campaign.

THE UNIVERSALISM VERSUS RELATIVISM DEBATE IN PERSPECTIVE

A common definition of human rights in the literature is a right which is universal and held by all persons (Donnelly, 1985; Renteln, 1990). While this definition could be criticized, it underscores the point that the presumption of universality is present in the very definition of human rights. Attempts at making human rights universal have been traced to the creation and final adoption of the Universal Declaration of Human Rights (UDHR) on December 10, 1948 (Renteln, 1990).

Unfortunately, the UDHR is largely based on Western values, several of which conflict with non-Western values. The debates surrounding this issue, at the drafting stage of the

UDHR, sowed the seeds of the universalism-versus-relativism debate in human rights. While advocating the universality of Western notions of human rights, the UDHR does not deal with the issue of the reality of moral diversity in the international community. Further, the issue of moral diversity within the UN as against the universality embedded in its documents was brought up again during the drafting of the two covenants, International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). The support of the West for civil and political rights, as opposed to that of the then East for social, economic and cultural rights, portrayed the value conflicts between the UN memberships.

Though the origins of cultural relativism have been traced to the ancient Greeks, its modern version has been linked to a reaction to the theory of cultural evolutionism (Renteln, 1990), which is based on modernization theory⁴⁹. Cultural evolutionism sees human progress in terms of evolution from a “primitive” or “savage” to a “modern” or “civilized” stage. Western societies and values are placed at the top of this evolution and darker skinned people and their cultures at the bottom of this evolutionary ladder. According to Renteln, *cultural relativism* seeks to counteract the racist and Euro-centric notions of progress inherent in *cultural evolutionism* (p.63). Renteln identifies several prominent proponents of the theory of relativism, including Franz Boas (1901) and his students Ruth Benedict (1934, 1978), and Melville Herskovits (1950, 1972). Generally, cultural relativism challenges the presumed universality of standards, ethnocentric

⁴⁹ David Harrison (1988) presents a good analysis of this theory in his *The Sociology of Modernization and Development*.

assumptions of Western superiority and conceptions of normalcy (Renteln, 1990: 65). With regards to international human rights, the relativists have challenged the universal applicability of Western conceptions of human rights and the idea that human rights are peculiar to western societies.

From the review of the literature, two central issues of contention emerge in this debate. One deals with the origins of the concept of human rights and whether it is unique to only Western societies. The second issue surrounds the presumed universality of international human rights law in spite of its Western bias.

Origins of the concept of Human Rights

There seems to be a general agreement in the literature that modern, formalized international human rights originates in Western society (Motala, 1989; Donnelly, 1985; Howard and Donnelly 1986; Renteln, 1990; Wa Mutua, 1995). Other scholars agree with Howard and Donnelly (1986) that modern conceptions of human rights dates from the emergence of liberal ideas in late medieval and early modern Europe, gaining particular force in the eighteenth and nineteenth centuries (p. 804).

Did non-western societies have conceptions of human rights?

The disagreements and tensions begin with the argument of Howard and Donnelly, made individually and jointly (Donnelly 1982a, 1982b, 1985; Howard 1986, 1992, 1993; Howard and Donnelly 1986). They contend that human rights can only flourish in liberal

regimes and are therefore peculiar to only western societies. Consequently, they argue that human rights were not known in non-western societies.

Howard and Donnelly (1986) define human rights narrowly in terms of the western liberal ideals of personal autonomy, equality and free market. They point out that the core values of liberalism are personal autonomy (personal liberty to choose and lead one's own life) and the right to equal concern and treatment. Personal autonomy and equality must necessarily go hand in hand because liberty can degenerate into license and social atomization, endangering human dignity, if not checked by the principle of equal concern and respect. Equality, but only of concern and treatment, include the equal sharing of social resources (p. 803). As they put it, "inequality *per se* is not objectionable to the liberal" (p. 805). This, perhaps, explains why Western societies, considered the bastion of human rights and democracy, often ignore the gross substantive inequalities prevalent in their countries.⁵⁰ Substantive inequalities are not considered human rights violations in these societies.

According to Howard and Donnelly, the state becomes the guardian of equal concern and respect. Yet, the state is easily turned to the denial of equal concern and respect. This, for Howard and Donnelly, marks the basis of human rights: to keep the state as an instrument to realize, rather than undermine, equal concern and respect (p. 803). The hallmark of human rights to them, then, are personal autonomy and equality. As Howard

⁵⁰ Rhoda Howard (1995) captures this in her "Central Park Thesis", which describes high crime rates and people sleeping on park benches in cities in the wealthiest capitalist countries of the world.

and Donnelly put it, there is such a perfect fit between Western liberal principles and international human rights that “the realization of human rights is the principal liberal standard for evaluating the achievements, and even the legitimacy, of any regime” (p. 806).

Since most liberal democratic states have human rights records that do not measure up to this standard - a fact Howard and Donnelly acknowledge (p. 806) - one wonders if any Western state can be considered truly legitimate.⁵¹ Howard and Donnelly, examining different types of political regimes, conclude that all other conceptions of human dignity, apart from western conceptions, cannot be labeled as human rights. They state:

Communitarian societies [traditional, communist, corporatist and developmental] are antithetical to the implementation and maintenance of human rights, because they deny the autonomy of the individual, the irreducible moral equality of all individuals, and the possibility of conflict between the community’s interests and the legitimate interests of any individual (p. 808).

This contention has been the pivot of great controversy. Not even the minimal state, which is not communitarian, passes the Howard and Donnelly test. According to them, even though the minimal state highly values personal autonomy, it lacks a commitment to equality of concern and respect. In fact, the major task of Howard and Donnelly in this article, as always, is to prove that human rights and human dignity are quite distinct notions and that other types of political regimes, outside the ideal liberal, do not have and

⁵¹ Rhoda Howard (*ibid.*) acknowledges this in the “Central Park Thesis”.

are not adaptable to conceptions of human rights (Donnelly 1982a, 1982b, 1985; Howard 1986, 1992, 1993).

Several non-western scholars and state officials have reacted to this contention by Howard and Donnelly, and similar positions held by other western scholars and human rights activists. China, Pakistan and Iran recently raised this issue at a UN Conference in Vienna in 1993. African scholars and states are part of the opposition to such a contention. Based on evidence from the anthropological literature, several Africanist scholars, such as Ziyad Motala (1989), Nana Kusi Busia (1994) and Makau wa Mutua (1995), have made a case for human rights in pre-colonial Africa and, therefore, disagree with Howard and Donnelly. Wa Mutua (1995:345-346, footnote 18) points out that,

... all cultures have evolved moral and ethical standards as well as norms and processes that protect the dignity and worth of human beings in both their individual and collective personalities. It is these norms and processes - which manifest themselves in all cultures of the world - that germinate the concept of human rights.

Thus, while not denying the validity of Western human rights tradition, wa Mutua maintains that human rights derive from the conception of human dignity, and that all societies of the world have such conceptions even though the substantive list might not be the same. Busia (1994) contends that the absence of a concept does not indicate the absence of the phenomena which that concept denotes and that phenomena may be articulated differently by different social formations. He argues that certain phenomena such as human rights are natural practices which to a lesser or higher degree, did and do exist universally (p.227). Accordingly, Busia disagrees with the conclusion of Howard and Donnelly (1986) that all other regimes necessarily repudiate human rights. Busia

questions Howard and Donnelly's methodology, noting that they failed to apply the same standards of human rights measure to all the regimes they studied. According to Busia, no regime type offers a guarantee of human rights protection (p.229-230).

With respect to content and context of pre-colonial African human rights, wa Mutua observes that, even though enormous cultural and political variations exist on the continent of Africa, some cultural and social patterns are distinctive to the continent. These have been differently labeled by various African scholars as "African personality," "negritude," and "ujamaa," among others. Wa Mutua calls it "the African cultural fingerprint" (p. 351), the elements of which he lists as

... respect for, and protection of, the individual and individuality within the family and the greater socio-political unit; deference to age because a long life is generally wise and knowledgeable; commitment and responsibility to other individuals, family and community; solidarity with fellow human beings, especially in times of need; tolerance for difference in political views and personal ability; reciprocity in labor issues and for generosity; and consultation in matters of governance (p. 352)

Ziyad Motala (1989) argues that Africa has its own traditional conceptions of human rights, that most of the human rights abuses for which Africa is better known internationally are not in consonance with this traditional conception of rights. Based on evidence from traditional African social, political and economic systems, Motala maintains that traditional African societies had a sense of justice and respected such rights as freedom of speech, freedom of association, freedom of movement, the right to property, the right to life and the right to security. The concept of group or community is a core value on which these rights were based.

This humanist conception emphasized the satisfaction of the needs of all members on a mutual basis as opposed to individualism. In accordance with the unwritten laws by which wars were fought in traditional African societies, wars never resulted in total destruction. Based on this, Motala contends that African humanism contributes to the development of humanitarian law (p. 383). However, she contends that such values as the right to life and the right against torture are universal and calls for a separation of particular ideologies from contemporary notions of human rights and that emphasis should be placed on the commonalities (p.386). She also acknowledges that there are negative aspects of the traditional African social and political system, features which are not progressive.

Wa Mutua, like other Africanists such as Nana Kusi Busia (1994) and Ziyad Motala (1989), does not deny the existence of practices such as trial by ordeal, human sacrifice and the discriminatory treatment of women and children, which are an affront to the progressive development of human rights on the continent. He, however, contends that these are not peculiar to Africa as each society of the world “suffer from this duality of the good and the bad” (p. 354). Accordingly, he rejects what he terms “the concept of apartheid in human rights” (p. 345), by which certain societies are deemed to have a distinctive and irreconcilable concept of human rights.

Busia objects to the term “traditional”, which is frequently used to lump together all pre-colonial African societies. According to him, this does not capture the realities of pre-colonial Africa. As an alternative, he groups pre-colonial African societies into different

models ranging from the politically centralized (with all its variations) to the acephalous models and those which fall in between these two polar models. He notes that since there was no meaningful political organization among the extreme social systems with no centralized political authority, “individual sovereignty” reigned supreme, and there was no need for human rights in terms of Busia’s definition of a vertical relation between political authority and the ruled.

It is within the centralized semi-feudal and feudal models that we see the full relevance of human rights in pre-colonial African societies. The hierarchically organized semi-feudal Ashanti kingdom in what is now Ghana, for example, had an elected king, who took an oath which included a pledge not to be autocratic or despotic. The king ruled only as long he enjoyed the goodwill of his people. Ordinary people could lay charges against the king and call for his removal from office. Public offenses such as homicide and treason, as well as private cases such as adultery and slander, were recognized. Although the king adjudicated public offenses, his supreme court only received appeals in private cases. The queen-mother was the next most important person to the king, and all families were represented in the hierarchical political organization. To this extent, human rights were upheld.

Busia’s own conception of human rights, defined in terms of political participation is quite narrow though. As he puts it,

Stripped of its rhetorical and intellectual niceties, human rights in the end are basically about limited, participatory government. Human rights issues hover around the vertical relationships that exist between political authority and the ruled. The need for political authority to protect the

individual and the scope that the individual has to make claims against the state are the main problems that the concept of human rights addresses (p. 231).

Limiting human rights to political participation makes Busia's definition rather narrow. It ignores the vast array of economic and social security systems⁵² which ensure the dignity of both the individual and community in most respects. Nevertheless, Busia's analysis within the constricted sphere of human rights that he carves for himself describes the situation in Africa quite well.

To sum up, the first issue of contention in the universalism versus relativism debate is whether non-Western societies had conceptions of human rights. A related issue is whether, if so, those conceptions are valid and should be recognized by the UN. Whereas Howard and Donnelly (1986) agree that other societies had conceptions of human

⁵²M.O. Ijere describes these in ample detail.

dignity, they deny that they had notions of human rights. Africanist scholars, on the other hand, argue that human rights are born out of the idea of human dignity, an idea which obtains in all societies of the world. Hence, the western notion of human rights, based on the principles of personal autonomy, equality and free market, is only one way of perceiving human dignity. Consequently, they support the idea of multiple standards for measuring conformity.

Universal Applicability

The second major issue of contention in the universality/relativity debate in human rights is whether the existing UN human rights instruments have universal applicability. The arguments here could be grouped into two categories: (i) those by (mainly western) scholars who believe that the current regime of international human rights documents, most of which have a Western bias, are universally applicable, and, (ii) those by scholars who believe that Western conceptions of human rights do not adequately capture the wide range of notions of human rights which obtain in other societies and, therefore, that current international human rights laws are not universally applicable. In this section, I will elaborate on, and discuss, these arguments sequentially.

Howard and Donnelly (1986) argue that human rights, by which they mean western conceptions of it, are universally applicable. This is a strange and palpable contradiction given that Howard and Donnelly have persistently maintained that notions of human rights are peculiar to, and can only be sustained in, Western-style liberal regimes

(Howard 1986, 1992,1993; Donnelly 1982a, 1982b, 1985). There are three foundations to Howard and Donnelly's contention that western human rights are universally valid and applicable. First, they point out that the International Bill of Rights - the UDHR and the two covenants, ICCPR and ICESCR - and other international human rights documents have been supported by both Western and non-Western nations (Howard 1986, 1992,1993, Donnelly 1985).

The second argument, implicit in their writings, is that human rights are universal because they are rights claimed by people simply because they are human (Howard 1986,1993, Donnelly 1985). In essence, this means that human rights are not dependent on the social status of the individual. A second implication is that rights are devoid of duties. Indeed, Howard and Donnelly and others such as Flinterman and Ankumah (1992) severely criticize African conceptions of rights which are tied to the performance of duties. *The African Charter on Human and People's Rights* has a section on duties.

The third argument is that the forces of modernization - colonization, urbanization and industrialization - are transforming other societies of the world into liberal regimes. Howard and Donnelly (1986) argue that the liberal ideals of society "... today are increasingly the norm throughout the world" (p. 804). In effect, human rights can now be sustained in all societies of the world. This, obviously, is meant to reconcile their rather contradictory contention that human rights, even though they emerged in and require a liberal regime to flourish, are nevertheless, universal.

Several African scholars who believe that Western conceptions of human rights are inadequate to account for notions of human rights in other societies and are, therefore, not universally applicable, have responded to the arguments of Howard and Donnelly.

No single document can represent a blueprint of the full content of 'human rights.' This is because the substance of 'human rights' depends on the cultural setting of a particular society. Moreover, specific human rights doctrines interrelate with prevailing socioeconomic structures (p. 373).

This statement sets the tone for Ziyad Motala's (1989) response. Motala argues that it is easier to achieve consensus on what constitutes 'fundamental rights' in Africa based on Africa's own standards. She argues that the western conception of human rights represents only a particular conception of human rights. Thus, even though most of our international human rights documents reflect these western principles and values, it does not make them universal. According to Motala, to argue that because African countries have accepted the international human rights documents and embodied such principles in their constitutions makes the western conception universal "would be merely legalistic and would fail to consider wider factors such as the circumstances surrounding the adoption of the constitution, the culture, and the needs of the population" (p. 378).

Motala points to several factors which nullify the argument that African societies have been culturally transformed and are therefore amenable to Western conceptions of human rights: (i) that colonial governments in Africa were authoritarian and did not uphold any standards of human rights, (ii) the forcing of constitutions, sometimes written by westerners and modeled on western patterns, on the newly independent states, and (iii) the lack of cohesion and sense of national unity among citizens of African states and, as a

consequence, the importance of the tribe above the state. Motala, thus, believes there is the need to find alternative approaches to human rights in Africa. Similarly, Wa Mutua (1995) points out that:

[t]he argument by current reformers that Africa merely needs a liberal democratic, rule-of-law state to be freed from despotism is mistaken. The transplantation of the narrow formulation of Western liberalism cannot adequately respond to the historical reality and the political and social needs of Africa. The sacralization of the individual and the supremacy of the jurisprudence of individual rights in organized political and social society is not a natural, 'transhistorical', or universal phenomenon, applicable to all societies, without regard to time and place (p.341).

He elaborates that, "[t]he development of the state in Africa is so radically different from its European equivalent that the traditional liberal conception of the relationship between the state and the individual is of limited utility in imagining a viable regime of human rights" (p. 342). While he disagrees with the idea of universality of the western conception of human rights, his idea is not to replace it with a "superior" African conception. In this regard, wa Mutua is basically against the tendency of asserting the primacy of one conception of human rights over another.

With regards to Howard and Donnelly's claim that human rights are only possible in liberal regimes and were alien to pre-capitalist traditions and ideals such as pre-colonial African societies, wa Mutua points out, and rightly so, that such a claim contradicts the authors' assertion that human rights are universal. How could human rights be universal and at the same time unique to only a particular culture? And if human rights are peculiar to Western cultures as Howard and Donnelly claim, then one is justified in questioning the basis of the imposition of "Western" human rights on non-European

cultures. Thus, wa Mutua views the imposition as another mask (after colonialism) for the attempt to dominate the world by remaking it for the benefit and in the image of Europe. To this extent, wa Mutua (1995) sees Howard and Donnelly's assertions as "... ethnocentric and symptomatic of the moral imperialism of the West" (p. 345).

Like Motala (1989), wa Mutua states categorically that "... Africa must partially look inward, to its pre-colonial past, for possible solutions ..." (p. 367) to its numerous problems. Compared to his earlier position that the *African Charter* and the Commission on Human and People's Rights are useless and meaningless (Wa Mutua, 1993). This change constitutes a complete turn around, a shift which he acknowledges (Wa Mutua 1995:359). He, however, cautions against the exaggeration of the uniqueness of the African concept of human rights, since the notion that human beings are special and worthy of special protection was common to all societies of the world (p. 357-358). In this regard, it is doubtful if he should be labeled a relativist.

On the nature of human rights, wa Mutua (1995: 359-364) argues that the African conception of man is communitarian, and the concept evolves through a series of carefully taught rights and responsibilities. He suggests that relationships, rights, and obligations were part of the social and political organizational structures. This gave the community cohesion and viability and prevented people from becoming isolated and abstract individuals. In effect, rights and duties together formed the very basis of the social organization. "This conception, that of the individual as a moral being endowed with rights but also bounded by duties, proactively uniting his needs with the needs of

others, was the quintessence of the formulation of rights in pre-colonial [African] societies” (p.363). wa Mutua believes such an African way of thinking of rights provides those concerned with the universality of rights with another way of thinking about rights.

wa Mutua (1993, 1995), like the other Africanist scholars such as Motala (1989), Nhlapo (1989), and Busia (1994) argued against the negative aspects of African culture with respect to modern human rights. Howard and Donnelly (1986) contend that the cultural relativism argument provides a convenient screen behind which African governments are able to engage in human rights abuses. There is ample evidence that African rulers who have authoritarian tendencies misused the cultural relevance argument to engage in gross human rights violations and to perpetuate themselves in power (Motala 1989; Wa Mutua 1993, 1995). The Africanist scholars’ position is quite different from that of dictatorial African leaders, from whom some of these scholars had to flee by imposing voluntary exile on themselves.

DISCUSSION

The Universality Of Human Rights

Howard (1986, 1992,1993), Donnelly (1982a, 1982b, 1985) and Howard and Donnelly (1986) put forth three arguments to support their position that western conceptions of human rights are universally applicable. First, other societies are parties to the current regime of international human rights treaties and conventions. Second, human rights are

inherent in the fact that one is human and are contingent neither upon fulfillment of one's obligations to society, membership of a particular group, nor the decision of the state to grant rights. Third, the forces of social change - colonization, urbanization and industrialization - have transformed other societies of the world and made them more amenable to a western conception of human rights.

To argue that international human rights documents are applicable to African societies because their leaders have signed or otherwise given approval is technically correct in law. However, it fails to acknowledge some of the realities of the African political situation. First, the process of ratifying international agreements in Africa is fundamentally unlike that in developed countries such as Canada, where elaborate consultations are carried out between various stakeholders, the provinces and the Federal Government before such documents are approved (Ameh 1996). The approval of international documents in Africa largely depends on the whims and caprices of the leader and his cronies. In these circumstances, it is doubtful whether the people of Africa really support the approval given by their leaders to international human rights documents, and if the people are really bound by these agreements⁵³.

⁵³ A similar debate is currently going on in African academic circles as to whether it is the people of Africa or their leaders who should be held liable for debts contracted on behalf of the state by dictatorial African leaders, such as the recently deposed leader of Zaire, Mobutu Sese Seko.

Of relevance to this question is that the majority of Africans, who live in rural areas, are not even aware of the existence of these documents, let alone comprehend what they are all about.

Western Aid and Human Rights

Another factor which is ignored by the Howard and Donnelly argument is that since the 1970s, the West has tied the granting of aid to Third World countries to the latter's support for international human rights law (Renteln 1990). Nevertheless, it is trite to say that gross human rights violations occur in virtually all African states, at the same time as millions of dollars of Western aid money and loans continue to flow into Africa. This implies that the requirement of evidence for support for human rights in order to be granted loans has often been limited to the perfunctory signing of international documents rather than actual implementation. I posit that the speed with which African countries take the lead in giving formal approval to international human rights documents is a result of the West tying their approval of aid and loans to the Third World to their support for these documents and not so much a motivation to implement them⁵⁴.

Related to this is the desire of African leaders to be seen as friends of the West, which compels them to be seen as toeing Western lines (Ameh, 1993). Thus, to argue that international human rights documents are universally applicable simply because African

⁵⁴ Ghana, for example, was the first country to ratify the UN Convention on the Rights of the Child (1989). There is a need to address is the motivation for doing this since all current indications point to the fact that Ghana is far from implementing the Convention (Ameh 1993, Mensah-Bonsu & Dowuona-Hammond (1994)).

countries have given formal support for them is, indeed, a limited, simplistic legalistic understanding of the concept and reality of “universal” documents (Renteln, 1990; Motala 1989). The question arises as to whether Howard and Donnelly are more concerned about the formal adoption of legal documents or the implementation of the contents of those documents.

Culture and Human Rights

Howard and Donnelly’s second argument, that human rights are universal because they are rights claimed simply because one is human, denies the relevance of culture to people’s behavior. This argument is based on the philosophy of natural law, which presents natural rights and human rights as self-evident (Howard 1986; Renteln 1990). This, however, presupposes “... a common view of human nature and an agreed-upon ranking of priorities with respect to basic human needs ...” (Renteln, 1990:9). As Renteln further points out, “[i]t is by no means clear that there is universal assent to the ordering of human needs as is evidenced, for example, by the relative support of the two Covenants on human rights” (p.9). If anything, the argument presumes that people, independent of their cultural and political heritage, would be purely rational beings and, thus, dutifully select liberal western conceptions of human rights (p. 50). However, there is evidence that, even within western societies, there is disagreement over values and priorities. For example, feminists such as Carol Gilligan (1983) and Frances Olsen (1992) disagree with Lawrence Kohlberg’s (1969) moral theory which assumes that there is only one right way of moral reasoning.

Western Influence and Liberal ideas in non-Western societies

With respect to Howard and Donnelly's last argument, there is no doubt that Western modernization and values have swept across the world. Nevertheless, Western influence in other parts of the world, symbolized mainly by colonialism and its consequent urbanization and industrialization, was achieved through highly authoritarian methods (Motala, 1989; Wa Mutua, 1995). There was virtually no room made for any ideas of personal autonomy and equality, the central tenets of Howard and Donnelly's conception of human rights. The main concern was for the development of a free market only to the extent that it enabled the exploitation of the resources of the colonies. These are well known developments, which need not be recounted here⁵⁵. Hence, to talk of the colonial experience as a vehicle for the extension of human rights to other parts of the world is both incorrect and an over-simplification of the process of cultural diffusion. In addition, whereas colonialism succeeded in transforming some of the traditional social and political institutions of its colonial societies, it was not successful in transforming most of the values existing in those societies (Motala, 1989; Busia, 1994; wa Mutua, 1995). Further, a factor giving cause for the reliance on traditional institutions and values in the former colonies of Africa is the woeful failure on the part of modern African states to provide for their citizens. The inability of the modern African states to provide physical and other material sustenance for their people has meant that the vast majority of people,

⁵⁵ See, for example, Colin Sumner (1982), *Crime, Justice and Underdevelopment* London: Heinemann, Stan Cohen (1982) "Western Crime Control Models in the Third World: Benign or Malignant?" *Research in Law, Deviance and Social Control* JAI Press Inc., vol. 4, pp. 85-119, Walter Rodney (1972) *How Europe Underdeveloped Africa* London: Bogle-L'Overture Publications and Frantz Fanon (1967) *The Wretched of the Earth* London: Penguin

in both urban and rural areas, still turn to the traditional extended family and community for support. Consequently, community institutions such as ethnic-based voluntary associations, the family, and the values associated with these institutions, are still quite strong.

It is a fact that industrialization and the consequent commercialization of the economy contributed to urbanization in Africa.⁵⁶ Yet, the reality of the situation today is that African societies are still dual societies, having only a minority westernized urban population with a large rural sector which has been little affected by western values. In Ghana, for example, only about 30% of the population is urban (Ghana Statistical Services, 1988).

Colonialism and the arbitrary creation of African states without regard to tribal boundaries has created significant problems of national unity, with broad implications for human rights violations in Africa. Most Africans see themselves first and foremost as members of their tribes before seeing themselves as members of their respective nation-states. Busia (1994) contends that this is not simply an issue of “tribalism” or a sheer politics of ethnicity. “Properly viewed, what is really at issue is a nation without a state versus a state without a nation” (p. 245). Busia argues that ethnic groups with centralized political authority resisted colonization, and when defeated, fought for a privileged status

⁵⁶ Kenneth Little (1965), for example, provides evidence to support this in his *West African Urbanisation: A Study of Voluntary Associations in Social Change* Cambridge University Press

within the new colonial state and for postponement of independence, confederation, or even in certain cases, secession⁵⁷.

Busia argues that with the attainment of independence the endorsement of the Westminster model of “winner takes all”, the feudal states were “peripheralized” into political opposition. Members of the feudal kingdom have a psychology of superiority, and the modern state and its government are, as a consequence, treated with contempt. “The political need of the state to assert its constitutional authority and the resistance that such entities (political opposition) pose creates a dynamic of violence that almost invariably leads to human rights violations” (p.245). The point is that, modern African states lack an embedded sense of nationhood. The tribe and its values are placed above the emergent values of the nation-state. Such a situation inevitably contains the kernel for potential human rights violations.

Rights and Duties

Renteln (1990) has critically analyzed the different notions of rights held by some of the leading rights theorists such as Feinberg (1973, 1980), H.J. McCloskey (1976), Wesley Hohfeld (1923) and Ronald Dworkin (1977). She concludes that “[r]ights and duties are in fact flip sides of the same coin” (p.43). She argues that the Hohfeldian interpretation of immunity as the absence of obligations, has been used as the basis of the argument that there is no logical correlativity between human rights and duties. She, however,

⁵⁷ The ethnic Ashanti-based National Liberation Movement of the Gold Coast (present day Ghana), is a good example of such tendencies.

maintains that for each of the examples put forward to support the Hohfeldian position, there always exists a corresponding duty (p.42). Hohfeld himself accepts that non-human rights imply duties. In a similar way, she argues that for every duty imposed, there is always a corresponding right. She contends that it is only in the case of a dubious duty that that we cannot assert a right.

Renteln suggests that fear of including other rights regarded as less significant in the Western notion of rights, such as economic rights, may explain why Western theorists are reluctant to acknowledge the doctrine of *logical correlativity*. She believes viewing human rights in terms of rights and correlative duties would make human rights be seen as no longer a problem for some cultures of the world. This, to her, will advance the cause of human rights. Renteln further argues that the distinction between rights in terms of positive versus negative, legal and moral, individual and group is a matter of political preference since all the “artificial” polarities have something in common. For example, without moral rights, she insists, it would be considerably more difficult to bring about changes in law (p. 46).

From the above, the three foundations for Howard and Donnelly’s (1986) argument for universality rest on shaky grounds. In the following section, attention is turned to a discussion of the first major issue in the debate, whether non-Western societies had conceptions of human rights.

The Peculiarity Of Human Rights To Western Culture

Howard and Donnelly (1986) claim that (i) that human rights are peculiar to liberal societies and (ii) that other societies' conceptions of human dignity cannot be considered as human rights. They define human rights as

... the equal and inalienable rights, in a strong sense of entitlements that ground particularly powerful claims against the state, that each person has simply as a human being. Human rights are a particular social practice that aims to realize a distinctive substantive conception of human dignity (p.802).

The above definition points to the fact that human rights derive from the concept of human dignity. As seen earlier, wa Mutua (1995) and other African scholars have argued that human rights evolve from the moral and ethical standards as well as norms and processes that protect the dignity and worth of human beings in both their individual and collective personalities. Thus, even though Howard and Donnelly recognize only the distinctive conception of human dignity which is based on the values of autonomy and equality as human rights, such conception is only one way, the Western way, of conceiving of human dignity.

As wa Mutua (1995) rightly questions, “[w]hy should the concession be made that the individualist rights perspective is ‘superior’ to more community-oriented notion” (p. 363)? From a post-modernist perspective, which opposes the idea of a single truth, this is a question which should seriously be considered by those scholars who think only the western conception of rights should be considered as human rights. If people in western societies are taught to appreciate individual values, and Africans are taught to appreciate

communitarian values, which include not only rights but also duties and obligations, why should westerners decide for Africans that the African conception is wrong?

Communitarianism In Human Rights

As seen earlier, careful examination of the anthropological literature on traditional African societies shows that such societies had a conception of human rights. It was also shown that these societies were not only communitarian but also respected some individual rights principles (Busia, 1994; Wa Mutua, 1995). In addition, there is little doubt that the current regime of international human rights law recognizes some group rights. Within the Western liberal tradition itself, Virginia Leary (1992) has shown that there is an evolution towards the acceptance of communitarian and other non-Western cultural traditions. Leary concludes that the situation of the poor in the West and conditions in non-Western societies demand such a new approach. Michael McDonald (1992) also finds evidence of some leanings towards the endorsement of group rights within the liberal tradition.

From such evidence, it could be argued that, even if Howard and Donnelly were right in equating human rights with personal autonomy and formal equality, there would be ample scope for the concept to evolve to embrace other equally relevant values such as communitarian principles. Concepts evolve over time, and there is no reason to consider human rights as a static concept. For example, the concept of democracy, which today is regarded as the hallmark of good government, had negative connotations at a stage in its

evolution.⁵⁸ If, the concept of human rights, by evolving to embrace communitarian principles, would transcend the narrow Howard-Donnellyian conceptualization and be rendered more acceptable to the great majority of the world's people, this should be progressively encouraged.

Equally relevant is the nature of the exercise of power in the definition and conceptualization of human rights. Foucault (1982) uses the term “capillaries of power” to denote the exercise of power at multiple sites running across the spectrum of the social structure. Power may be located and exercised anywhere in a social system and not only at the top. If human rights have anything to do with preventing and remedying abuses of power, then it is incomplete to view it only as a vertical relationship between the state and its individual citizens.⁵⁹

Howard and Donnelly assert that, “the realization of human rights is the principal liberal standard for evaluating the achievements, and even the legitimacy, of any regime” (p. 806). Moreover, “in practice ... these [liberal] values remain incompletely realized even today” in any society (p. 804). There is a preponderance of empirical evidence from studies on the treatment of minorities and disadvantaged groups in Western liberal

⁵⁸ Aristotle, for example, wrote that “Democracy is the worst form of Government,” and Winston Churchill (1949) stated that, “Democracy is the worst form of Government except all those other forms that have been tried from time to time”. Yet, today, democracy has become the most desirable form of government and every leader, whether good or bad, wants to be seen as democratic.

⁵⁹ This criticism equally applies to the African scholar, Nana Busia , who also narrowly defines human rights in terms of the vertical relationship between the ruled and rulers.

democracies to suggest that the latter claim, at least, has credence.⁶⁰ In these circumstances, one wonders if by Howard and Donnelly's own standards, any liberal regime could be considered as legitimate, or as providing good grounds for human rights to flourish. In fact, throughout the world, in both Western and non-Western nations, there is a plethora of evidence indicating a gross gap between formal and substantive human rights. It would appear that Howard and Donnelly are more concerned with the adoption of ideal, formal human rights instruments by governments than with the provision and enjoyment of substantive rights by all people. Formal international human rights principles have to be implemented to be materially relevant to human beings.

Howard and Donnelly's apparent obsession with the liberal ideals of personal autonomy and formal, as opposed to, substantive, equality blinds them to other conceptions of rights as human rights. Thus, based on their unyielding position in the face of compelling evidence to the contrary, I could not agree more with wa Mutua's (1995) characterization of the works of Howard and Donnelly as ethnocentric.

RELATIVISM: A MORE PLAUSIBLE APPROACH?

But does the foregoing suggest that relativism is more plausible than universalism in human rights? A fair consideration of this question requires a deeper examination of the foundations of the relativist position. Relativists do not argue for absolutism, which

⁶⁰ A counter argument could be raised though that there is abundant evidence which shows that western democracies are relatively more open, welcome, and even being transformed than any other societies.

seeks to project a particular conception of human rights as superior to all others. Howard (1993) states the typical absolutist position quite well: “(a) there are universal moral principles, (b) our own culture embodies these principles and (c) everyone else ought to follow our principles even if this means abandoning his or her own culture” (p.320). In effect, absolutism is essentially ethnocentric. Where Howard gets it wrong, however, is when she imputes this position to the relativists. According to Howard, relativists believe that “culture is the supreme ethical value, more important than any other. Human rights, in particular, should not be promoted if their implementation might result in a change in a particular culture” (p. 319). In fact, Howard’s (1993) thesis is that cultural absolutism is an anachronistic attempt to romanticize the past by its Third World proponents.

As seen earlier, the foundations of the arguments by the African scholars does not support Howard’s thesis. For example, after arguing for the need to find an alternative approach to human rights in Africa, Motala (1989) argues that, since there are aspects of human rights common to all societies, particular ideologies should be separated from current notions of human rights and emphasis placed on the commonalties (p.386). This should create the flexibility needed to accept African notions of human rights, such as communal ownership of property, as being as equally valid as Western conceptions. To Motala, then, the question boils down to “determining the kind of jurisprudence and institutional arrangements appropriate for African societies”. She insists that the answer must include relevant factors such as “the values of the community, the history of African societies, and the lessons learnt from the introduction of different institutional

arrangements in Africa” (p.389). Arguing for the recognition of commonalities of all societies and aspects of one’s own conceptions as equally valid as the western conception is quite different from cultural absolutism.

While maintaining that Africa must partially look inward to its pre-colonial past for possible solutions to its numerous problems, wa Mutua (1995) cautions against the exaggeration of the uniqueness of the African conception of human rights, since the notion that human beings are special and worthy of special protection was common to all societies of the world (pp. 357- 358, 367). Makau wa Mutua (1993, 1995) also warns against the arguments of dictatorial African leaders who use the relativist position to cover their human rights abuses. Wa Mutua’s position cannot be described as absolutist. Further, most African scholars on human rights (Motala 1989; Nhlapo 1989; Busia 1994; Wa Mutua 1995) recognize that in terms of modern human rights standards, not all aspects of traditional African social systems were respectful of the rights of certain groups such as such as women and children. Hence, they argue for the retention of the progressive aspects, and abolition of the negative aspects of the traditional social and human rights system.

There is, therefore, no evidentiary foundation to Howard’s (1993) charge of ethnocentrism and absolutism. If anything, there is a universalistic element in their views as they all (the African scholars) recognize some human rights values as common to all societies of the world. Hence, it is doubtful if these African scholars should strictly be called relativists. Whereas dictatorial African leaders may hold similar “relativist”

views, these are not shared by the African scholars discussed in this paper. It would have been proper for Howard to have distinguished between the two categories, namely, African scholars and dictatorial African leaders.

As pointed out elsewhere, an account of any contemporary African institution or practice, which ignores the history, indigenous values, practices and current socio-economic realities of the people is essentially incomplete (Ameh, 1993). In this respect, the accounts of the African scholars considered above give a more realistic picture of the human rights situation in Africa. Consequently, the position of the African scholars (relativist) seem more plausible to me than the universalist stance of Howard and Donnelly. However, given the universalist undertones in the arguments of the African relativists, the question arises as to the difference between the two “universalisms”, that of the African scholars and that of Howard and Donnelly.

TOWARDS A RESOLUTION: THE CROSS-CULTURAL UNIVERSALS APPROACH

As seen earlier, Howard (1986) and Donnelly (1985) point to natural law, the rendering of societies amenable to Western liberal ideas by the forces of social change, and the ratification of international conventions as justification for the universality of Western conceptions of human rights. The universality present in the views of the African scholars is, however, based on their recognition of conceptions of human rights common to all societies. The African scholars did not give much detail of these commonalities.

Their views, however, seem quite similar to that of Alison Dundes Renteln (1990), a western scholar, who provides insight into the issue of commonalities. While acknowledging her support for a universal position on human rights, she questions its philosophical foundations. Like the African scholars, she finds inadequate the justifications offered for the position such as natural law, ratification of international conventions, divine authority and intuition. She sees the universalists' failure to find justifiable grounds for the universality of human rights as having to do with natural law and natural rights.

Renteln (1990) argues that the universe to which human rights and natural law apply differ even if the former evolved from the latter. Natural rights were asserted in a universe of shared values, hence, they were not contested. As she points out, "... it is only within a universe of shared values that the presumption of universality encounters no difficulties" (p. 51). This is not the case with human rights within the international context. Societies share different notions about such concepts as human nature, rationality, basic needs and human dignity on which philosophers have attempted to justify human rights. In light of such a diversity of moral systems in the world, Renteln suggests that the presumption of universality no longer serves "universal" rights well (p.48). She accuses Western philosophers of being particularly prone to ethnocentrism and blames the endurance of the notion of universality for so long on this ethnocentrism.

While acknowledging that relativism contains the danger of each society viewing its own standards as universally valid, Renteln maintains that properly construed, relativism can

be perceived in a more positive light. She suggests that cultural relativism, viewed in terms of enculturation, which refers to "... the idea that people unconsciously acquire the categories and standards of their culture" (p. 74), could serve such a purpose. Taken this way, the key contribution of relativism could be seen as the notion that every culture follows its own moral precepts. Accordingly, Renteln offers "cross-cultural universals" as the basis of universality, instead of those offered by other universalists such as Howard and Donnelly. *Cross-cultural universals are moral principles and categories, which converge from different cultures.* This conceptualization is, in essence, quite akin to the formulation by the African scholars that certain conceptions of human rights are "common to all societies". The concept of cross-cultural universals constitutes Renteln's solution to the problem of finding an empirical basis for the universality of human rights, and to reconciling the conflict between the universalists and relativists. Instead of whether other cultures have notions of human rights cast in a Western mold, the central question in this approach is whether there are any homeomorphic equivalents for human rights in other cultures (p. 11). In effect, the issue of finding justifications for the universality of human rights becomes a search for "the structural equivalents" (p. 11) for human rights in other societies.

In this approach, attention is drawn to the difference between universals and absolutes. While absolutes, on which natural law theory is based, do not make room for change, universals do. According to Renteln, the possibility of change enables the relativist to discover "inhumane" universals. The findings of cross-cultural studies provide a valid basis for the criticism of repressive states and individuals since violation of universal

standards, would at the same time, be a violation of one's own indigenous normative standards. Renteln illustrated this approach with empirical data showing that the principle of retribution tied to proportionality is accepted in all cultures of the world. She argues that this principle is so widespread because it serves as a limit on violence and that such worldwide support is indicative of a universal willingness to embrace such human rights prohibitions as those against genocide and torture (p. 136). She concludes that universals offer "the possibility of grounding international human rights in reality instead of naturalistic abstractions" (p. 137). In these terms, cultural universals constitute a step in constructing human rights standards that would be meaningful in all cultural contexts. Nevertheless, Renteln cautions that the discovery of universals does not necessarily translate into the realization of particular human rights and, therefore, there is a need for reform.

The Cross-Cultural Universals Approach Assessed

Renteln's cross-cultural approach is sensitive to cultural diversity yet is anchored in the notion of universality. This is a bold attempt to bridge the gap between the universalists and relativists; it also makes a significant contribution to the universalism-versus-relativism debate. More importantly, the approach has significant potential for practical application with respect to the enforcement of human rights statutes and agreements in the international community. Indeed, one of the major problems facing the international human rights system is the enforcement of human rights laws and agreements in member states which are sovereign (Cohen, 1993; Cameron, 1994). The cross-cultural approach operates on the assumption that people unconsciously acquire the categories and

standards of their culture. This assumption has considerable verisimilitude. Cross-cultural universals, as common principles of morality and belief systems spanning all cultures, are more readily acceptable to sovereign states of the world than are standards perceived by those states as foreign. This is an important precondition for the voluntary implementation of international human rights system.

A key limitation in Renteln's approach is that it fails to address the limitation arising from the fact that the cultural universals, which may be discovered, may not cover all extant issues in human rights. Furthermore, her suggestion for reform to translate universals into particular human rights does not provide guidance as to the nature of reform. The work of Abdullahi Ahmed An-Na'im (1992) marks an important advance in strengthening the utility of Renteln's concept of cross-cultural approach in human rights. Like Renteln, the problem for An-Na'im was universalism in light of the diverse and, sometimes, conflicting cultural practices of the nations of the world, as well as the wide discrepancy between the theory and practice of international human rights law. According to An-Na'im the cross-cultural approach

is based on the belief that despite their apparent peculiarities and diversity, human beings and societies share certain fundamental interests, concerns, qualities, traits and values that can be identified and articulated as the framework for a common culture of universal human rights (p.21).

An-Na'im's approach is based on the following premises: (i) people are more likely to observe normative propositions if they believe them to be sanctioned by their own cultural traditions; (ii) culture is dynamic; and (iii) the potential exists for universality to become real. Like Renteln, An-Na'im distinguishes between absolutes, which do not

admit variations, and universals, which permit the least common denominator to be extracted from the range of variations, as a key issue in this approach. While preferring the latter, An-Na'im maintains that the least common denominator may not be enough to accommodate certain vital human rights since universals do not indicate the content of morality. Accordingly, he prescribes an activist approach, which would permit changes in each culture to make room for the range of human rights standards not already supported.

An-Na'im's method of ensuring this entails two elements: (i) internal cultural discourse made possible by the fact that the dominant cultural view may not be the only one available in any particular society, and (ii) cross-cultural dialogue reflecting a recognition that cultures are constantly changing and that there is increased interaction between nations. In this way, An-Na'im goes a step further than Renteln, suggesting how reform could come about: a double-pronged activism at both the local and international level. This offers the opportunity to introduce the elements of international human rights into the agenda of every nation. An-Na'im, however, suggests that this process of change must be culturally legitimate, conforming to norms and mechanisms of change within the particular society. An-Na'im maintains that existing international human rights standards are useful in that they provide a framework and point of reference, and in spite of their limitations, they provide a measure of protection to people, especially activists and scholars.

The existence of current international human rights documents should be seen as positive in light of the gross human rights abuses known all over the world. However, merely having human rights documents without being able to implement them does not solve the problem of worldwide human rights abuses. Yet, little of the literature on international human rights pays attention to the issue of implementation. Thus, An-Na'im's work, which focuses on how to make international human rights law implementable represents a timely and important development in human rights scholarship.

An-Na'im's work also constitutes a bold attempt to grapple directly with the real and compelling issues in international human rights discourse and practice: (i) the Western bias in current international human rights law and its consequent impediment to implementation in other cultures, (ii) economic and political reality and (iii) cultural sensitivity. Unlike others who either dismiss outright the universality of international human rights or the relativist stance, the unique thing about the cross-cultural approach, put forth by Renteln and developed by An-Na'im, is the integration of elements of both positions. The cross-cultural approach is the only attempt to find any solution to the conflicts and issues arising out of the universalism and relativism debate. It seems to be the only ray of hope, so far, towards a concerted effort to deal with the perennial problem of non-implementation of human rights agreements.

It would, however, be an inordinately time-consuming exercise to survey all world cultures to establish a consensus on human rights. Those interested in human rights, especially activists who want swift action, might hesitate in embracing such an approach.

Further, there are restrictions on the freedom of speech and open dialogue in some societies of the world, and neither is international dialogue without its own impediments. Some societies might even lack credible opinion leaders and scholars to participate in dialogue on human rights. In addition, there are considerable variations in the world with regard to perceptions of the value of research and the uses to which research findings are put. Reaching consensus on universals might not be easy.

Indeed, An-Na'im cautions that this hybrid approach has not yet been sufficiently examined by scholars and that more work needs to be done on the methodology of internal discourse and cross-cultural dialogue (pp. 6, 433-435). Due to the practical implications this approach has for the implementation of human rights, I believe it should be tested against empirical evidence. This is what I will attempt to do in this dissertation.

Nevertheless, I find An-Na'im's attempt at establishing universality based on consensus from all countries of the world as impracticable. It is one aspect of the cross-cultural universals approach I disagree with. With the type of traditional, cultural and religious issues addressed by international human rights regimes, it is possible to establish universals based on An-Na'im's criteria. Instead of seeking universals, I think the focus of the approach should rather be its positive elements such as ownership of the process by the local people, internal cultural discourse and cross-cultural dialogue. I consider these the most important and relevant elements in approaching this dissertation. Such an approach, which focuses on these positive elements and disregards the "universals" element could simply be called the "cross-cultural approach".

Unfortunately, these elements of the approach, which deal with the issue of public decision-making, have not yet been fully developed. These elements are, however, important to fully understanding the nature the conceptual framework adopted to analyze the issue of controversial customary practices. I think policy theory, particularly of the post-positivist genre, which emphasizes hermeneutics, critique, deconstruction and a politics of difference could make up for the limitations in the “cross-cultural universals” approach.

POST-POSITIVIST POLICY ANALYSIS

Post-positivist approaches to policy analysis, like the theories they are built on, eschew the conventional ideas of progress and modernization. The conventional approach involves a search for “truth” in a rational and objective manner. Thus, the positivist approach becomes abstract, ethnocentric and assimilation-oriented. In his article, Douglas Torgerson (1996)⁶¹ contends that with the decline in positivism, there has been a methodological departure to post-positivist approaches which highlight discourse analysis as the subject matter of inquiry. He identified three main post-positivist oriented approaches: (1) Hermeneutics, (2) Critique, and (3) Deconstruction.

⁶¹ Douglas Torgerson (1996) “Power and Insight in Policy Discourse: Post-Positivism and Problem Definition” in Laurent Dobuzinskis *et al.* (eds.) *Policy Studies in Canada: The State of the Art* Toronto: University of Toronto Press chapter 14.

The hermeneutics approach seeks meaning and understanding with respect to the issue of analysis. It operates on the assumption that reality is socially constructed. To comprehend an issue, thus, requires understanding the definitions, meanings and the social context of those most affected by the phenomenon of analysis. Torgerson points out that policy analysis involves capturing meanings of action, contextualizing descriptions, and making alive the situation in the language of the scientist (p. 274). Torgerson, however, cautions that in this of analysis, the scientist could become too trusting and thereby accept rather than challenge modes of domination such as customary practices and institutions.

The critical approach helps overcome the danger involved in the search for meaning and understanding. Torgerson argues that critique enables the analyst to objectify the subject matter and introduce a note of suspicion and ask for causes rather than meaning. Critiquing questions how prevailing discourses and institutions contribute to domination. It introduces a certain level of rationality but also addresses the issues of relevance of proposals to specific settings and the inclusion of neglected issues and groups, thus promoting “participatory expertise” (p. 276). In this way, customary practices could be challenged and alternatives to domination identified, giving voice to marginalized groups.

Torgerson regards deconstruction as a quest for a proliferation of meanings as well as questioning the authority interpretations. In a post-modernist theoretical frame, deconstruction focuses on differing views of various collectives and individuals without

assigning superiority to any one. As Torgerson puts it, “the accent of deconstruction is on difference and contention” (p. 279). Unless ample space is made for reconstruction, an approach, which is too contentious may pose difficulties when it comes to putting together a policy for action.

The post-positivist approaches as presented by Torgerson have implications for issues of power and problem identification in policy making. For the already powerful, it offers a challenge to the status quo and for the marginalized, it empowers them by offering the opportunity to assert themselves and to play significant roles in taking decisions that directly affect them.

Elements of the three approaches will be used in this dissertation. Prominence will be given to seeking the understanding and meaning of the *trokosi* practice to the practitioners, *trokosis*, proponents, and people of the practicing communities. I will take the views of the local people, that is, those most affected by the practice, seriously. I will also give voice to other stakeholders in the *trokosi* issue. I will, however, avoid the pitfall of just trusting and accepting the meanings and interpretations of especially the practitioners, proponents, and community members. While avoiding demonizing and demeaning practitioners and proponents, I will challenge the relevance of *trokosi* practice, a 300 year-old customary practice, in modern Ghana. I will contest the basis for holding women and children in bondage for life. Contrary to the deconstructive approach, however, I will also opt for a policy strategy that I think best addresses the issue of transforming controversial traditional practices.

Winston Nagan's (1993) contextual policy-oriented approach⁶² serves as a good example of the application of a post-positivist approach to human rights issues. The problem for Nagan, as for Renteln and An-Nai'm, is the disparity between the desire of people for their rights and dignity to be honored, and a human rights system which may not honor the rights and dignity of people (p. 94). Nagan argues for a decision-making approach to human rights theory, in the sense that human rights theory (contemplative skills) and practice (manipulative skills or creative decision making) should go hand in hand. The assumptions of this approach are that (1) "decision making is a key to the understanding of how and why rights emerge, are suppressed, and may reemerge," (2) that "we are all moral agents who are responsible for what we do or not do" and (3) that "ultimately, rights and dignity depend on how all of us react to decisions that foster and restrain human rights locally, nationally, or globally" (p. 93). In this respect, the views of all stakeholders, and not only those of the scholar and the powerful, are equally important.

He contends that theory is important as it affects the beliefs and practices of those who condition the delivery or non-delivery of human rights. For example, the belief that human rights have to do either with individual rights or group rights determines how human rights are delivered. He points out, however, that human rights theory is often abstract, authoritative, and it may create dependencies. His suggestion is that,

⁶² Winston P. Nagan (1993) "The African Human Rights Process: A Contextual Policy-Oriented Approach" in Ronald Cohen; Goran Hyden; and Winston P. Nagan (eds.) *Human Rights and Governance in Africa* Gainesville: University Press of Florida pp. 87-108.

for a theory about human rights to be practical, as well as providing a framework that explains what human rights are and how they may improve the public order, it must have as one component of the framework the element of decision making. Such a theory focuses on the processes of decision making that condition or undermine the human rights aspects of the public order (p. 93).

In this respect, Nagan acknowledges the importance of theory and the scholar's role in the human rights arena. For Nagan, however, the role of the scholar is only one of many such critical roles: all human beings are responsible moral agents whose actions affect or are affected by human rights decisions locally, nationally and globally (p. 93).

A key factor in such an approach, however, is how one defines the concept of "human rights". There are two main approaches in this regard. First, a *narrow approach*, which holds that human rights are unique to western society, and yet, the current regime of international human rights built on the western system are universally applicable. At the centre of this approach are Western political theory (the liberal state) and jurisprudence (the rule of law). Nagan points out that western theory and jurisprudence have resulted in the creation of a dichotomy between the state and individual, society and personhood, the collective and the individual, and the group and the person. In this tradition, human rights mean the claims of the individual against the collective (state, group or society). This was the approach of the universalists as represented in the works of Howard and Donnelly discussed earlier.

Second, a *comprehensive orientation*, which sees human rights as implicit in all human interactions and is therefore a practical issue. For Nagan, this view “acknowledges the existence of a global social process, and a global system of public and constitutive order in which values are shaped and shared in complex patterns of interdependence” (p. 94). In this context, choice making is the norm and is based on the core value of “respect”, which Nagan defines as “... the principle of mutual deference conditioning decisions among human beings” (p. 94). He advocates that,

[t]his implies reciprocal deference to each other’s freedom of choice to participate and benefit from all the complex value processes in society. It means a public order committed to the widest sharing and production of the greatest abundance of all values; it means the right not to be coerced, it means the reciprocal freedom of choice for all. In short, the comprehensive perspective involves a contextual, problem-oriented, goal guided, value conditioned, dynamic conception of human rights (p. 95).

This approach involves opportunities to express and understand the perspectives and operations of all stakeholders whose interventions could influence the problem of change within a relevant social context. Such an approach to inquiry entails a statement of the researcher’s own values. In this vein, Nagan defined human rights as “expectations and claims leading through a process of decision making to entitlement”, where “expectations encompass individuals as well as individuals in groups” p. 104. In this approach then, law is seen as “a process of authoritative control through decisions whereby members of the community seek to clarify and implement their common interests” (p. 95).

To sum up, the inter-related elements of Nagan’s contextual policy approach for purposes of this dissertation are:

- Acknowledgment of a problem
- Emphasis on creative public decision-making in finding solutions (change) to the problem
- A process of change involving several equal actors and values, individuals and groups, their demands and expectations, strategies, and consequences for public order
- With several equal actors, goals and alternatives to choose from, there is need for goal clarification (the opportunity to express ideas) and the need for understanding
- Need for dialogue, negotiation and mutual respect
- Need for understanding calls for emphasis on context: understanding and meaning (phenomenology).
- Qualitative approaches to analysis rather than positivistic approaches.

Nagan rightly points out, this “approach might be described as the important empirical task of both understanding and expressing the problem of change in a relevant socio-political context” (p. 105). To effectively address the *trokosi* problem, there is the need to understand the socio-cultural context that gave birth to and maintains the practice, and to give voice to all stakeholders through the processes of dialogue, negotiation and mutual respect. This approach, which is adopted by this study, leads to the creation of an atmosphere which is sensitive to the norms and values of stakeholders and conducive to positive change. Hence, the emphasis on “contextual” in the title of this dissertation

The contextual policy approach represents an advance over the cross-cultural universals approach and better captures the *trokosi* problem in Ghana and the essence of this study than the conventional approach in human rights. It contrasts sharply with the conventional approach, which is abstract, legalistic, formalistic, authoritarian, fraught with a contemptuous attitude towards “other” cultures, and which creates dependencies.

FEMINIST ANALYSIS OF *TROKOSI*

An analysis of the practice cannot be complete without incorporation of some elements of feminist analysis of public policy. Susan Phillips (1996)⁶³ identifies three major contributions of feminist theory to policy studies – discourse, identity, and voice. She contends that at the very minimum, feminism adds gender to policy analysis, regardless of the issue at hand. While sex deals with biological differences, gender connotes “socially constructed and historically variable relationships, cultural meanings, and identities through which biological sex differences become socially significant” (Laslett and Brenner, cited in Phillips p. 242).

Traditional policy analysis, or what Torgerson (1996) calls “technocratic policy analysis”, is based on the epistemology of empiricism and methodology of positivism. With its emphasis on “value free” science, the search for “truth” and general laws tend to

⁶³ Susan D. Phillips (1996) “Discourse, Identity, and Voice: Feminist contributions to Policy Studies” in Laurent Dobuzinskis *et al.* (eds.) *Policy Studies in Canada: The State of the Art* Toronto: University of Toronto Press chapter 13. Susan admits feminism is not a unified theoretical approach, but focuses on the converging aspects of the perspective.

subjugate certain knowledge and experiences. Phillips posits that the addition of gender makes policy analysis complete, making visible the activities and political processes that have been rendered invisible in traditional policy analysis; challenges the notion that elite men's experiences represent all human experiences; and, raises new questions and reconfigures existing categories (p. 251). In this sense, feminism sees knowledge claims as forms of discourse, knowledge becomes relational, and the analyst part of the analysis (p. 243).

As Phillips points out, such an approach must grapple with "the politics of difference", including differences between men and women and among women. This showcases identity and identity politics, which Phillips identifies as a second contribution of feminism to policy analysis. Identity introduces the issues of representation and the tendency to make general knowledge claims. Phillips argues that identity is a political point of departure and motivation for action rather than a set of objective needs. It builds on commonalities, yet remains sensitive to the needs of different categories of women. This gave birth to "the politics of difference" (Iris Young 1990). In this sense, the fact that feminism is not a unified theoretical approach constitutes an asset than a weakness to the approach.

For Phillips, "the politics of difference" has two implications for policy analysis. First, is the issue of whether women should be accorded "differentiated" or "undifferentiated" treatment. In some instances, more equitable and appropriate treatment might be achieved by recognizing difference and making policy sufficiently flexible to

accommodate and address differences (p.253). Second, politics of difference involves competing accounts and shifts in emphasis “from *what* is being claimed to *how* and by *whom* claims are being made” (p. 254). This helps in the public decision-making process when it is important to determine which claims are legitimate and the appropriate claimants to be heard.

Phillips links the concept of identity to that of “voice”. She argues that, “all knowledge is situated, not only relative to the investigator, but in a specific historical, social economic, and political context” (p. 256). In this way, knowledge should be seen as discourse. Knowledge is subject to the interpretations of both the researcher and subjects (discourse analysis). For policy studies, she proposes that discourse as meaning must be linked with a subject as a supplier of that meaning. Consequently, there is a need to understand the collective identities in society and allow their voices to be heard. As she put it,

[t]he responsibility of the policy maker is to ensure that research on a particular issue facilitates understanding of the full range of standpoints and perspectives, and in particular that the politically marginalized groups of society have the opportunity to give voice to their alternative constructions and interpretations of research (p. 259).

Most elements of the feminist approach to policy analysis as presented by Phillips meet the post-positivist policy analysis conceptual framework adopted for this study. Some of these elements were adopted for this analysis. In this regard, emphasis was laid on contextualizing the issue of *trokosi* within the social, political, cultural, and history of the Ewes in chapter four. In chapters five and six, attention was paid to presenting the full range of stake-holders and their perspectives on *trokosi*. Special effort was made to give

voice to politically marginalized groups, especially *trokosis*, and their alternative constructions and interpretations of the practice.

Further, I have observed that almost all controversial traditional practices in Africa carry negative consequences for women than men. This is one area of African culture that needs a strong infusion of not only feminist values but also of the core Western value of respect for individuality. In this respect, African women stand to benefit greatly from the implementation of certain provisions of some of the conventions and treaties of the international human rights regime such as the Convention on the Elimination of all Forms of Discrimination Against Women, Convention on the Rights of the Child, the Slavery Covenant, the Forced Labour Convention, the International Bill of Rights, the Covenant on Civil and Political Rights, and the Covenant on Economic, Social and Cultural Rights. This would fall in line with the element of “Cross-Cultural Dialogue” in the Cross Cultural Universals approach adopted in this dissertation.

Yet, the focus of this study is not purely a feminist analysis of *trokosi*. In dealing with the issue of transforming the practice of *trokosi*, the focus of this dissertation, the central issue for me is not that of treating men and women in the same way (creating gender inequality). The practice is so horrendous that no human being, male or female, should be subjected to it. Similarly, some elements of approaches in slavery, abolitionism, social movements and interest groups were used without giving pride of place to these approaches.

SUMMARY AND CONCLUSION

In this chapter, the dilemmas and tensions surrounding the universalism and relativism debate in international human rights law were considered. Based on a review of the literature on human rights in Africa, an attempt has been made to delineate the main issues and arguments on both sides of the debate. The “cross-cultural” universals approach, which seeks to reconcile the two positions, has also been discussed. Winston Nagan’s (1993) contextual policy-oriented perspective was introduced to make-up for the limitations of the “cross-cultural universals” approach.

There are two central issues of contention in this debate. One deals with the origins of the concept of human rights and whether it is unique to only Western societies. The second issue surrounds the presumed universality of international human rights law in spite of its Western bias.

Origins of the Concept of Human Rights

There is general agreement in the literature on the Western origins of the international human rights regime. The disagreements and tensions here begin with the argument of Howard and Donnelly, made individually and jointly (Donnelly 1982a, 1982b, 1985; Howard 1986, 1992, 1993; Howard and Donnelly 1986), that human rights can only flourish in liberal regimes and are therefore peculiar to only western societies. Consequently, they argue that human rights were not known in non-western societies.

Howard and Donnelly define human rights narrowly in terms of the western liberal ideals of personal autonomy, equality and free market.

Several African scholars disagree with Howard and Donnelly. Ziyad Motala (1989), Nana Busia (1994), and Makau wa Mutua (1995) argue that all societies of the world have standards of human dignity and the worth of human beings in both its collective and individual personalities. To them, these standards form the basis of human rights the world over and, hence, these societies could not be described as not having conceptions of human rights. Based on the anthropological literature, these scholars provide evidence from the political and social systems of pre-colonial African societies to make a strong case for human rights in these societies. They see communitarian principles and its system of duties and obligations as unique aspects of the African human rights system. Labeled differently by various Africans as “African humanism”, “African personality”, “African cultural fingerprint”, among others, these writers argue that these are equally valid as any other conceptions of human rights. They, however, acknowledge like any other human rights system of the world, the African pre-colonial system had both its good and bad aspects. Hence, they argue that contemporary African countries should fashion their human rights systems on good aspects of their pre-colonial cultural and social values and abolish the bad aspects such as discrimination against women and the repression of children.

Universality of International Human Rights

With regard to the second issue, Howard (1986, 1992,1993) and Donnelly (1985) have championed the view that the current regime of international human rights norms is universally applicable. Howard and Donnelly present three arguments to support this position. Their first argument is a philosophical one based on natural law. They contend that human rights are rights which people possess simply because they are human beings. They imply that the enjoyment of human rights is not predicated on one's cultural values or duties and obligations. Hence western conceptions of human rights, which are the only types of human rights they recognize, equally apply to all societies. Renteln (1990) points to the fallacy of that argument which assumes that human beings, stripped of their cultural and political heritage, would all think the same, as pure rational beings and make similar choices. On the contrary, societies share different understandings of such concepts as human nature, rationality, basic needs and human dignity on which Western philosophers justify human rights.

The second argument is that non-western societies have given support to western conceptions of human rights by signing or ratifying international human rights documents. This is a legalistic argument which ignores the circumstances affecting the rendering support by state parties to international human rights agreements and similar documents.

Howard and Donnelly's third argument is that non-western societies have undergone rapid social change due to colonization, urbanization and industrialization and have, in

the process, acquired western liberal ideas which, as a result, make them fertile grounds for the western conception of human rights to flourish. The realities of African social life do not support this argument. Indeed, several African scholars such as Motala (1989) and wa Mutua (1995) counter that colonialism and the artificial states it created in Africa today present some of the grounds for the gross human rights violations witnessed in Africa. There was lack of human rights during the colonial era, and industrialization and urbanization, couched in terms of free market, were only geared towards maximizing the profits of western companies. The large rural population which is cut-off from western influence, as well as the failure of modern African states to provide economic sustenance for their people, are some of the factors which have contributed to the continuing relevance of, and reliance by people on, pre-colonial African social and cultural institutions in the modern era.

This dissertation sides with the position of the African scholars in that it represents the reality of the African situation since it considers the history, indigenous values and practices, and the current socio-economic experiences of the people. It is argued that there are elements of universalism in the position of the African academics. Their argument that all societies have conceptions of human rights and that some commonalities could be found across all societies of the world contains the seeds of a different type of justification for the universality of human rights than the one offered by western universalists. It is, thus, doubtful whether the ethnocentric label thrown at these African scholars by Howard and Donnelly is well-deserved.

Alison Renteln (1990) pursued the idea of cultural commonalities and human rights through her concept of “cross-cultural universals.” She defines these as moral principles and categories common to different societies. Three assumptions underpin Renteln’s “cross-cultural universals” approach. First, that people unconsciously acquire the categories of their culture. Second, that people are prone to look favorably on international documents, which are sensitive to the values and standards of their own culture. The final concept is a dynamic view of culture, which enables even relativists to question violations of standards in other cultures and to actively work towards changes in their own societies. Renteln calls for reform for universals to be translated into human rights practice. She, however, fails to indicate how this reform should proceed.

Abdullahi An-Na’im (1992) provides a method of proceeding in order for reform to take place. There are two elements to this method: (i) internal cultural discourse made possible by the fact that the dominant cultural view may not be the only one available in a particular society, and (ii) cross-cultural dialogue, reflecting a recognition that cultures are constantly changing and there is increased interaction between nations. The method is essentially activist and gives ownership of the process and primary responsibility to local people involved in a particular issue. The emphasis is on dialogue and education. This contrasts sharply with condemnation, a demeaning and contemptuous attitude towards other cultures, and the attempt to coerce or exercise power over people of other cultures that has become so characteristic of the current Western efforts to eradicate controversial traditional practices in other cultures. The emphasis of this approach on how to make international human rights workable holds the potential to engage the attention of

students and practitioners of human rights. This is particularly likely given the major problem in the field, namely lack of effective mechanisms for implementation and enforcing human rights laws and similar agreements.

The requirement that for human rights to be universals they must be based on consensus from all world cultures is a major limitation of the cross-cultural universals approach. Considering that concept and practice of human rights deal with issues of belief and values, this is an impossible task. Elements of the cross-cultural universals approach – local activism, internal cultural dialogue and cross-cultural dialogue – are sufficient conditions for making change acceptable to stakeholders without meeting the tall order of universalism. Unfortunately, these elements are not well developed in the cross-cultural universals approach.

Winston Nagan's (1993) contextual policy-oriented approach (noted earlier in this chapter), with its emphasis on public-decision making in the process of change, makes-up for this limitation in the cross-cultural approach. It is an approach within the post-positivist analytical framework. The most important elements of Nagan's approach with regards to *trokosi* lies in (1) acknowledging a problem, (2) focus on creative public decision-making process in order to bring about change, (3) recognizing change as a process concerning several equal actors with their different values, goals, demands, expectations, alternatives and strategies, and (4) hence, the need for meaning and understanding fostered through dialogue, negotiation and mutual respect. The focus of this approach is phenomenological with the "important empirical task of both

understanding and expressing the problem of change in a relevant socio-political context” (Nagan 1993: 105). Its appeal for this work is that it captures (1) major developments in Ghana since the early 1990s with respect to the *trokosi* problem, and, (2) the essence (the motivation and objectives) of this study.

Overall, then, whereas elements of other approaches are utilized in this analysis, the overarching analytic framework remains the cross-cultural approach to human rights supplemented by Nagan’s contextual public decision-making approach. My position is that the process of eradicating controversial traditional practices, such as *trokosi*, must be sensitive to the cultural norms and values of practitioners in order to foster change. My contention, and hypothesis of this thesis, is that local initiatives and cultural sensitivity in the issue of child bondage accounts, in a large measure, for the success of the anti-*trokosi* campaign in Ghana.

Chapter 4

THE SOCIO-CULTURAL CONTEXT OF *TROKOSI*

Introduction

To a large extent, cultural practices, values, and norms are best understood from the perspectives of those who engage in them. The contribution of Greene's (1996) study is significant in this regard. Writing about gender relations in Anlo society (a *fiasidi* practicing group) from the fifteenth century to the present, Green argues that discussions of gender relations must move beyond "... the simplistic, analytic categories of oppression and agency" (p. 182). As she explains,

[w]e must also determine why African women and men as individuals and as members of social groups made particular choices, consciously or unconsciously, when they did. Only then can we begin to understand why gender relations in any given society changed in particular ways (p. 182).

To this end, Greene situated changes in gender relations within the larger context of the demographic, political, social, economic, and religious changes that occurred since the fifteenth century. The benefit of this approach, as Greene points out, is that

... it avoids demonizing the individuals and groups who marginalized members of their own families on the basis of gender. It also refrains from using the notion of "false consciousness" to explain why some young women participated in their own marginalization (p.181).

Similarly, even though *trokosi* is a most abhorrent practice by contemporary international human rights standards, it is important to view it within a wider social, political, economic, religious, and gender context. Appreciating the evolution of Southern-Ewe society lets us

understand how such a practice could be conceived and maintained. This approach has the advantage of not simply demonizing Ewes, and provides a foothold for dealing more sensitively with the *trokosi* problem. Such sensitivity could help some proponents of the *trokosi* system understand that the anti-*trokosi* campaign is not merely a foreign, Christian-rooted attack on traditional Ewe cultural and religious values and practices. This could make them receptive to the idea of modernizing the *trokosi* system.

This approach is in line with the public decision-making approach to cross-cultural analysis in human rights which informs this study. It requires an understanding of the history, values and perceptions of the stakeholders and also an understanding of the socio-cultural environment that created the issue at stake. I seek to achieve this task in this chapter on the socio-cultural context of the current *trokosi* system. The discussions cover the history, traditional political and social organization, and the religious and crime control systems of the Ewes. It is in this sense that the title of this dissertation emphasizes the word “contextual”.

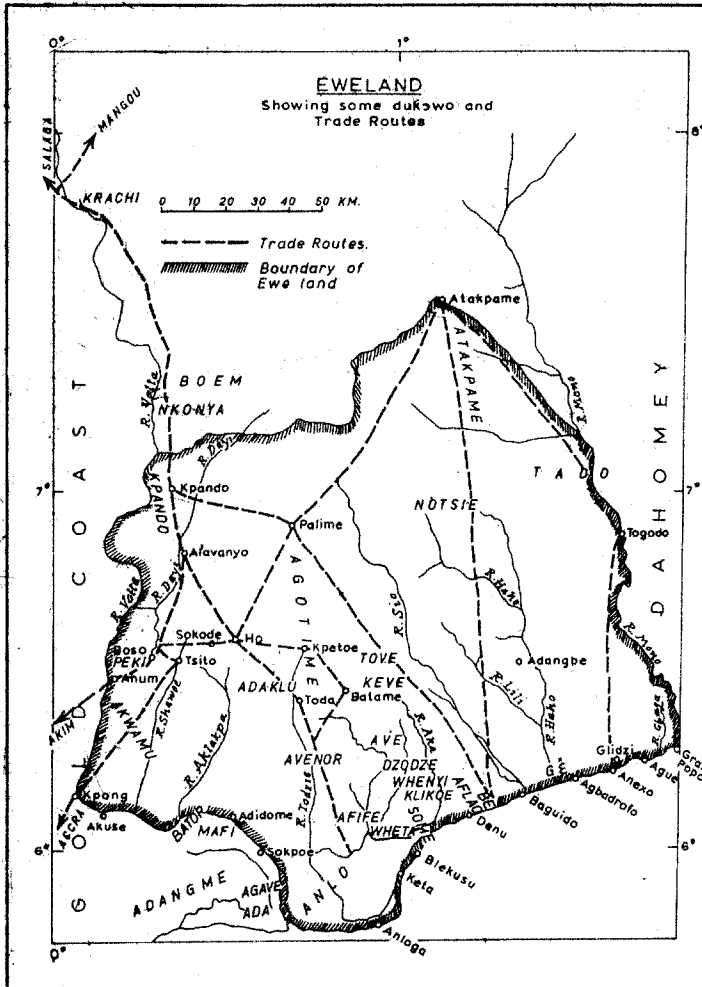
Eweland and the Ewes

The Ewes live along the west coast of Africa, stretching from River Volta (in Ghana) in the west, across southern Togo to River Mono (in southeastern Benin) in the east. The Atlantic Ocean marks the southern boundary of Eweland, which is bordered in the north by the Akan and Guan speaking groups of Buem, Akposo, the Kebu and Boasu (Asamoah 1986; Amenumey 1997, 1986; Nukunya 1997). Eweland thus extends across three independent African countries: Togo, Benin, and Ghana. Ghanaian Ewes form only

a small fraction of the total stock of Ewes, with whom they share common social norms, practices, language and history with some variations. The emphasis in this chapter is, however, on Ghanaian Ewes in general, and more specifically on the Southern Ewes since the practice of *trokosi* predominates among the latter.

Ghanaian Ewes occupy the southeastern part of the country from the Volta River to Ghana's international border with the Republic of Togo. It is not known when the Ewes settled in Ghana. Scholars provide dates ranging from the eleventh to the eighteenth century, with the seventeenth century being the most likely date based on recent archaeological analysis (Asamoah 1986; Amenumey 1997, 1986). All Ewes trace a common history of migration from Ketu, in the present-day Republic of Benin. Amenumey (1997: 14) dismisses claims of migration from "Babel" of the Bible – Mesopotamia, and Egypt – on the basis of lack of scientific evidence. This invalidates Darteh-Kumordzie's claims to that effect as discussed in chapter 2.

Figure 2. Map of Eweland



Source: D. E. K. Amenumey (1986) *The Ewe in Pre-Colonial Times* Accra: Sedco Publishing Ltd. p. x.

Migration

The Ewe, Aja, Fon, Ada, Ga, and Yoruba lived in Ketu. The migration from Ketu is attributed to an expansion of the Yoruba people that pushed the other ethnic groups westward. Settlements were founded by different divisions of Ewes who migrated to southern Togo and southwestern Benin (Amenumey 1997, 1986). For Ewes who moved to Ghana, the next major stop from Ketu was Notsie, in the present-day Republic of Togo. Kings then ruled over Notsie. According to Ewe tradition, the ascension to the throne by the infamous King Agokoli, reputed to have been heinous and repressive, forced the Ewes to leave Notsie.

Three divisions of Ewes travelled westward to Ghana. The first founded the present day settlements including Kpando, Hohoe, Peki, Awudome, Alavanyo, Agu, Kpedze, which form the northern part of Eweland in Ghana. The second division founded settlements such as Ho, Sokode, Abutia, Adaklu, and Akovia, which occupy the central part of the new settlement (Amenumey 1997, 1986). The Ewes who constitute the first two divisions are known as “Wedometowo” or “Ewedometowo”. Living among the “Wedometowo” are numerous autonomous groups which speak a variety of Guan and Akan dialects, and who migrated to the present settlements after crossing the Volta River from the west (Gavua 2000). Among the latter group are the people of Avatime, Logba, Santrokofi, Akpafu, Likpe, and Agortime. The people of these Guan/Akan groups speak Ewe in addition to their own languages, and have adopted some of the customs and practices of the Ewes, who constitute the dominant group in the region. The Wedometowo and the Ewe-speaking Guan/Akan groups constitute those referred to as

the “Northern Ewes” (Gavua 2000). The Northern Ewes are divided into Ho, Hohoe, Kpando and Jasikan districts in the current local government organization in Ghana. They occupy the central portion of the Volta Region. The *trokosi* system is generally not part of the social practices of the Northern Ewe. Of the 43 *trokosi* shrines in Eweland, only 3 are found among the Northern Ewes (Dovlo and Kufogbe 1997, 1998).

The third division of Ewes who moved to Ghana are called the “Dogboawo”. They settled along the southeastern coast of Ghana and along the lower Volta River. Within Ghana, they are easily referred to as the “Southern Ewes” or the Ewes of southeastern Ghana. In relation to Eweland, however, the “southern Ewes” inhabit the southwest.

There were sub-divisions and realignments among the Dogboawo. The dominant groups that emerged from these were the people of Anlo⁶⁴ and Tongu. Led by Amega Wenya and his nephew Sri, the Anlos founded settlements such as Keta, Anlo, Keta, Tegbi, Anyako, and Kodzi. They dwell in southern Volta Region of Ghana, and are spread over five local government administrative districts – Keta, Ketu, Akatsi, South and North Tongu. The focus of this study is on the Southern Ewe in general and more specifically on the Tongus.

⁶⁴ Nukunya (1997) rightly points out, however, Anlo is not an easily defined unit. Whereas the Northern Ewes refer to Southern Ewes outside Tongu as Anlo, and Ghanaians of other ethnic groups call all Ewes Anlo, there are some Southern Ewe groups such as the Some and Avenor who object to that. Amenumey (1997) classifies the Some and Avenor among states such as Klikor, Dzodze and Afife that grew out of the divisions that had left Wenya and Sri, the leaders of the Anlo.

The Tongus founded the settlements of Volo, Battor, Agave, and Tefle. In addition to the Ewe settlers, Akan (Denkyera) and Dangme immigrated from the west of the Volta River and settled among the Tongus in Battor, Mafi, Mepe, Torgome and Vume. The new migrants were absorbed into the dominant Ewe culture to varying degrees. In Battor, Mafi and Mepe, the assimilation was complete, while in Torgome and Vume the newer immigrants retain their Akan language (Amenumey 1997, 1986). The Tongus have evolved into 13 states – Agave, Bakpa, Battor, Duffor, Fieve, Fodzoku, Mafi, Mepe, Sokpoe, Tefle, Togome, Volo, and Vume.

The geographical centre of the *trokosi*/fiashidi practice is located in Southern Eweland. 40 (93%) of the 43 *troxovi* shrines in the Volta Region (mainly in Eweland) are located in the Southern Eweland. Of these, Tongu alone has 27 (63%) making it the “*trokosi* center of Ghana” (Dovlo and Kufogbe 1997, 1998).

Part of the fieldwork for this dissertation was done in the Tongu towns of Adidome (Mafi), Mepe, Sogakope, Tefle and Fieve. Akatsi was another Southern Ewe town in which fieldwork was done. A moderate amount of research material on *trokosi* has emanated from Klikor, an Anlo town, which is a centre of fiashidi practice. Togbe Addo (1995, 1998), the chief of the town, has contributed significantly to the *trokosi* debate. With the predominance of *trokosi* practice among the southern Ewe, this study was centred in that section of Eweland. Thus, while both the northern and southern Ewe share common social institutions with some variations, the rest of the chapter will concentrate on the social institutions of the Southern Ewe who practice *trokosi*.

Geography and economy

The Southern Ewe live in southern Volta Region. The physical landscape is generally low-lying and undulating and can be divided into two physical regions, the coastal or southern lowland and the interior upland or plains (Kufogbe 1997). The coastal strip, as Nukunya (1997) calls the coastal lowland, stretches along the Atlantic Ocean from the estuary of the Volta River in the west to the Aflao, on the Ghana-Togo border. The topography consists of several lagoons, sandbars, a network of streams and rivers, most of which join the Volta River (Kufogbe 1997; Nukunya 1997). The region falls within the Coastal Savanna zone of Ghana with low vegetation comprising a variety of grass, trees such as mango, palm and coconut, and mangrove forests along the waterlogged, salty areas (Kufogbe 1997; Nukunya 1997).

The interior plains or upland, with isolated peaks of inselbergs, is generally higher than the coastal strip, rising above 30 m above sea level compared to the average of 12 m for the coastal strip (Kufogbe 1997). This region falls within the Interior or Guinea Savanna ecological zone with tall grass interspersed with trees and small groves (Kufogbe 1997; Nukunya 1997). The climate of both the coastal and interior regions is with medium temperatures (average 27°C), high humidity and medium rainfall, which is slightly higher in the interior region.

The soil in both regions is poor in fertility, yet agriculture (mainly arable farming, fishing and raising of livestock) remains the main economic activity in the area. The coastal region and the areas along the Volta River are reknowned in Ghana for their marine and

river fishing activities, and the Keta area for its shallot farming and raising of livestock (Nukunya 1997), and the region in general for its salt harvesting and vegetable farming. Secondary economic activities include kente weaving, pottery/ceramics, and bead making. The Juapong Textile Factory is the only large-scale industry in the region, while tertiary or service enterprises are made up of trading, transportation and a small hotel industry (Ahiawodzi 1997). Thus, within the national context, Southern Eweland, just like Volta Region in general, is poorly endowed with natural resources.

As Kufogbe (1997:293) observes,

within the Volta Region itself, it appears that the southern section, ... has a poor resource base and a difficult environment which has been progressively deteriorating due to sea erosion, seasonal flooding, intermittent droughts, declining fisheries and poor road infrastructure

The greatest resource of Southern Eweland, and the Volta Region in general, is its people, who are highly educated. The Volta Region falls well above the national average of people who have been to school (Kufogbe 1997).

TRADITIONAL EWE SOCIAL ORGANIZATION

Generally, the Ewes share a common social, cultural and political organization, with some variations. In this section, only the main features common to the social organization of the Southern States are discussed. Specifically, only the variations that have implications for the practice of *trokosilfiasidi* are pointed out.

Ewe social and political organization is built on the principle of patrilineal descent with the extended family constituting the building blocks. Thus, Nukunya (1997: 47) posited that, “the key to understanding of Anlo social organization is patrilineal descent which is based on clans and lineages”. This is true for all Ewe states with minor variations. A *clan* is defined as “a group of people, male and female, who are believed to have descended in the male line from a common putative ancestor and who share the same totemic and other observances” (Nukunya 1969: 21). Clan membership is by birth, though foreigners are integrated but may not enjoy all the rights which accrue from membership. The *lineage* is that branch of a clan found in a settlement. It includes all persons, male and female, who are able to trace relationships by a series of genealogical steps through the male line to a known ancestor and theoretically to each other (Nukunya 1997: 50). The Anlo, the largest Ewe state, has 15 clans, *Hlo* dispersed throughout the polity (Nukunya 1969, 1977). Five clans – Dzagbaku, Dzoxorunu (Adzigo), Sevie, Gbanvie, and Akorvie – constitute the Tongu state of Mepe. Among the Mafi, the clan is called *to* (Amewudah 1984: 14).

The *family* among the Southern Ewe is broadly defined to include not only the nuclear family, which was rare in traditional Eweland, but also the extended family. The extended family may comprise uncles, aunties, grandparents, great grand parents and half-siblings who may live in the same compound. Communal living was the norm than the exception. The Mafis refer to members of both the nuclear and extended families as *afedekametowo* (people of the same household) or *agbadekanutowo* (people who eat from the same pot), and the lineage as *afedo* or *hlo* (Amewudah 1984:13-14)

Lineage or clan membership carries with it rights, duties and obligations. In traditional Eweland, whatever rights an individual was entitled to, and did enjoy, was by virtue of his/her membership of a particular lineage or family. Members were entitled to political, economic, social, and religious rights such as succession, inheritance, help in time of need, plots of land for farming or access to creeks for fishing. All members were obliged to observe the clan/lineage taboos and norms, rules of exogamy, bear a family name, defend and protect other family members, and offer assistance to other family members in need. The lineage or clan was thus a corporate unit of great socio-economic importance to every individual. The clan or lineage head was often the oldest surviving male member. He was also the representative of the ancestors, the members of the clan who have passed on to the other world and as such ascribed supernatural powers. Age was associated with wisdom, and the lineage head was accorded great respect for his insight and knowledge on family issues and as the representative of the ancestors who are greatly revered by the clan.

POLITICAL ORGANIZATION

The Ewes do not constitute themselves into a centralized state. The Ewe nation consists of several politically autonomous *dukowo* (states) in a loose confederacy. Asamoah (1986:9) put the number of autonomous political units at 130 units. The *dukowo* vary in size from Wodze – the smallest, with one settlement – to 36 settlements in Anlo, the largest polity in the Confederacy (Amenumey 1986; Nukunya 1969, 1997). None of the component states was able to establish its authority over the others. Ewes, regardless of

their state, recognize themselves as one people: the bond of unity among them is very strong and acknowledged by other Ghanaians. Some unifying factors include a common language (with dialects which vary but are understood by all other Ewes), and a common history, culture and social practices and norms.

The states which comprise the focus of this study, the Southern Ewes, are Anlo, Some, Aflao, Afife, Weta, Klikor, Fenyi, Dzodze, Avenor, Hevi, Ave and the 13 Tongu states of Agave, Bakpa, Battor, Duffor, Fieve, Fodzoku, Mafi, Mepe, Sokpoe, Tefle, Togome, Volo, and Vume. The 13 states make up the North and South Tongu Districts within the present-day local government system in Ghana. The non-Tongu states are organized into the three administrative districts of Anlo, Ketu and Akatsi.

While the political system of Eweland was not centralized, the constituting autonomous states adopted a centralized political system. It was a system of monarchy or chieftaincy, with a king or chief whose powers were effectively limited by a Council of Elders who served as his advisors. In essence, the king reigned rather than ruled and as such it is more appropriate to describe him as a constitutional head. Due to the differences in size, the states exhibited variations in their political systems in the degree of centralization and autonomy enjoyed by the component towns and villages. Thus, in the larger states with several settlements, the villages and towns enjoyed greater autonomy than in the smaller states with only a small number of settlements. Generally, however, the system in all the states provided for a constituted executive authority, administrative machinery and judicial institutions. The executive authority and administrative machinery of state will

be discussed briefly in this section. The institution of *troxovi* and the resulting practice of *trokosi* are aspects of the judicial institution and requires greater attention in this dissertation. Hence, the judicial institutions will be discussed in more detail in another section.

Kingship is vested in either one or two clans of the state, which provide the Paramount Chief (King) of the state. Among the Mepe, this is vested in one clan – the Akorvie clan. In Agave state, kingship is vested in the Goloe clan. The Anlos have two royal clans – Adzovia and Bate, which take turns to provide the Paramount Chief, known as the *Awomefia*. The royal clan in Eweland was typically the clan that founded the state land. The Paramount Chief was at the apex of the state political hierarchical structure. He was the occupant of the royal stool (throne), owned by the royal clan, usually the clan that founded the state land. As occupant of the royal stool, the chief was the custodian of the customs and traditions of the people, responsible for their welfare, and representative of the ancestors. The position of the chief was thus both secular and sacred and he was greatly revered.

The Paramount Chief did not rule but reigned. He was supported in his duties by a Council of Elders whose advice he was bound to take. A chief could be destooled (dethroned) for persistently ignoring the advice of his Elders. This effectively limited the chief's power. The Council of Elders constituted the first level in the political structure of the state. Membership of the Council of Elders is composed of the head of each clan in the state, representing their lineages or families as the case may be. Consequently, the

people through their clan heads, who are also chiefs, participated directly in the political life of the state. In addition to the Council of Elders, some states such as the Anlo also had a military council that advised the Paramount Chief on issues of war.

The town or village level was next in the political structure. Each town or village had a chief, or *dufia*, who had primary responsibility for that town and was also advised by the town or village council. This council was made up of the heads and elders of the lineages in the town representing their families. The lineage head was the representative of both the living and dead (ancestors) members of the lineage. He settled disputes among lineage members and presided over the distribution of family resources such as land for the economic activities of its members. He was also the chief priest of the lineage who organized lineage and clan rituals, coordinated funerals, and ensured that the taboos and norms of the lineage are observed.

The lineage/clan was the most important unit not only in the social and political but also the economic and religious life of the Ewe. Whatever rights an Ewe was entitled to, or did enjoy, accrued to him/her only by virtue of the individual's membership of the lineage or clan corporate unit. Very few rights, such as the right to life, existed outside this corporate unit. Even then, individuals enjoyed the right to life only within the parameters of the clan's collective interests, as we shall see in the next section on social (crime) control, which has direct implications for the institution of *troxovi* and the practice of *trokosi*.

TRADITIONAL SOCIAL CONTROL SYSTEM

Social control “generally refers to all the processes, formal and informal, by which a group or society maintains conformity from its members” (Cohen 1988). In traditional Ewe society, the clan was the most effective agent of social control. The principle of collective responsibility on which the clan operates is crucial. The crux is that the actions of an individual clan member have consequences for all other clan members. Thus, in traditional Ewe society, other clansmen could be captured or even killed if the offender evades punishment or does not make appropriate atonement for his/her crime. Consequently, individual members have an obligation to ensure the proper conduct of others.

This principle of collective responsibility is bolstered by the traditional belief in how the gods execute justice. As Abotchie (1997:18) notes, “the awe-inspiring belief is held that the supernatural forces, sometimes for reasons best known to them, choose to spare the wrongdoer and instead strike an innocent member of his lineage”. This belief is extended to the whole village, town, or even state under certain circumstances. Thus, in a typical Ewe village, the appropriate upbringing and discipline of any child is the responsibility of not only the child’s parents, but of *all* adults in the village. The belief is that “collective disaster for a kinsman’s wrongs is averted when the offence is expiated by the punishment of the wrongdoer” (p. 18). To this end, families under the leadership of their heads and clan elders promptly exact punishment on their deviant and criminal members ranging from fines for misdemeanors to pawning and expulsion from the clan or capital punishment for serious offences.

A corollary of the principle of collective responsibility is that just as other clansmen could be held responsible for a member's offending behavior, an offended member was also entitled to help from his/her clansmen (Nukunya 1997). It is fair to say the traditional Ewe social system was a system of reciprocal relationships. Hence, in the past, as Nukunya points out, vengeance was effected through the clan. He observes that

The terms for vengeance, *hlobabia*, and avenge, *bia hlo*, which are expressed in terms of the clan clearly testify to this. *Hlobiabia* (vengeance) literally means "asking the clan" while *bia hlo* (to avenge) means "ask the clan" (p. 48).

CRIME AND PUNISHMENT

The question remains, what constituted "crime" and "punishment" in traditional Ewe society? What were the formal mechanisms for crime control? Were they effective? These questions were addressed by Chris Abotchie (1997a) in his book *Social Control in Traditional Southern Eweland of Ghana - Relevance for Modern Crime Prevention*. Abotchie's work is relevant to this dissertation for two reasons. First, Abotchie is not only concerned with general social control in traditional Southern Eweland but also with crime control and *trokosi* and its variant *fiasidi*, as aspects of the social and crime control mechanisms of the Ewes. Second, he concentrates on the Southern Ewes, the primary practitioners of the *trokosi* system in Ghana. The thrust of Abotchie's study is to examine factors that account for the efficacy of Southern Ewe traditional social control mechanisms. His thesis is that the traditional social control institutions of the Southern Ewes, in which the supernatural plays a central role, have several elements that make crime detection and the attendant sanctions effective.

Abotchie points out that for the southern Ewe, a criminal act is not only that which is socially harmful and morally blameworthy but also constitutes an affront to the benevolent supernatural powers on which the welfare and safety of the whole community depends. As he explains,

Southern Ewe cosmology is constructed upon a belief in a pantheon of omnipresent and omniscient, benevolent, supernatural forces regarded as the source of justice and fairplay, and who hold the power of life and death over man. Being the embodiment of virtue, these benevolent forces are supervisory over a code of morals, the precepts of which are akin to the Jewish Ten Commandments (p. 10-11).

Essentially then, the traditional concept of crime is based on a moral sense of injury to the individual, the group, the community, and the gods. Traditional Ewe law was, however, not codified but operated on a set of moral norms enshrined in the common moral sense of the society, or what Durkheim calls the collective consciousness (Burtch 1992:21-23).

Abotchie notes that these norms consist of proscribed acts designated as "things hateful to the gods". They include homicide, robbery, adultery, incest, rape, certain forms of abuse, assault, treason, witchcraft and evil magic, and the violation of certain taboos and the unjustified invocation of a curse upon a person. On the one hand, these acts are the more serious crimes, which are channelled through the public criminal justice system. On the other hand, there are misdemeanours such as marital dispute, domestic thievery, bearing false witness, disrespect, disobedience, insults of a less serious nature, indebtedness, and the violation of household taboos which are handled privately at the family and lineage level.

These misdemeanours and serious crimes form an unwritten code of ethics or norms, which “constitute a central value system by which behavioural patterns of traditional Southern Ewes are structured” (p. 11).

Abotchie contends that Ewes explain crime causation by theories of diabolical possession and free moral agency. The former is explained in terms of the perceived role of malevolent supernatural forces. Abotchie observes that, “when a person committed a serious offence such as murder, incest or rape in traditional society, he is believed to have acted under some evil influence. ... in other words, the person is possessed” (p. 11). Thus, the modern Western legal concept of guilty intent – *mens rea* – was not always a necessary component of the traditional concept of crime. Abotchie argues, however, that Ewe society does not blame all crimes on diabolical possession as some offences such as stealing or adultery are regarded as the wilful act of a free moral agent. Both positions have implications for the Ewe notion of punishment.

The Southern Ewes, like other Ewes, believe that unless crime is expiated by punishing the guilty, the whole clan or state will suffer. The main objective of punishment was to restore the solidarity of the community, and to pacify the gods. This is quite logical, since as noted earlier, crime was perceived as a moral sense of injury to the community and the gods. In line with the theory of diabolical possession, the aim of punishment was “to remove the stain of impurity from society or to prevent a supernatural being from wreaking vengeance on the group” (p. 11). This involved performing rites to appease the gods, exorcising the devil, exiling or executing the wrongdoer.

Forms of punishment range from fines for contempt of court, assaults and insults to the death penalty for such serious crimes as culpable homicide, or homicide through witchcraft or evil magic. The incestuous, adulterers, rapists and violators of taboos were required to perform specific purification rituals in addition to paying the appropriate fines. Punishments imposed for crimes committed by accident were regarded as the necessary atonement to remove the "blot of sin" from the culprit and his lineage (p. 54).

MECHANISMS OF SOCIAL AND CRIME CONTROL

This section will dwell specifically on the formal and public social and crime control mechanisms. Abotchie distinguished between formal and informal, public and private means of dealing with crime. Misdemeanours such as marital dispute, domestic thievery, bearing false witness, disrespect, disobedience, insults of a less serious nature, indebtedness, and the violation of household taboos are usually regarded as private, and are dealt with at the extended family and lineage level. Abotchie argues that informal social control operated through social pressure and habituation and facilitated by the absence of anonymity characteristic of traditional society. This form of control manifested itself among the Southern Ewes through (i) songs to ridicule scandalous deviants; (ii) the superstitious environment arising from fear of supernatural forces; and (iii) social stigma. Social stigma amounted to what Abotchie calls "social death" of the affected lineage because of the social isolation of the individual or his group which follows such crimes as murder, stealing, and adultery (p. 84).

Serious crimes are channelled through the public criminal justice system. To maintain law and order, the Chief seeks counsel from the heads of the various clans or sub-chiefs who, together, constitute the Council of State or the Traditional Council, which is the final authority in the State. The Council of State made laws and sanctions for their violation were specific. The lineage and clan heads and elders constitute the courts of first instance. Only appeals against the judgements of these courts, and against conviction for any of the three cardinal crimes in traditional Ewe society - murder, stealing and adultery - were dealt with exclusively at the chief's court. There were no advocates in the proceedings: disputants put across their own cases, and no fees were charged except those due to the chief for summoning the court.

Clan courts were only one formal mechanism for the clans to exercise control over their members. The clan also had at its disposal different *rites de passage*,⁶⁵ that span the outdoorings of a new-born babies, puberty rites, marriage rites and final rites, to control the conduct and behaviour of members. Abotchie argues that these rites, which mark important stages of life, had both socializing and persuasive functions. They were socializing because the clan head and elders utilized the occasion to give instructions on society's moral code and expectations surrounding the particular event in question to the benefit of both the

⁶⁵ "Rites of passage" are rituals which mark the transition from one position or status in life to another. For example, in most traditional societies puberty rites mark the transition of a person from an adolescent to an adult. As Louise Carus Mahdi (1996: xiv) points out in the preface of their book, *Crossroads: The Quest for Contemporary Rites of Passage*, the term was first introduced into English in 1960 with the translation of Arnold van Gennep's book, *Les Rites de Passage*, which is still a classic on the subject.

audience and the participants in the rites. Abotchie contends that the persuasive function of the rites “is inherent in the individual’s knowledge of the spontaneous sanctions (rewards and punishments) of the supernatural” (p. 45).

In addition to public channels of redressing grievances, there was an avenue of private redress of a wrong through different magico-religious means. An individual dissatisfied with the decision by his/her family court, or the final court of appeal run by the King, may seek further redress by appealing to the gods, *trowo*. The people and political establishment accepted the decisions of the gods because of the strong religious sentiments that pervade every fabric of southern Ewe society. The public mechanisms of social and crime control also relied on the services of the gods in redressing difficult cases sometimes. To fully grasp the influence of the gods and religious cults in crime control, we first need to understand the Southern Ewe traditional religious system.

THE TRADITIONAL RELIGIOUS SYSTEM

Trokosi is at the interface of traditional Ewe religion, crime control and modern international human rights practice. It is imperative to analyze *trokosi* within the context of traditional Ewe religion. In Ewe cosmology, the world consists of the living and the dead, the natural and supernatural, and the physical and the spiritual. So pervasive was the belief in the supernatural world that everything was construed as having its spiritual aspect. This earlier quotation from Abotchie (1997) captures the scenario succinctly that it is worth citing it again:

Southern Ewe cosmology ... is constructed upon a belief in a pantheon of omnipresent and omniscient, benevolent, supernatural forces regarded as the

source of justice and fairplay, and who hold the power of life and death over man. ... Being the embodiment of virtue, these benevolent forces are supervisory over a code of morals (p. 10 –11).

The belief is that conforming to the code leads to the good things of life – physical and material blessings and general well-being. In effect, “only the morally good must hope for the good things of life” (Gaba 1997: 97). The Southern Ewe were thus, wont to question and investigate misfortune and other afflictions. As Abotchie explains,

The human desire for continued personal and group well-being and the consequent search for the causal explanation of ill or misfortune have led the traditional southern Ewes to attribute a supernatural origin to the universe. Like all other men, traditional southern Ewes value their physical well-being above all of their human values. And this is plausible since none of life’s taxing prerequisites were possible of fulfillment unless man were primarily fit to tackle them” (p. 61-62).

A good and prosperous life is central to the Ewe worldview. The source of this life, however, was a multitude of all-knowing and ever-present benevolent spirits. Only the morally pure or the religious could attain this prosperous life, which for the Ewe meant *fafa*, or *dagbe*, which translates into English as “peace” or “abundant life” or *shalom* in the Hebrew (Gaba 1997: 99). Lack of *fafa* ought to be investigated and the truth known, so that if offended, the gods could be appeased, and injured human and sacred relationships restored to ensure “abundant life” in society.

The Southern Ewe notion of the supernatural could be described as polytheism. Gaba (1997) points out that it is a type of polytheism which does not give equal status to all the sacred beings that are worshipped. In their conception of the spirit world, the Southern Ewe give pre-eminence to *Mawu*, the Creator of the Universe. He is the omnipotent God, who cannot be worshipped in any man-built structure or place. He is conceived of as

living in heaven, far from man, and reached either directly by individuals in times of crises or mainly through the earthly gods. His name is the first to be invoked in all worship and prayers.

Below the Almighty God, the Ewes acknowledge a host of small, earthly gods (*trowo*), cults (*voduwo*) and ancestral spirits (*togbenoliwo*) created by *Mawu*. The worship of the small gods encompassed a well-organized structure of officials, place of worship (shrines), programs, and worshippers. The small gods may be owned by individuals, families, clans or even the state, but attract followers from all social groups and states. In line with the religious goal of the Ewes to attain *fafa* – the state of peace and harmony with the gods which ensures life and prosperity – the gods perform many protective and welfare functions for worshippers. These include protection in war, prosperity in their vocations, healing the sick and infertile, and, granting individuals specific favors. These have been referred to as the non-*trokosi* functions of the *trokosi* deities.

Another set of functions performed by the gods is searching for truth in the face of afflictions, detecting crime, finding an offender in cases where the information is not volunteered, and locating lost property. The desire to search for the truth is further emphasized due to the notion of collective responsibility inherent in the social system (as discussed below). It was an urgent issue to find out the truth about crime and offenders lest innocent individuals and family members suffer as well. The methods used in this “detective” work are discussed in the rest of this section, with a focus on those that have significance for the institution of *troxovi* and the practice of *trokosi*.

Abotchie (1997) argues that magic – involving the use of charms, sorcery and juju – was central in the investigative methods used by the Southern Ewes. The main methods used were magical processes of divination. He classifies the methods into three broad divisions: (a) *nukaka*, oracle consultation (b) *akadodo*, trial by ordeal, and (c) *ame dede tro me*, hexing (p. 70-85). Of these, the most relevant to the practice of *trokosi* are oracle consultation and hexing.

The oracle is the medium through which the wishes of the gods and other supernatural beings are communicated. Abotchie divides southern Ewe traditional oracles into three types: (a) manipulated magical objects, (b) the invisible “vocal” oracles or mediumship, and (c) the visible “vocal” oracles. Not surprisingly, diviners, *amegasiwo*, and divination cults are common in southern Eweland, with the Afa divination cult being the most popular. *Amegasiwo* charge fees for their services, bringing considerable wealth for people working with the popular cults. This is one way that offending families, who offer their virgin daughters and women in reparation for crimes, are detected.

Hexing is another way in which such families are detected. Abotchie points that:

[h]exing is employed in three instances in traditional Ewe society: (a) invoking the supernatural forces to pass judgement on unknown offenders, (b) invoking their wrath against known wrongdoers, and, (c) placing an evil “spell” or “curse” upon an object of value to protect it against trespassers (1997: 79).

Abotchie's first instance of hexing is more directly related to the practice of *trokosi*. So I will briefly discuss the last two instances before focusing on the first instance, which is more directly related to this study.

Abotchie notes that in the second instance of hexing an aggrieved party invokes the wrath of a deity against a known offender, with a pledge to be redeemed when the gods fulfill the person's wish. The third type of hexing entails placing a spell on an object of value to keep off potential violaters. This may account for the low level of stealing in southern Eweland. During the fieldwork for this dissertation, I noticed on my return journeys back to Accra in the evenings that traders who sold vegetables and other goods along the main trunk road, did *not* pack their wares for secure storage overnight. They left the goods under the sheds along the road and returned to continue business the following day. On inquiry, I was told no one dares steal any of the goods because of the predominant belief among the people in hexing, the omniscience of the gods, and escapelessness from their sanctions when a crime is committed. The objects of hexing may also include married or engaged women whose husbands or fiancées place a chastity hex on their women to ward off potential adulterers and prevent unfaithfulness from their partners.

I now turn my attention to the Abotchie's first instance of hexing. In this instance, an aggrieved party goes to the shrine of a deity, *tro*, and prays that sanctions be employed against the offender. The aggrieved party specifies the sanctions – which could include death and the offering of a virgin girl to the shrine – but within the limits of what is acceptable to the particular god. As Abotchie points out, a pledge is usually made to be

redeemed when the god carries out the wish. The gods, supposedly using their powers, detect the offender by employing the mechanisms being discussed in this section. Once the offender is detected, the gods visit different types of misfortune on the offender's family. The gods usually direct the misfortunes to members of the family other than the offender. Presumably, the offender must live to confess the crime. The misfortunes may include sudden and unexplained deaths, accidents, and different types of afflictions such as incurable illnesses.

As noted earlier, the Southern Ewes' quest for truth lead them to question and investigate mishaps and afflictions. In this vein, the afflicted family may consult oracles only to be told of the offense, offender, and what to do to avert the misfortunes. The latter involve being asked to contact the deity inflicting the misfortunes on the family. Considering the notion of collective responsibility, its consequences on innocent family members, and the southern Ewes' desire for the good life, the family urgently approaches the deity to make penance. If it is a *trokosi* deity, then, atonement may include a virgin female child depending on the sanctions opted for by the aggrieved party that initiated the whole process.

Abotchie notes that, some "deities such as Nyigbla of Anlo, require the initiation of seven such ... [girls] ... spanning seven generations" (p. 80). His version of the origin of the *fiasidi* practice, based on information from his informants, is that the first person who violated a serious taboo of the Nyigbla deity was asked to redeem himself and his lineage by offering these seven females, starting with his own daughter, who became the first

ever *fiasidi*. Her husband was required to relinquish his niece to serve as the next *fiasidi*, whose husband was required to do the same, and it continued this way until all the seven *fiasidis* were procured. Subsequent violaters of the same taboo were asked to make the same expiation, in this way, the *fiasidi* practice was established.

Sandra Greene's (1996) account of the recruitment of girls/women in the practice of *fiasidi* gives a broader field of recruits than that of Abotchie (1997). One category of *fiasidis* were women inducted once a year from every clan in Anlo by Nyigbla, one of the most powerful gods of Anlo, to serve in the shrines in the 1800s. They were known as *zizidzelawo*. Greene indicates that some *fiasidis* were girls or women given by their families to the religious order compensation for services rendered by the gods to their families (p. 87-88). Greene notes that some cases were rare (p. 87). There was, however, an element of volition in the recruitment of some some of the women who served in the shrines. Greene states that some young women joined the religious order of their own volition or with the strong support and encouragement of their mothers or from encouragement of members of the order (p.91).

In accounting for the decision of young women to join the religious order, Greene points to some of the benefits entailed in serving in the shrines. She situated these benefits within the general political, social and economic system of seventeenth and eighteenth century Anlo society. According to Greene, association with one of the most powerful gods in Anlo, Nyigbla, (i) granted the women prestige, (ii) gave their families the opportunity to establish close ties with the most powerful political and religious families or clans; and (iii)

provided them with an expanded set of contacts that could be of potential social and economic benefit (p. 89-91).

Greene argues that married women benefitted most from this relationship. Women closely associated with the gods were considered special and could therefore not be treated anyhow by their husbands or others. Improper treatment of these women constituted an offence to her deity, which had to be appeased with costly gifts. Consequently, women closely associated with the religious order gained considerable leverage within their marriages. The general social context in which this occurred provides a better appreciation of this advantage. Greene (1996:43) points out that after 1750, Anlo parents were not open with their daughters about the person they wished them (the daughters) to marry. Most young women resented their lack of participation in the process.

The situation worsened after the Anlos were conquered by the Akwamu (an Akan ethnic group to the northwest of Eweland) and elements of matrilineal inheritance were introduced into Anlo kinship. With this came the preference for a young woman marrying the father's sister's son (matrilateral cross-cousin marriage). This further reduced the pool of possible husbands for a young woman. Divorce became difficult because of the family ties involved. This increased the opportunity for men to abuse women. Thus, in late nineteenth century, Anlo husbands had the right to beat their wives if they found it necessary, and the woman's family would not object unless it became excessive. In this context, Green contends that the religious order, which granted a special status to its female members, provided the foundation to challenge gender relations. Indeed, the Yewe cult, another powerful Anlo god,

provided even more options for young women: the religious order gave women the opportunity to choose their own men and their families could not object to it because they had to be careful not to offend the Yewe deity by offending the young woman. Greene points out that this gave women a strong voice in both their natal and husband's household.

Not only individuals and families benefited from the religious order. The general Anlo polity benefited from it. Greene notes that the recruitment of *fiasidi* from each clan by the deities, especially Nyigbla, which was so powerful that it had assumed the status of a state god, brought a unity to Anlo society and aided in centralizing political power in Anloga, the capital town of the Anlos. Lack of unity, in the form of loose confederations, is cited as the cause of the Anlos losing their wars in the late eighteenth century.

But what does the concept of "sin" and "forgiveness" mean in traditional Ewe religion? The Southern Ewe traditional religion perceives sin, *nuvo*, like crime, as an act offensive to the gods such that they withhold the good things of life from the individual offender and society in general. In effect, sin is not a state but an act with negative consequences for life. "Forgiveness", *tsotsoke*, is achieved through prayer, *gbedododa*, which Gaba (1997) defines as an intense "petition for evil, pain and suffering to be removed from the human condition and replaced with material prosperity and long life" (p. 97). Forgiveness is not achieved only through words (prayer) but by action. As Gaba (1997: 97) puts it, "it is something that must be done rather than asked (prayed for) by the worshipper, who needs to be indispensably assisted by his objects of worship". For the

southern Ewe, this means prayer must be accompanied by offerings to the gods. In fact, Gaba lists the elements of Ewe worship as prayer and sacrifice.

Sacrifice constitutes an important aspect of worship. Gaba (p. 90-96) identifies several types of sacrifice among the Southern Ewe and draws attention to two major categories. First, *dza* sacrifice involves physical and other material gifts to the gods. The objects include food, drinks, money, and other material things. The purpose of the offertory may vary from asking for favors, gratitude for a fulfilled need or received favor, or even simply a heartfelt show of appreciation to the gods from a devoted worshipper. According to Gaba, these gestures form part of the everyday worship as thanks offering and can be done in absentia and during the day.

The second major type is the *nuxe* (*nuxexe*) or *vosa* (*vosasa*) sacrifice. Gaba explains these words very well:

Nuxe is a combination of two words, a noun, *nu* which means a thing and a verb *xe* which means to pay a debt or to prevent from happening. Similarly in *vosa*, *vo*, a noun, means evil and *sa*, a verb, which means to bind or to pass by or over. *Nuxe* and *vosa*, then, convey the same idea and mean the removal of an over-hanging or the stopping of a threatening danger which comes from the sacred. In short, *nuxe* or *vosa* sacrifice becomes necessary when the Ewes of southeastern Ghana desire to remove a life-negating manifestation of the sacred from human affairs thereby restoring communion with the object of worship so that the human condition would be full of life-affirming experiences (1997: 90-91).

This category of sacrifice reflects a spirit of reparation or atonement – the payment of a debt to avoid or stop the gods from visiting their wrath on the people. Usually a state of urgency is associated with this type of sacrifice and the rituals also take place at night.

The type of sacrifice one offers depends on the need, gravity of the issue, the economic condition of the one offering the sacrifice, and most importantly on the preference of the deity involved. Some gods prefer palm oil to alcohol, others favor animal sacrifices, while others look favorably on specific types or parts of animals and food. Still others approve of human sacrifice or accept living human beings as penance. This last category of deities is of particular relevance to this study because these are the *troxoviwo*, the deities around which the practice of *trokosi* and *fiasidi* (*fiashidi*) are centred. On the one hand, the Anlo deities of Nyigbla at Afife and Anloga, Togbe Adzima and Vena at Klikor, Sui, and Tormi in Anloga accept *fiasidis*, virgin girls, and consider them as *wives* of the deity. On the other hand, the numerous deities in Tongu, including Korlie at Mafi Dugame, Avakpe at Avakpedome, Koklofu at Dorfor, Vena at Kebenu, Ba at Bator, Korti at Tefle, Kaklo at Fevie, Adido at Mepe, and Adzemu at Agave take *trokosis*, female girls who are virgin, and treat them as *slaves* of the deity. Thus among the Southern Ewe, “sacrifice” constitutes punishment. Consequently, it is difficult to separate traditional Ewe religion and from the criminal justice system.

Overall, Abotchie (1997) concludes that traditional crime control mechanisms functioned effectively. He attributes this to the belief in accountability to the supernatural forces shared by both ruler and the ruled in traditional Ewe society. He explains that,

the peculiar pattern of responses to deviance in Ewe traditional society was a function of the magico-religious concepts which gave expression to the structure of the society, and, secondly, that in response to these concepts, traditional modes of crime prevention have, in conditioning the mentality of the individual, succeeded in erecting “psychic barriers” to escape, which had

the effect of preventing the commission of crime at the very conceptual stage (p. xiii).

Abotchie identified three elements of the supernatural sanctions, which account for the effectiveness of traditional crime control mechanism. The first element is the notion of the *omniscience* of the supernatural forces and what he terms the *escapelessness* of their sanctions. Omniscience refers to the all-knowing attribute of the gods, where no violation of the norms and laws could occur without their knowledge. Abotchie defines “escapelessness” as “a pervasive state of mind which manifests in the belief that, inevitably, the punishment due to sin, that is retributive justice or nemesis, shall be suffered, now or later”. The notion of “escapelessness” is pervasive because the magico-religious control mechanisms such as voodoo, sorcery, oracle consultation through diviners, trial by ordeal, and hexing permeate the fabric of the traditional society. The omniscience of the gods is manifested by the results of these magico-religious practices such as divination and trial by ordeal, and by the immediacy of supernatural sanctions as evidenced by hexing, or the delayed effects of their sanctions.

Severity, according to Abotchie, is the second element accounting for the effectiveness of supernatural social control. The notion of omniscience and the immediacy of the threat of punishment constitute a formidable mechanism of control only when backed by the severity of sanctions. As Abotchie asks, why indeed would a potential wrong-doer be deterred from his design if he knows that the penalty attached to his offence could be borne with ease? Traditional sanctions were severe: they meant death, blindness, maiming, and so forth, for the individual or the group or they meant such indelible stigma which affected both the individual and his lineage.

The third element associated with the effectiveness of traditional sanctions is what Abotchie describes as the significance of the *delayed effects* or *capriciousness* of unsolicited supernatural sanctions. This is also related to the notion of escapelessness from the sanctions of the gods. No matter how long it takes, the punishment will surely come. This is so, even if nobody directly seeks a redress from the gods for the crime or deviant act. Abotchie refers to these three elements as constituting “psychic barriers” which served to prevent crime and fostered the success of crime control in traditional Ewe society.

SUMMARY AND DISCUSSION

The Southern Ewe comprise a group of autonomous Ewe states which migrated from Ketu, in the modern Republic of Benin, stopped-over in Notsie, in the present Republic of Togo, before settling down in the southeastern corner of contemporary Ghana. In Ghana, these states are now referred to as the Southern Ewe. They occupy the southern part of the Volta Region and are spread across five administrative districts – Keta, Ketu, Avenor, South and North Tongu – within the local government organizational structure in Ghana. The most dominant states among the Southern Ewe are the Anlo, the largest polity among the Ewes, and the 13 states that constitute Tongu. Though autonomous, the southern Ewe states, like all the Ewe states in Ghana, are known for their unity as one people. The basis of this unity is founded on a common history, language (though with dialectical variations), and, shared social, political, and religious values and institutions.

Patrilineal descent is the main principle around which southern Ewe social organization revolves. Families are thus built around a group of people who can trace common descent to a known male. A family, to the southern Ewe, is not however limited to a nuclear family of father mother and children. In fact, the mother is not a member of one's family: she belongs to the family of her father. The family of prime importance to the southern Ewe is the extended family of people, male and female, who trace their descent through the male line. The extended family is important because a group of extended families constitute a lineage or clan, the most important social unit among the Ewes. Whatever rights – social, economic, political, and even to some extent religious – one enjoys are only because of one's membership of a lineage or clan.

Collective responsibility is a major notion that informs clan membership. Through this principle, a member is entitled to rights from the clan in his or her endeavors. For example, the clan *must* seek vengeance on behalf of an offended member. This is however reciprocal – a member could be asked to pay for acts of omission or commission by other members of the clan. This constitutes a major ground for members to be interested in the conduct of other members, to ensure they comport themselves in such a way as not to bring disgrace to the name of the clan. In this way, it becomes understandable how female virgins (*trokosis*) could be asked to pay for crimes committed by other members of the family.

One cannot completely understand the practice of *trokosi* without comprehending the religious worldview and practices of the southern Ewe. The Ewe conceives of the world

as consisting of the living and the dead, of the natural and the supernatural. They, however, believe that the beings of the supernatural world hold the key to life and death, to justice and fairness with human beings. Staying in harmony with the supernatural beings – i.e. strict observance of the moral codes presided over by the supernatural beings – ensures abundant life. It leads to all the good physical and material things of life. Offending the supernatural powers, however, leads to curses and afflictions. In this context, the Southern Ewe define sin and crime as that which injures the moral sense of the community and the gods. They place a strong value on leading a pure moral life.

They question every misfortune and afflictions and believe the truth must be found in every instance. Finding the truth and appeasing the gods restores the state of harmony that ensures peace the ultimate stage of the good life. In this sense, sin, or crime must be atoned. One method for doing this is through religious worship, which includes prayer and sacrifice to the gods. “Forgiveness” is not a state but an act, which can only come about through sacrifice. There are sacrifices of thanksgiving, which are part of daily worship, and also sacrifices to prevent recurring misfortune in urgent situations. Objects for sacrifice range from different types of drinks, food, other material things, and even human beings, depending on the gravity of the issue at stake. Besides, each god has its preferences for objects of sacrifice. Some deities accept human beings. These are known as *troxovi*, the institution around which the practice of *trokosi* is built. Consequently, “sacrifice” constitutes punishment for the Southern Ewe. The committal of *trokosis* to serve in shrines in reparation for crimes committed by other members of their family belongs to the category of more serious sanctions of supernatural character.

Thus, the Ewe religious worldview has contributed to the emergence of the institution of *troxovi*, and the practice of *trokosi*. The importance of maintaining a good and prosperous life, the emphasis placed on living a pure moral life and living in harmony with the gods, the desire to seek the truth in all matters, the values of truth, honesty and peace all contributed in the creation of the *trokosi* system. It can be inferred that the institution of *troxovi*, and the practice of *trokosi* emerged out of a coherent system with its own values, beliefs, cultural, and ritual conduct. Consequently, the Southern Ewe are not a group of weird, wicked, and barbarous people to have created such a system of bondage as the *trokosi* system.

From this standpoint, the religious system of which *trokosi* was part was an effective mechanism of social and crime control. Abotchie's (1997) study shows that the Southern Ewes, including some Western-educated members, still trust the efficacy of the traditional mechanisms of crime control. Abotchie posits that the traditional mechanisms of crime control are more efficacious than the modern imported Western system. Abotchie may be right. My own observation recounted earlier shows that there is a generally low level of crime in southern Eweland.

It is common knowledge in Ghana that a lot of people prefer to redress their grievances through traditional mechanisms than through the modern imported Westminster justice system. This has been attributed to the speed of redress and perceived efficacy of the traditional over the modern crime control mechanisms. For example, Anita Ababio

(1995:42), has contended that the *trokosi* practice thrives not only because the perpetrators of the practice are not being brought to book but also because the people who are used to “instant justice” do not have enough confidence in the modern western imported criminal justice system. Hence, she cautions that legal measures alone will not eradicate the *trokosi* problem (p. 37). She, therefore, advocates strongly for the involvement of the local people in efforts to solve the *trokosi* problem. In a similar vein, Justice Emile Short giving an address on *trokosi* practice notes,

[i]t must be recognised that the practice is based on the entrenched and deep seated belief of the people ... The system has thrived for so long because the practitioners lost confidence in the ... [Western] ... criminal justice system, particularly the ability of the Police to apprehend people who commit crimes. People were therefore more disposed to consulting the shrines which they claim were able to detect the perpetrators and inflict instant justice (1997:2).

Based on these factors, among others, CHRAJ, as we shall see in chapter six, took the position that education was the key to finding a solution to the *trokosi* problem.

From all the evidence elicited in this chapter, it could be fairly concluded, as President Abdoul Diouf (1985)⁶⁶ did in the case of female circumcision in the quote on page x of this dissertation, that the practice of *trokosi* or its variant *fiasidi* evolved out of a coherent system, with its own values, beliefs, cultural and ritual conduct. Not only was the system coherent, but as shown in this chapter, it was also effective in meeting its goals. With such an effective system of crime control as the Southern Ewe had in place, it is little wonder that other observers of the crime control scene in traditional African societies such as William

⁶⁶ Quoted in Sanderson 1986: 71 (emphasis added). President Diouf made these remarks with respect to female genital mutilation; however, I believe they apply equally to the issue of *trokosi* in Ghana.

Clifford (1964) have concluded that there was a general atmosphere of conformity that discouraged unconventional behaviour.

A key question remains for me: does understanding the socio-political context which created and sustains the *trokosi* system in southern Ewe states from the fifteenth to twentieth century justify its existence in twenty-first century Ghana? My answer to this question is an emphatic NO! In as much as this context fosters the understanding that the southern Ewes are not callous and barbaric to have created such a system as *trokosi*, the fact remains that the socio-political milieu which supported this system has changed since the second half of the twentieth century when Ewes had their first contact with Europeans and subsequently became part of the modern nation Ghana. Consequently, Southern Eweland was transformed and is no longer the society it was in the period before the twentieth century.

Significant political, economic, social, gender, cultural, and religious changes have occurred as a result of Southern Eweland's new relationship with colonial and post-colonial Ghana resulting in cultural imposition and diffusion. By the nature of this relationship, ultimate legislative, administrative and executive power shifted from the traditional Council of State comprising chiefs and elders to the colonial rulers based in Accra, and subsequently to the Western-educated elite after independence. Some cultural and customary practices were prohibited. The significance of the clan has waned and altered the structure of the family. In addition to traditional religion, Southern Eweland today has several religious faiths and sects attracting thousands of followers. Moreover, Ghana is a secular state and so it is the laws of Ghana, and not the deities that hold the final say in Southern Eweland. Western education

has become a means to other economic opportunities outside the traditional economic system. The overall consequence is that the once powerful clan and traditional rulers – chiefs, priests and elders – have considerably lost their tight grip over the people.

Fitnat Adjetey (1995) has argued convincingly that what constitutes African customary law today is a product of evolution resulting from African customs, imported colonial common and civil law notions, and religious concepts from Christianity, Islam, and traditional African religions. This product, she contends, constitutes a male view of custom as it represents the views of influential and powerful male traditional rulers and colonial – invariably male – appointed leaders. She argued, and rightly so, for change to reflect the individuality of the African woman in African customary law and practice.

In addition to these changes, by virtue of its membership of such international organisations as the United Nations (UN) and the Organisation of African Unity (OAU), Ghana is obliged to respect the provisions of several international instruments governing human rights, as well as the Convention on the Rights of the Child. By becoming an integral part of Ghana and the international community, Southern Ewes are in a new dispensation requiring new ways of doing things. This requires that some traditional practices such as *trokosi*, which violate the rights of its victims must be modified to conform with the requirements of the new dispensation. How to pursue the agenda for change is the focus of this dissertation, and will be discussed in the next two chapters.

In pursuing this agenda, however, it is important to remember that the changes that occurred were not deep enough to completely erode the beliefs and values of the people. For example, the people still believe in the efficacy of traditional crime control mechanisms. They still believe they will bear the wrath of the gods if they violate the norms associated with the *trokosi* practice or, for that matter, any traditional religious norm. This underscores the importance of sensitivity to the cultural and traditional religious issues of which the *trokosi* problem is only a part, and the inclusion of practitioners and other local people in the decision making for change. The foregoing also highlights the importance of the “cross-cultural approach” to understanding and resolving traditional practices, which violate contemporary human rights standards. The cross-cultural approach, however, has an international dimension to it, which according to An-Na’im (1992) could be achieved through “cross-cultural dialogue”. Cross-cultural dialogue reflects the recognition that cultures are constantly changing and that there is increased interaction between nations.

But how did all these elements of change unravel in the anti-*trokosi* campaign? The answer to this question is the focus of the next two chapters.

CHAPTER 5
***TROKOSI* POLITICS I: THE PIONEERS OF**
GHANA'S ANTI-CHILD BONDAGE CAMPAIGN

INTRODUCTION

The objective of this chapter and the next is to give an account of Ghana's anti-*trokosi* campaign, throwing light on the individuals, groups, and issues involved in the *trokosi* problem and how the campaign was waged. The politics involved relates to how the different participants in the debate – several individuals, interest groups, and institutions – strategize and see the issue from a particular perspective, each believing they are best serving the key interests of *trokosis* and the communities involved, and that other individuals and groups are doing a disservice to the people. The aim is to highlight what the groups and individuals involved did, and how they did it, to obtain the success they have achieved so far.

This chapter will deal with the “first wave” of the anti-*trokosi* efforts (Ameh 1998), the period 1919 to the early 1990s. The individuals and groups concerned are pioneers: they are the first people who raised objections to, and made efforts to either eliminate or reform the practice. In chapter six, the period from the early 1990s to the present, comprising the second and third waves, will be discussed.

TROKOSI POLITICS IN THE COLONIAL ERA

The first recorded attempt to fight the practice of *trokosi* was in 1919. In November 1919, a native of Tongu from Battor Agbetikpo made a complaint to the Secretary of Native Affairs about the Atigo Fetish at Battor⁶⁷. In his letter, he asked for help to stop the practice of sending girls and women to the shrine in reparation for crimes committed by a family member. He was directed to channel the letter through the District Commissioner, then stationed at Ada. On November 22, 1919, Mr. J.T. Furley, the Secretary of Native Affairs, on the instructions of the Governor of the Gold Coast, ordered the Commissioner of the Eastern Province at Koforidua to inquire into the issue and present a report⁶⁸. The colonial Administration took a serious view of the issue. On January 13, 1920, less than 2 months later, the Secretary for Native Affairs sent a follow-up letter to Captain Poole, the Commissioner of the Eastern Province asking him to speed-up the investigations⁶⁹. The Provincial Commissioner assigned Captain Price Jones, acting District Commissioner of Addah the task of doing the inquiry and report. He spent several days in Battor in February 1920 interviewing the acting priest, Kwadjo

⁶⁷ Daniel K. Nyagbledsi, letter to the Colonial Secretary of Native Affairs, Accra, dated November 1, 1919. National Archives of Ghana ADM. 11/768. I believe more archival material exists on the issue just that researchers have not yet come across it. The Public Records Office in London, U.K. could be a good source of such material.

⁶⁸ J.T. Furley, Secretary for Native Affairs, letter to the Honourable Commissioner, Eastern Province, Koforidua, dated November 22, 1919. SNA Case 54/1919. National Archives of Ghana ADM 11/768

⁶⁹ J.T. Furley, Secretary for Native Affairs, letter to the Honourable Commissioner, Eastern Province, Koforidua dated January 13, 1920. S.N.A Case 54/1919. National Archives of Ghana ADM. 11/768

Adjimah (alias Akwetey of Battor), all the four girls serving time at the shrine, the chief of Battor, and other men and women of the town.

The findings of the inquiry⁷⁰ confirmed most of what we know about *trokosi* practice today. While the District Commissioner found the practice of sending the girls to serve in the shrines offensive, he did not find any problem with the other functions of the shrine.

On March 19, 1920, Captain Price Jones forwarded his report to the Commissioner of Eastern Province, which he dutifully forwarded to the Secretary for Native Affairs on March 30, 1920⁷¹. Considering the importance and urgency the Secretary of Native Affairs gave to the inquiry into the issue of *trokosi* on the receipt of Mr. Nyagbledsi's complaint, one would have expected to hear, without delay, of the action taken by the colonial administration on the issue. Yet, the records did not show anything in this regard until four years later when Mr. Nyagbledsi, on November 19, 1923, wrote another letter to the Colonial Secretary of Native Affairs.⁷² In this letter, Mr. Nyagbledsi alleged that the Colonial Secretary sent the District Commissioner of Addah to ask them to stop

⁷⁰ The findings were listed in chapter 2, "Literature Review". See Captain Price Jones, letter to the Honourable Commissioner Eastern Province, Koforidua, dated March 19, 1920 Case No. 78/41/09 National Archives of Ghana ADM. 11/768

⁷¹ Captain B.B.M. Taplin, letter to the Honourable Secretary for Native Affairs, Accra, dated March 30, 1920.

⁷² Daniel K. Nyagbledsi, letter to the Colonial Secretary of Native Affairs dated November 19 1923. National Archives of Ghana ADM. 11/768

the practice of *trokosi*. The priests, however, sent a petition to the government protesting that the Fetish was killing them for apparently stopping the practice. They made a request to resume the practice. Mr. Nyagbledsi's letter complained about the petition, asking the government not to grant it since there was no basis for it. He also threatened to hire soldiers to break all fetish gardens in Battor if the practice resumed again.

The District Commissioner of Quittah (present-day Keta) was asked to investigate the issue. His report⁷³ attacked the character and questioned the motives of Mr. Nyagbledsi for writing the letter to the Secretary of Native Affairs. Mr. Nyagbledsi was seen as writing "... solely [on the basis of] a personal grievance and also with a view to showing himself as a 'big man' by showing how he can humbug the Fia of Battor and the Fetish Priests"⁷⁴. He was described as the proverbial one-eyed man in the land of the blind as he was one of the few Battors who could read at the time. The District Commissioner stated that he would only object to forcing people to serve the fetish priests, in which case they do not do any work. He challenged Nyagbledsi's allegation that the Colonial Government had asked the people of Battor to stop fetish worship, stating "I was not able to trace any order forbidding the fetish nor to connect it with any prohibited fetish".⁷⁵ He, therefore, advised that Mr. Nyagbledsi be ignored.

⁷³ Commissioner Eastern Province, letter to the Honourable Secretary for Native Affairs dated September 10, 1924. Eastern Province No. /87/250/1910 National Archives of Ghana ADM. 11/568

⁷⁴ ibid.

⁷⁵ ibid.

Such a reaction to the issue of *trokosi* from the Commissioner and consequently the Colonial Administration, should not be surprising. It falls directly in line with the experiences of other societies during the colonial period. According to Professors Suzanne Miers and Martin Klein (1999), a review of the relevant literature on the issue of slavery and other forms of servitude or bondage in African societies during the colonial period reveals the reluctance of colonial regimes to deal with these issues. In the case of slavery, they depended upon it for both productivity and to appease the slave-holding elites who administered their empire (p.4). Miers and Klein concluded that generally, colonial governments acted on issues only if they affected productivity (the colonial economy) and the administration of the colonies. In Nigeria, for example, S. N. Ezeanya (1967) has shown how a law passed in 1956 prohibiting the Osu Cult Slavery system (which shares several similarities with the *trokosi* system here in Ghana)⁷⁶ among the Ibos, was completely ignored in many places and in some cases mocked in public even by some of the very people responsible for enforcing the law. In a more recent article, Carolyn Brown (1996), in her discussion of the Ohu system, a system of slavery, which is not a cult system but is also practiced among a different group of Ibos, has indicated how the state only outlawed the slave trade and excessive treatment but left it to slaves to secure their liberty.

⁷⁶ See J. Asamoah-Gyadu (1996) "*Trokosi* and Osu: Cult-Slavery in West Africa – A Christian Response" in *Trinity Journal of Church and Theology* vol. vi, nr. 1, pp. 12-33.

Writing more specifically about Ghana, Kwabena Opare-Akurang (1999) has argued that abolition laws were not generally administered vigorously. This led to various forms of servitude and slavery in the post-proclamation era (that is, after the abolition of slavery and all forms of servitude in the Gold Coast in 1874). Claire Robertson (1983), writing on “Post-Proclamation Slavery in Accra”, concurs with the general conclusion that there was a failure to abolish slavery even after it was legally prohibited. She provided several reasons for this, among which the following seem to apply to our mothers and sisters who have been victims or survivors of the *trokosi* system:

... the youth, ignorance, and vulnerability of the female slave population and their fear of dealing with foreigners ... the difficulties attached to remaining free and getting home, i.e. lack of other alternatives ... the disadvantages attendant on being female, whether free or slave, which impeded economic success (p. 229-230).

Robertson was writing about late nineteenth century Ghana. In the twenty-first century Ghana, those who have worked closely with, or studied females in all types of bondage or servitude, have observed the following: ignorance among women under bondage, *trokosis* choosing to return to the shrines even after they have been liberated for lack of alternative means of survival, and lack of economic opportunities for women, whether free or slave, especially in the rural areas.

TROKOSI POLITICS IN THE POST COLONIAL ERA

Whereas anti-*trokosi* politics in the colonial era centred around the resistance of one man, Mr. Nyagbledsi, “a lone voice in the wilderness”, the post colonial era was marked by the involvement of an array of individuals, community groups and leaders, the media, NGOs

(both local and international), statutory bodies, and the government – as in Parliament and the Executive. These individuals and groups could be divided into 3 categories: (i) anti-*trokosi* groups and individuals; (ii) governmental and other statutory bodies; and, (iii) proponents of the *trokosi* system.

The rest of this chapter is divided into sections dedicated to an analysis of (i) the anti-*trokosi* groups and individuals; (ii) community groups and leaders such as District Assembly, chiefs, queenmothers, and other opinion leaders; and (iii) *trokosi* practitioners as in shrine priests, owners and elders.

I. THE ANTI-TROKOSI GROUPS AND INDIVIDUALS

A discussion of the anti-*trokosi* groups must start with the *trokosi* modernization efforts of individual natives, community groups and opinion leaders within the practicing area of Tongu.

MR. MARK WISDOM

There is a gap in the currently available material on *trokosi* from 1923 – when Nyagbledsi wrote the last letter to the Colonial Secretary – to 1977 when Mark Wisdom, another native of Tongu, protested the practice of *trokosi*.⁷⁷

Mark Wisdom is the Executive Director of Fetish Slaves Liberation Movement (FESLIM) and Pastor of a small local church at Adidome, in the Volta Region. He is a native of Mafi-Dugame, a village on the banks of the Volta River in the North Tongu District. A self-declared, “born-again” Christian, his involvement in the anti-*trokosi* campaign started after having a vision⁷⁸ on June 28, 1977. He resigned his job as a Secondary School teacher two days later and left Lome, Togo, to go to Adidome, the North Tongu District capital, where he has resided since. It was upon his return to Adidome that he interpreted the vision as his call to liberate people in ritual servitude in Ghana.

Mark Wisdom was already familiar with *trokosi* practice. As he pointed out recently, “My father’s house [in Mafi-Dugame] is 50 yards from the Korle Shrine, the largest *Trokosi* shrine in the North Tongu District. ... The fetish priest of the shrine is my

⁷⁷ I believe more colonial documents exist on the issue. It is just that researchers have not yet come across them. For example, Mr. Kaleku, a native of Sogakope, is said to have spoken against the practice and prevented a sister from being taken to a *Trokosi* shrine in 1945 (Pimpong 1998c: 51). This is all the available information on Mr. Kaleku’s role in the fight against *trokosi*. The Public Records Office in London, U.K. could be a good source of such material.

⁷⁸ Mark Wisdom “The Vision” Adidome: FESLIM (n.d.)

cousin.”⁷⁹ Yet, he started his anti-*trokosi* campaign by researching into the practice. He first discovered the seven districts now known to practice the *trokosi* system and estimated that there were about 20,000 *trokosis*.⁸⁰ Wisdom sold his personal belongings to finance his campaign.

He saw his mission as taking the Christian gospel to the shrines and setting free the *trokosi* women and children. His ultimate aim was the total abolishing of ritual practices such as *trokosi*. To this end, he sought the help of the local chiefs, shrine priests, owners, elders and other opinion leaders in the District. In September 1982, he organized a large forum for the chiefs, shrine priests, owners, elders and the people of Mafi Traditional Area. Participants agreed in principle to modernize the practice of *trokosi* after performing a big one-time ritual. The ritual was to be performed at another large-scale meeting of the same people two weeks later, but the Chief Priest of the Traditional Area,

⁷⁹ Mark Wisdom “The Anti-*Trokosi* Campaign” in the *Daily Graphic* Thursday, March 25, 1999, p. 7

⁸⁰ *Progressive Utilization Magazine* (PUM) 1995:3; Robert Ameh (1998). Mark Wisdom has not written any systematic report of this research. However, in a more recent research project funded by DANIDA (See Mark Wisdom *Project Progress Report on Research into Tro Kosi Practice in Ghana* February 28, 1995 (unpublished)), Wisdom put the total number of *trokosis* in the seven districts at 19,741, a number not significantly different from his findings in the late 1970s. It is doubtful that there has been no increase in the number of *trokosis* in the 15-17 year span between the two researches, particularly when there had been no *trokosi* liberations prior to the latter study. Further, the well-grounded academic study done by professors Elorm Dovlo and S. Kufogbe (1997) only put the total figure of *trokosis* at not more than 5,000. As stated in the literature review, however, result of the Dovlo and Kufogbe study must also be taken with caution due to the numerous problems they encountered in the cause of their study. They acknowledged the number of *trokosis* could be higher. In effect, I think a mid-number between 5,000 and 20,000 could be a more accurate figure for the population of *trokosis*.

who was to lead the rituals, did not to show up⁸¹. If the ritual had taken place, Mark Wisdom would have succeeded in transforming the practice in as early as 1982. The “no-show” by the Chief Priest foreshadowed the type of opposition he would subsequently face in his campaign.

Mark Wisdom decided to seek help from a higher authority. Based on a speech the President had made two months earlier in which he admonished chiefs to lead the crusade to modernize customs⁸², Wisdom wrote a letter⁸³ in November 1982 to then President of Ghana, J.J. Rawlings, in which he asked the President to abolish not only *trokosi*, but all outmoded customs in Tongu. He recounted his recent meetings with the chiefs and people and the outcome, and a concise description of all the outmoded practices he wanted abolished in the letter sent to the President.

The Ministry of Culture and Tourism⁸⁴ responded to Wisdom’s letter on behalf of the President. Wisdom was invited to address the nation on the issue of *trokosi* through the

⁸¹ See “Address delivered by the PNDC District Secretary for North Tongu – Mr. U.S. Clarke - at a Meeting Held at Adidome on Friday, 19th October, 1990 on the Welfare of Inmates of Fetish Shrines (Vestal Virgins)”.

⁸² Nelson Duah “Lead Crusade to Modernise Customs – J. J.” in the *Daily Graphic* Monday, September 13, 1982, front page.

⁸³ Letter regarding “Abolition of Outmoded Customs” from Mark Wisdom to the Chairman of the PNDC, Flight-Lieutenant. J.J. Rawlings, Accra, dated November 13, 1982.

⁸⁴ See letter regarding “Abolition of Outmoded Customs” from R.Y. Thomas, Principal Secretary, Ministry of Culture and Tourism, to Mark Wisdom dated November 22, 1982.

press. This took place on January 24, 1983, when Wisdom and Mr. Asiedu Yirenkyi, then Secretary for Culture and Tourism, addressed a press conference in Accra.⁸⁵ The Ministry also offered Wisdom the opportunity to address the *trokosi* issue through national news media such as radio and television programs.⁸⁶ With such access to the state media, Wisdom published a more detailed article, “Abolition of Outmoded Customs”, in the *Daily Graphic*.⁸⁷ In this article, Wisdom discussed in more detail the various types of outmoded customs, including *trokosi*, which he had asked the President to abolish. Thus, Mark Wisdom was the first person to use the mass media to draw the attention of the nation to the controversial aspects of *trokosi*.

Mark Wisdom continued his campaign at the local level. When Mr. U.S. Clarke arrived in the North Tongu District as the new District Secretary in 1988, Mark Wisdom introduced him to the anti-*trokosi* campaign. Again, it was Mark Wisdom who got Sharon Titian and the Missions International involved in the anti-*trokosi* campaign in the early 1990s (the roles of both Missions International and the District Administration/Assembly in the anti-*trokosi* campaign are discussed below). Mark

⁸⁵ Francis Kokutse “Yirenkyi debunks outmoded customs” in the *Ghanaian Times* Tuesday, January 25, 1983, front page; and, Mark Wisdom “Don’t listen to ‘Trokosi’ apologists” a rejoinder published in the *Daily Graphic* Wednesday, April 28, 1999.

⁸⁶ Mark Wisdom “Don’t listen to ‘Trokosi’ apologists” a rejoinder published in the *Daily Graphic* Wednesday, April 28, 1999; and, Letter from Mark Wisdom to Austin Gamey, the Hon. Member of Parliament for North Tongu and Deputy Minister of Employment and Social Welfare dated October 6, 1998.

⁸⁷ Mark Wisdom “Abolition of Outmoded Customs”, which appeared as a two-part series in the *Daily Graphic* Monday, August 27, 1984, p. 3; and Tuesday, August 28, 1984, p. 3.

Wisdom later founded the Fetish Slaves Liberation Movement (FESLIM) in 1994. This non-governmental organization became his platform for the anti-*trokosi* campaign. The creation of awareness on outmoded customary practices such as *trokosi* through education and the dissemination of research findings are the main stated goals of FESLIM.⁸⁸

In this spirit, FESLIM has organized several seminars⁸⁹ in *trokosi*-practicing areas, and Mark Wisdom has addressed several gatherings of *trokosi* stakeholders⁹⁰ and granted interviews on the issue of *trokosi*.⁹¹ Mark Wisdom has conducted research on

⁸⁸ Mark Wisdom “FESLIM’s Aims and Objectives” (n.d.)

⁸⁹ See report on the seminar at Sogakope by Vincent Azumah “Help Abolish *Trokosi* Cult” in the *Daily Graphic* Saturday, June 24, 1995, p. 3; seminar at Akatsi by A.E. Amoah “Seminar on ‘*Trokosi*’ at Akatsi” in the *Daily Graphic* Tuesday, July 25, 1995; seminar at Denu in *Daily Graphic* Wednesday, November 1, 1995 and Mark Wisdom “Knowledge of the Ancient World Vital”, speech at seminar on *Trokosi* System at Denu on Thursday, September 28, 1995.

⁹⁰ See for example his address to the Annual National Congress of the Tongu Students Union at Sogakope reported by Timothy Gobah “54 More *Trokosis* Freed” in *The Mirror* Saturday, August 30, 1997.

⁹¹ See interviews in *Progressive Utilization Magazine* (PUM) “*Trokosi* – Virgins of the Gods or Concubines of Fetish Priests?” 1994, vol. 1, nr. 1, pp. 2-6; *Progressive Utilization Magazine* (PUM) “*Trokosi* – Part 2” 1995, vol. 2, nr. 1, pp. 1-5; Divine Agodzo “Liberty Comes to *Trokosi* Captives” in *Truth and Life* 1996, vol. 1, nr. 3, pp. 5, 20-21; and, Pat Quainoo “Cruel Cults?” in *Methodist Times* October, 1999, vol. 13, nr. 8, front page.

trokosi,⁹² worked in cooperation with other anti-*trokosi* NGOs such as Missions International and ING,⁹³ and received support from other organizations and liberated *trokosis*.⁹⁴ Mark Wisdom was also instrumental in Mr. Uriah S. Clarke and the North Tongu District Assembly becoming part of the anti-*trokosi* campaign as we shall see below.

For the future, Wisdom has set his mind on liberating women in servitude to other gods such as Yehweh (thunder-god), Agbosu, and Korku, worshipped by some in south-eastern Volta Region.⁹⁵ To illustrate that he could confront these gods, Wisdom defied the injunction of the priests of Nogokpo, reputed to be one of the most powerful and

⁹² See report on Mark Wisdom's research by *P and P* (People and Places) "Atrocities of *Trokosi* in Pictures" 1995, July 6-13, p. 8; and Mark Wisdom "Project Progress Report on Research into *Trokosi* Practices in Ghana" February 28, 1995.

⁹³ Hannah Hesse "600 *Trokosi* slaves liberate" in the *Daily Graphic* Monday, September 6, 1999; Michelle Uduiguome "After *Trokosi* we target Agbosu and Korku Slaves" in *The Ghanaian Chronicle* September 8-9, 1999, p. 7; and Mark Wisdom, "Address at the Mafi and Bakpa *Trokosi* Liberation Ceremony Organised by FESLIM and ING at Adidome on 4th of September 1999".

⁹⁴ Timothy Gobah "54 More *Trokosis* Freed" in *The Mirror* Saturday, August 30, 1997; Timothy Gobah, "More *Trokosis* Freed" in *The Mirror* Saturday, October 11, 1997.

⁹⁵ Hannah Hesse "600 *Trokosi* slaves liberate" in the *Daily Graphic* Monday, September 6, 1999; Michelle Uduiguome "After *Trokosi* we target Agbosu and Korku Slaves" in *The Ghanaian Chronicle* September 8-9, 1999, p. 7; Pat Quainoo "Cruel Cults?" in *Methodist Times* October, 1999, vol. 13, nr. 8, front page; and Mark Wisdom, "Address at the Mafi and Bakpa *Trokosi* Liberation Ceremony Organised by FESLIM and ING at Adidome on 4th of September 1999".

ruthless gods⁹⁶ in the Volta Region, and buried the corpse of someone supposedly killed by the Nogokpo god.⁹⁷ For about 16 months, the corpse of the victim had been abandoned at the mortuary of the Ho Government Hospital by relatives. The priests of the Nogokpo shrine, according to the story in *The Mirror*, had demanded some items including drinks and cash for rites to be performed before the deceased could be buried. This was to fulfill the demands of custom as the victim was presumably killed by the gods of the Nogokpo Shrine for refusing to pay a debt.⁹⁸ Mark Wisdom buried the corpse without performing the rites demanded by the Shrine and challenged the Shrine to avenge his actions.⁹⁹ With such great feats in the name of the anti-*trokosi* campaign and the publicity associated with it, Mark Wisdom has become quite well known in the country.

It has not all been smooth sailing for the Executive Director of FESLIM. His anti-*trokosi* campaign has created conflicts with others, both from proponents of the *trokosi* system and from within the anti-*trokosi* movements. He has clashed with proponents of the

⁹⁶ For example in a news item titled, "Nogokpo Shrine Puts Fear into Rifle Thief," *The Evening News* of Friday, June 9, 2000 reported that an officer of the Customs Excise and Preventive Service against whom charges had been laid for losing his rifle, recovered it with the help of the Nogokpo Shrine.

⁹⁷ See news item by Emmanuel Modey "I don't fear Nogokpo – NGO Leader Dares Shrine" in *The Mirror* Saturday, April 8, 2000, front page.

⁹⁸ See two other articles, "Terrified Relatives Abandon Corpse", and "Corpse Left in Morgue: Nogokpo Shrine powers scare ... For over One Year" by Emmanuel Modey in *The Mirror* of Saturday, June 5, 1999, front page, and Saturday, January 22, 2000, front page respectively.

⁹⁹ Emmanuel Modey "I don't fear Nogokpo – NGO Leader Dares Shrine" in *The Mirror* Saturday, April 8, 2000, front page.

Trokosi System. A recent article titled, “The Anti-*Trokosi* Campaign” in the *Daily Graphic* created a heated debate between him and the Afrikania Mission.¹⁰⁰ In less than 2 months, Mark Wisdom took the heat again when, in a letter to the *Daily Graphic*, he called on Prof. Kofi Awoonor, an advisor to former President Rawlings, to resign his position for allegedly saying that any law designed to destroy the customs and traditions would not be obeyed.¹⁰¹ Prof. Awoonor, through his solicitors, swiftly demanded an apology and retraction of the letter. He threatened legal action against, not only Wisdom, but also the editor, printer and publisher of the *Daily Graphic* if this was not done.¹⁰² Wisdom duly apologized and retracted the letter.¹⁰³ Obviously, Mark Wisdom was not in a position – financially and in social stature – to fight a legal battle with the much respected scholar, diplomat and Presidential Advisor.¹⁰⁴

¹⁰⁰ Mark Wisdom “The Anti-‘*Trokosi*’ Campaign” in the *Daily Graphic* Thursday, March 25, 1999, p. 7. A rejoinder by the General Secretary of the Afrikania Mission appeared in the “letters” column in the same paper a week later (Osofo Oson Yaw Bibinikronkron “Re: The Anti-‘*Trokosi*’ Campaign” in the *Daily Graphic* Thursday, April 1, 1999. Mark Wisdom fired back in a rejoinder in the same column (Mark Wisdom “Don’t Listen to ‘*Trokosi*’ Apologists” in the *Daily Graphic* Wednesday, April 28, 1999.

¹⁰¹ Mark Wisdom “Professor Kofi Awoonor must resign” in the *Daily Graphic* Wednesday, June 9, 1999.

¹⁰² See letter regarding “‘Professor Awoonor must Resign’ – Demand for a Retraction and an Apology” by Colonel Gershon Yao Tsahey (retd.), Solicitor for Prof. K.N. Awoonor, to Mark Wisdom, dated June 17, 1999.

¹⁰³ Mark Wisdom “Professor Kofi Awoonor must resign – letter of retraction and apology” letter in the *Daily Graphic* Saturday, July 10, 1999, p. 9; and a note in the same issue and page of the newspaper by the Editor, titled, “Apology”.

¹⁰⁴ I have not been able to get a copy of the statement made by Prof. Awoonor, to which Wisdom reacted by asking for his (Awoonor’s) resignation. Awoonor was, however, reported as urging Ghanaians to cherish their own culture, hold fast to African Traditional Religion (ATR), and assuring the people that the government of the time would not abolish ATR (See Timothy Gobah “Ghanaians Urged to Cherish Their Culture” in the *Daily Graphic*, Thursday, August 10, 2000, p. 13.

After all the above achievements, including pioneering the anti-*trokosi* campaign in modern times, FESLIM has no offices but only a signboard to show for its physical presence beyond the person of Mark Wisdom. FESLIM has remained a one-man NGO since its creation, now eclipsed in the anti-*trokosi* campaign by other NGOs such as ING and Missions International. At first, this realization came as a surprise to me. It raises several questions: why was Mark Wisdom not able to establish himself and FESLIM as the leading anti-*trokosi* group in Ghana?

A critical analysis of Mark Wisdom's approach and some of the issues raised by his opponents and even some individuals within the anti-*trokosi* movement sheds some light on FESLIM's plight. First, Wisdom's approach to the campaign pitches Christianity against African Traditional Religion. As pointed out by Ameh (1998) even though Mark Wisdom puts forth some human rights and socio-economic development arguments in his campaign, the religious undertone to these arguments are easily discernible, even after the Second National Workshop on *Trokosi* when the anti-*trokosi* movement openly declared that the anti-*trokosi* campaign was not a religious but human rights issue. This should not come as a surprise considering that Wisdom's call to engage in the campaign was through a vision, and he has since become a reverend minister and pastor of a church.

Second, he uses derogatory language in his presentations and confrontations with proponents of the *trokosi* system. For example, references to African Traditional

Religion and customary practices and their practitioners in his article, “Abolition of Outmoded Customs”¹⁰⁵, which happens to be the first-ever discussion of *trokosi* in the media, is full of derogatory terminology such “primitive cultural practices”, “practices of barbarism”, “fetish priests”, “barbarous act”, “savage state”, and “primitive custom”.

Shrine priests, owners, elders¹⁰⁶ and proponents of African Traditional Religion such as Afrikania Mission have persistently complained about the use of such terminology, as we will see in the next chapter.

Even some Christians find Wisdom’s language offensive. Thus, in a rejoinder to Wisdom’s article on “Outmoded Customs”, David Dela Heymann, a self-declared Christian and Ewe, castigated Wisdom for his use of offensive terminology, missionary zeal, and superficial understanding of the Ewe culture and traditions.¹⁰⁷ As will be seen below, even anti-*trokosi* groups such as the Tongu Student Union at one stage asked the District Assembly to not associate Wisdom with the campaign, apparently due to the

¹⁰⁵ Mark Wisdom “Abolition of Outmoded Customs”, which appeared as a two-part series in the *Daily Graphic* Monday, August 27, 1984, p. 3; and Tuesday, August 28, 1984, p. 3.

¹⁰⁶ Letter from shrine priests, owners and elders of the Aklodokpo House/Agbenyokope regarding “Modification of Outmoded Customs of Fetish Avakpe of Aklidokpo House/Agbenyokope of Mafi Avakpedome” to the PNDC District Secretary of North Tongu District, dated October 30, 1990; also Togbe Addo’s letter to CHRAJ.

¹⁰⁷ David Dela Heymann “Abolition of Outmoded Customs – Rejoinder” in the *Daily Graphic*, Tuesday, September 4, 1984, p. 3.

offence he causes the shrine priests, owners and elders by his utterances.¹⁰⁸ Even though Wisdom has of late considerably toned down the use of such terms, in his recent confrontation with Afrikania discussed above, he still referred to African Traditional Religion as “idol worship” and its priests as “fetish priests”.¹⁰⁹

Third, Wisdom’s initial objective of “total abolishment” of *troxovi* shrines, and not just the “modification” or “modernization” of the *trokosi* practice, was a source of concern to not only the proponents and practitioners of the *trokosi* system but people in the practicing community in general. As shown in chapter four, *trokosi* shrines perform non-*trokosi* functions in the community. These include healing, especially from mysterious illnesses, help with acquiring blessings, protection, and enforcing general morality, among others. These positive functions of the shrines are acknowledged by both proponents of the system and those who would like to see controversial aspects modified. Togbe Anipati IV, President of the Tongu Paramount Chiefs Union, who has made immense contributions to the anti-*trokosi* campaign, made it clear in my interview with him that he would not support the total abolition of the shrines. Some interviewees from the Tongu area confided in me during the fieldwork that they think modifications in the *trokosi* practice account for the current high rates of crime, adultery and fornication in the area. Wisdom may have now bought into the “modification” or “modernization” strategy

¹⁰⁸ Tongu Students Union “General Recommendations Submitted to the North Tongu District Administration/Assembly by Tongu Students Union on their Educational Campaign on Modernization and Improvement of Conditions of Inmates of Fetish Shrines – Friday 16th to Thursday 22nd August, 1991”

¹⁰⁹ Mark Wisdom “The Anti-‘*Trokosi*’ Campaign” in the *Daily Graphic* Thursday, March 25, 1999, p. 7.

now in vogue in the anti-*trokosi* movement, but his initial stance created a lot of enemies for him.

Fourth, Mark Wisdom sometimes makes unsubstantiated claims, which makes it difficult for people to take him seriously. For example, claims such as “polygamy causes hooliganism and juvenile delinquency”; or “Europe is developed because it abandoned idol worship”, that “the adoption of Christianity leads to development”, and that “all nations must pass through the same cultural and political revolutionary stages to create a refined society and achieve economic development”¹¹⁰, only alienate even those within the anti-*trokosi* movement.

Within the anti-*trokosi* movement itself, Mark Wisdom has had his share of conflicts and confrontations with ING and Missions International. In an October 1998 letter to Austin Gamey, the Member of Parliament of his constituency and then Deputy Minister of Employment and Social Welfare, Wisdom complained bitterly about people he referred to as “detractors and enemies of FESLIM” who “have taken to undermining and telling all sorts of baseless lies about FESLIM so as to discourage the donor agencies from supporting FESLIM for the liberation of the slaves”.¹¹¹

¹¹⁰ Mark Wisdom “Abolition of Outmoded Customs”, which appeared as a two-part series in the *Daily Graphic* Monday, August 27, 1984, p. 3; and Tuesday, August 28, 1984, p. 3; and Mark Wisdom “The Anti-‘Trokosi’ Campaign” in the *Daily Graphic* Thursday, March 25, 1999, p. 7.

¹¹¹ Letter from Mark Wisdom regarding “Detractors as Enemies of FESLIM” to Mr. Austin Gamey, Hon. MP for North Tongu Constituency, dated October 6, 1998.

Wisdom identified Walter Pimpong, Executive Director of ING, the leading anti-*trokosi* NGO in Ghana, as the main culprit. One interviewee confirmed that Pimpong might have given some misinformation about FESLIM to Anti-Slavery International (ASI), Australia, which resulted in FESLIM not getting funding from ASI for its anti-*trokosi* work. According to the interviewee, Pimpong has subsequently apologized to Wisdom. Wisdom also had disagreements with Sharon Titian, Director of Missions International. They worked together on the anti-*trokosi* campaign for sometime but Titian later parted company with Wisdom and formed her own NGO.¹¹² Such conflicts are normal within social groups as they vie with each other for their share of the limited available resources, and strive to carve an image and position for themselves within the social movement. The conflicts also show that there is not as much harmony within the anti-*trokosi* movement as it appears on the outside. The immense negative impact these conflicts have had on the growth of FESLIM, and considering that other anti-*trokosi* groups have grown to become viable NGOs within the same environment, may call into question Mark Wisdom's managerial and interpersonal skills.

Overall, then, it appears that Mark Wisdom's Christian over-zealousness, insensitivity in approaching issues related to the customs, traditions and culture of his people, the perception that he was seeking the total abolishment of the shrines, the wild claims he sometimes made, and the usual "politics" (competition) among social groups in their

¹¹² Neither Wisdom nor Titian could tell me the issue of disagreement during my interviews with them.

quest to carve an image and position for themselves, may be the undoing of FESLIM. A combination of these factors has created for him enemies among both proponents and opponents of the *trokosi* system and prevented FESLIM from growing beyond himself. In the end, unless Wisdom does something drastic about these factors and the resulting negative image they have created for him, he will only be remembered as the great pioneer of the anti-*trokosi* movement, the cornerstone rejected by the builders. Indeed, as an analyst of the role of Mark Wisdom in the anti-*trokosi* movement has eruditely observed,

[h]is was the work of creating awareness, showing that the problem could be confronted without fear of spiritual reprisals and he laid the foundation

for others to build on (Divine Agodzo 1996:5 and 20).¹¹³

Mark Wisdom's role in the anti-*trokosi* movement is a good illustration of the main thesis of this dissertation: you may have all the zeal and good intentions for change but depending on how you approach it (your strategy), you may not achieve very much.

SHARON TITIAN AND MISSIONS INTERNATIONAL

Sharon Titian is the founder and Director of Missions International. She was invited to Ghana by Mr. Bestway Zottor, resident of Ottawa, Canada, and International Director of the Tongu Youth and Child Evangel (TOYACE) to participate in the activities of TOYACE. TOYACE,¹¹⁴ an NGO registered both in Canada and Ghana, is an international Christian community development and evangelism ministry for the youth and children of North and South Tongu Districts of the Volta Region in Ghana. Its programs include evangelism and community development with focus on youth skills training, rural water and sanitation, and literacy programs. TOYACE was one of the first NGOs the North Tongu District Assembly approached for help in their efforts to

¹¹³ Divine Agodzo "Liberty comes to *Trokosi* Captives" in *Truth and Life* 1996, vol. 1, nr. 3, pp. 5, 20-21.

¹¹⁴ TOYACE Canada has now expanded its programs to include providing services to immigrants and low-income Canadians. This has necessitated a change of name to Grass Roots Action Community Endeavours (GRACE, Canada). TOYACE Ghana, has, however, maintained its original name. Bestway Zottor, the International Director of TOYACE, is now the Executive President of both GRACE Canada and TOYACE Ghana. See website <www.comnet.ca/~gracecan/history.html> for more information on TOYACE.

modernize *trokosi* practice.¹¹⁵ They, however, withdrew their commitment to the anti-*trokosi* campaign almost as soon as they made it.

Sharon Titian, a native of Hamilton, Ontario, arrived in Ghana in 1989 as a pioneer volunteer for TOYACE, working mainly on the literacy program. She became the Secretary Treasurer of TOYACE that same year. Titian, however, resigned from TOYACE over differences that emerged between her and the Board of Directors.¹¹⁶ In the course of her literacy work for TOYACE, she had an encounter with *trokosis* and met Mark Wisdom who invited her to join his anti-*trokosi* campaign. Sharon worked briefly with Mark Wisdom before parting company with him and forming her own anti-*trokosi* NGO, Missions International, with offices at the nice waterfront at Adidome in North Tongu.

Titian was initially committed to the liberation and rehabilitation of *trokosis* and provided food and shelter for some *trokosis* who had runaway from shrines.¹¹⁷ She mobilized

¹¹⁵ See letter by Uriah S. Clarke, North Tongu District Secretary, to TOYACE appealing for assistance for *Trokosis*. (n.d.). On *Trokosi* file at North Tongu District Assembly.

¹¹⁶ Sharon Titian tendered her resignation on October 20, 1990. See Titian's letter dated November 29, 1990, addressed to Nana Koranteng, Program Officer of the Canadian International Development Agency (CIDA), (with a copy to Dr. Joe Riverson, Field Director of World Vision International, Ghana Office) in which she explains the concerns that led to her resignation. Her list of concerns include, (i) the decision of TOYACE to abandon the *trokosi* project; (ii) lack of respect for her decisions and opinions because she is a woman; (iii) fraud and mismanagement of funds; and (iv) interpersonal problems with some Board Members of TOYACE.

¹¹⁷ In 1994, Ghanaian newspapers carried a news item about a 15 year old *trokosi* living with Titian begging then President J.J. Rawlings to assist her gain her liberation from the shrine.

support from the International Women's Group, an association of wives of ambassadors and other diplomats of foreign missions in Ghana and funding agencies such as Save the Children's Fund for her work. Titian has abandoned her initial interest in liberating *trokosis* and currently focuses almost entirely on Missions International's Vocational Training School at Adidome, where literacy programs and vocations such as bakery, hairdressing, kente weaving, dressmaking are taught. The school admits both liberated *trokosis*, who are boarders, and *trokosis* still in captivity, but have been granted permission to attend school. The latter group constitutes a minority of the student population.

Titian has had her share of confrontations and controversy. Her formal argument against *trokosi* practice is the human rights violations it entails. She has also declared she would not make any attempt to convert *trokosis* to the Christian religion (Ameh 1998), yet like Mark Wisdom, has been involved in taking the gospel to the shrines. She has not been able to shake off the Christian label she had on her when she initially arrived in the country. This has elicited the wrath of the shrine priests and proponents of African Traditional Religions such as the Afrikania Mission. Like other anti-*trokosi* campaigners, threats have been made on her life by shrine priests, she has had heated arguments with Dr. Dartey-Kumordzie, a proponent of the *trokosi* system (Ameh 1998) and at the early stages in the campaign she was banned from entering any of the shrines in North Tongu District.

Titian also had confrontations with fellow campaigners in the anti-*trokosi* movement. With her differences with TOYACE and Mark Wisdom resolved by her parting company with these, Titian soon found herself involved with a misunderstanding with International Needs Ghana (ING), the leading anti-*trokosis* NGO. An unhealthy competition developed between Titians Mission's International and International Needs regarding the respective roles of each NGO within the anti-*trokosi* campaign field in Tongu.¹¹⁸ The misunderstanding was resolved by a division of labor between the two, Missions International opting for rehabilitation and literacy work while International Needs opted for vocational training of *trokosis*.¹¹⁹ Missions International has since not been involved in the liberation of *trokosis* from the shrines but provides vocational training to both liberated *trokosis* and those still in captivity. This function overlaps with ING's vocational training program though.

Overall, however, Titian is regarded as one of the pioneers in the anti-*trokosi* campaign, and Missions International is deemed only second to International Needs in providing

¹¹⁸ See North Tongu District Administration "Minutes of a meeting held between the two NGOs International Needs (Gh.), Missions International, and the Committee for NGOs Affairs at the Administration's Conference Room on 12 February, 1992"; and, letter from the North Tongu PNDC District Secretary to the Director, Missions International dated February 26, 1992.

¹¹⁹ Letter from the North Tongu PNDC District Secretary to the Director, Missions International dated February 26, 1992.

vocational training to *trokosis*. She has recorded several statements with *ex-trokosis*, giving their own account of their ordeal as *trokosis*. This record constitutes a rich source of information about the *trokosi* problem from the perspective of *trokosis* themselves.

II. COMMUNITY GROUPS AND LEADERS: THE ROLE OF THE DISTRICT ASSEMBLY, CHIEFS, QUEENMOTHERS, AND OTHER OPINION LEADERS

THE NORTH TONGU DISTRICT ASSEMBLY

The North Tongu District Assembly identified the *trokosi* issue as a hindrance to the socio-economic development of the area upon the assumption of office of Mr. Uriah S. Clarke as the Acting District Chief Executive in 1988.¹²⁰ Mark Wisdom is credited for drawing Clarke's attention to the plight of *trokosis*.¹²¹ Clarke was so touched by the plight of these shrine inmates that he resolved to work towards their liberation. He

¹²⁰ Letter from Mr. U.S. Clarke, Acting District Chief Executive, to Madam ... dated March 1, 1993.

¹²¹ E-mail message from Wisdom Mensah, Project Officer of International Needs Ghana, on June 7, 2001.

appealed to the Castle (seat of government),¹²² and held meetings with his fellow District Chief Executives in the *trokosi* practicing areas in southern Volta Region,¹²³

NGOs,¹²⁴ and traditional rulers, shrine priests, owners and elders,¹²⁵ for support to improve the conditions of *trokosis* by modernizing or transforming the conditions in the shrines.

The responses to the initiative of Mr. Clarke from identifiable groups such as the chiefs and queenmothers, Tongu Students Union, Revolutionary Organs, and NGOs, were quite positive, with the main opposition coming from the shrine priests, owners and elders.

¹²² Letter titled “Law Abolishing the Use of Vestal Virgins as Fetish Slaves” from Mr. U.S. Clarke, Acting District Chief Executive, to the Castle Information Bureau, Accra, dated July 31, 1990. Attached to this letter was a “Report on the Evil Practices of Some Shrines in the North Tongu District and the Southern Part of the Volta Region in General – *Trokosi* System (Vestal Virgin System)” also dated July 31, 1990.

¹²³ See “An Address Delivered by the PNDC District Secretary for North Tongu – Mr. U. S. Clarke at a Meeting Held at Adidome on Friday, 19th October, 1990 on the Welfare of Inmates of Fetish Shrines (Vestal Virgins)”; and, “Report Submitted by the P.N.D.C. District Secretary for North Tongu, Comrade U.S. Clarke at the Conference of PNDC District Secretaries of North Tongu, Sogakope, Akatsi, Keta, and Denu – Monday, 4th March, 1991 at Sogakope”. The topic for the conference was “Modernization/Transformation of Conditions in Fetish Shrines in the five Southern Volta Districts (North Tongu, Sogakope, Akatsi, Keta and Denu)”.

¹²⁴ See “Appeal to TOYACE by Mr. U. S. Clarke District Secretary of North Tongu District for Assistance for Tro-Kosi (Fetish Slaves) Vestal Virgins”; Letter from Comboni Centre (the outreach wing of Catholic Fathers in Italy, based in Sogakope) to the PNDC District Secretary, North Tongu, in response to appeal for help from the latter; and “Minutes of a Meeting Held Between the Two NGOs – International Needs Ghana and Missions International – and the Committee for NGOs Affairs at the Administration’s Conference Room on 12th February, 1992”.

¹²⁵ Letter dated October 10, 1990, by the Mr. U.S. Clarke inviting all Paramount Chiefs and shrine representatives of North Tongu, among others, to discuss the living conditions of shrine inmates on Friday, October 19, 1990.

TONGU TRADITIONAL RULERS (CHIEFS AND QUEENMOTHERS)

The chiefs and queenmothers duly attended the October 19, 1990 meeting called by the District Chief Executive at which a Committee of four Paramount Chiefs, two Shrine Priests and one Shrine Elder was set-up to study and make recommendations on the modernization of conditions in the shrines. The Report/Resolution of this Committee¹²⁶ acknowledged the negative elements of the practice, and stated the agreement of the chiefs to modify the practice. They suggested the performance of one mass release rite for all serving *trokosi*, and replacing women and girls with animals as objects of reparation. The two Shrine Priests and Elder withdrew from the Committee as they were apparently not willing to give up the obsolete aspects of the practice.¹²⁷

The resolution of the chiefs to modernize the practice would prove to be a big blessing to the anti-*trokosi* movement. The chiefs and queen mothers have since given their support to the activities of the anti-*trokosi* groups and individuals. Togbe Anipati IV has often chaired functions organized by the anti-*trokosi* groups and Mama Adokuwa Asigble has been a regular speaker at *trokosi* workshops and seminars.¹²⁸ Mama Asigble also led the

¹²⁶ "Report/Resolution submitted to the North Tongu District Administration/Assembly by the Committee Appointed at a Special Meeting of Chiefs, Fetish Priest-Makers, Elders and Revolutionary Organs to Work on the Modernization and Improvement of Conditions in the Various Local Shrines Operating in the District" dated Friday, August 2, 1991.

¹²⁷ *Ibid* p. 1-2. The Report/Resolution was that of the Paramount Chiefs of Tongu and excludes the opinion of the Shrine Priests, Owners and Elders as the latter boycotted the Committee.

¹²⁸ See for example the role of the two traditional rulers in these series of *trokosi* workshops: International Needs Ghana 1996 *Workshop for Paramount Chiefs and Queen Mothers in North, South Tongu and Akatsi Districts* March 1996.

Queen Mothers of North Tongu Traditional Area to pass a resolution asking that no human being should be committed again to the shrine and that animals should be used as substitutes for human beings.¹²⁹ In 1994, Togbe Asem III, Paramount Chief of Mafi Traditional area appealed to the government to urge Shrine Priests to accept transformation of the system.¹³⁰

TONGU STUDENT UNION

The Tongu Students Union, made up of university students and other students of other tertiary educational institutions in Ghana, who are natives of Tongu, embarked on its own educational campaigns¹³¹ in support of the initiative on *trokosi* modernization by the District Assembly. Three groups of students¹³² toured towns and villages that have

¹²⁹ See “Resolution of Queen Mothers of the North Tongu Traditional Area on *Trokosi* Practice” in International Needs Ghana 1996 *Workshop for Paramount Chiefs and Queen Mothers in North, South Tongu and Akatsi Districts* March 1996, Appendix E.

¹³⁰ Vincent Azumah “Goats now to Replace Girls As *Trokosi* Sacrifice” in *The Mirror* Saturday, April 30, 1994, p. 1.

¹³¹ See “General Recommendations Submitted to the North Tongu District Administration/Assembly by Tongu Students Union on Their Educational Campaign on Modernization and Improvement of Conditions of Inmates of Fetish Shrines – Friday, 16th to Thursday 22nd August, 1991”.

¹³² The report of each of the three groups is attached to the “General Recommendations” of the Union. See the footnote above.

shrines in different parts of North Tongu District, compiling a list of *trokosis*¹³³ for the purposes of literacy classes and admission into a vocational training school proposed by the District Assembly. Based on this list and other additions, the first interviews were conducted for candidates for admission into the proposed Vocational Training School,¹³⁴ which later became known as the International Needs Vocational Training Institute.

The Student Union recommendations indicated that the shrine priests, owners and elders felt publicly humiliated at the meetings at which the calls for modernization were made. Thus, the Union also sought to breach the deadlock between the shrine priests, owners and elders, on the one hand, and those calling for the transformation of the *trokosi* institution and practice, on the other. They recommended that Mark Wisdom, the Christian anti-*trokosi* campaigner, should not be associated in any way with the modernization efforts of the District Assembly. They also proposed follow-up visits to the shrines, education of the public and dialogue with shrine priests, owners, elders and families of *trokosis*. They recommended using influential relatives of shrine priests and elders in the modernization project, and also rendering an apology to the shrine priests and elders, and the establishment of a vocational school on the other side of the Volta River (popularly called by the natives as “overbank”) to serve *trokosis* in those

¹³³ For the list of *trokosis* compiled see the document “Proposed Vocation Training Centre – North Tongu District, Adidome: Enrolment of Candidates”. A copy is attached to their “General Recommendations”. See last but one footnote above.

¹³⁴ Letter from Committees for the Defence of the Revolution, North Tongu District Secretariat, to PNDC District Secretary, North Tongu District, Adidome, regarding “Interviews for Selection to Vocational Training – Fetish Shrine Inmates” dated October 10, 1991.

communities. This latter suggestion has been a request made repeatedly by some shrine priests and elders favorably predisposed to the education of their *trokosis*, and also some chiefs. Alternatively, these traditional rulers have suggested that the teachers should cross-over the Volta River and teach the *trokosis* in the shrines.¹³⁵

COMMITTEES FOR THE DEFENCE OF THE REVOLUTION (CDR)

The CDRs were grassroots wings of the Provisional National Defence Committee (PNDC) military regime that ruled Ghana from 1981-1992.¹³⁶ During this era, they were the effective force responsible for political decision-making in the country, especially from the village to the regional levels. Consequently, the District Administrations, which were re-labeled District Assemblies when constitutional rule kicked-in in 1992, were headed by CDR members known as PNDC District Secretaries, who were essentially cadres of the PNDC revolution. Consequently, Mr. U.S. Clarke, who was the PNDC District Secretary for North Tongu from 1988-1994 was also a comrade and leading member of the local CDR. (District Secretaries became known as District Chief Executives from 1992 when the District Administrations were re-named District

¹³⁵ See letters by Korlie Fetish Elders, dated July 24, 1991; Togbe Avakpenua XIV, Priest of Avakpe Shrine, dated July 24, 1991; Togbe Defia Tsadumanor, Priest of Tsaduma Shrine, Old Bakpa, dated July 23, 1991; Togbe Gidisu IV, Priest of Venor Shrine, Old Bakpa, dated July 23, 1991; and, Togbega Mortor Kwadjo Hajor VI, Paramount Chief of Bakpa Traditional Area, dated July 23, 1991, to the PNDC District Secretary, North Tongu District, Adidome.

¹³⁶ Ken Attafuaah (1993) has an excellent analysis of CDRs and the PNDC regime in his doctoral dissertation, *Criminal Justice Policy, Public Tribunals and the Administration of Justice in Rawlings Ghana (1982-1988)* submitted to the School of Criminology, Simon Fraser University.

Assemblies, Hence the titles “District Secretary” and “District Chief Executive” were used interchangeably for Mr. Clarke in this dissertation).

With this background, it is not surprising that the local CDR was involved in the *trokosi* modernization initiative, which became the pet project of Comrade Clarke right from his assumption of office as the District Secretary of North Tongu in 1988. Thus, after the famous October, 19, 1990 meeting organized by the District Administration for traditional rulers and opinion leaders of North Tongu, and the consequent impasse between the Shrine Priests, Owners and Elders and those calling for *Trokosi* modernisation, the local CDR presented a memorandum¹³⁷ to the Paramount Chiefs of North Tongu. In this memorandum, the CDR appealed to the Paramount Chiefs to talk to the Shrine Priests and Owners to modify the practice of *trokosi*. They specifically suggested replacing human beings with animals as objects for reparation and asked them to cooperate with the NGOs involved in the modernization project. Members of the CDR were also part of the panel that conducted the first interviews for the admission of *trokosis* into the vocational schools, which was part of the modernization project.¹³⁸

¹³⁷ Committees for the Defence of the Revolution, North Tongu District Secretariat “Memorandum Presented to Torgbe Fiagawo of North Tongu District by All Organs of the Revolution in the District in Connection with a Demand for the Modification and Rectification of Outmoded Customs with Special Reference to Teenage Girls and Women in Fetish Shrines” dated November 22, 1990.

¹³⁸ Letter from the Committees for the Defence of the Revolution, North Tongu District Secretariat, regarding “Interviews for Selection to Vocational Training – Fetish Shrine Inmates” to the PNDC District Secretary, Adidome.

III. *TROKOSI* PRACTITIONERS: SHRINE PRIESTS, OWNERS AND ELDERS

The withdrawal from participation in the Committee of Traditional Rulers set up to make recommendations on the modernization of the institution of *trokosi*, was suggestive of the Shrine Priests, Owners and Elders' lack of support for transforming the practice. This was alluded to by the Report of the Committee.¹³⁹ In a letter¹⁴⁰ to the District Chief Executive about two weeks after the meeting, the Shrine Priests, Owners and Elders of Aklidokpo House of Avakpedome and Mafi Agbenokope complained about derogatory terms such as "fetish", "fetish priest/priestess" used to refer to them and their gods. They proposed that these terms be replaced with "traditional gods" and "traditional gods fathers/mothers" respectively.¹⁴¹ The other proposals in the letter were mixed. On the one hand, while proposing education for inmates, no replacement of inmates who have died or served their time, substitution of animals for human beings as objects of reparation; on the other hand, the priests were still demanding to have control over the marriage of *trokosis* and the observation of taboos and other laws passed by the priests.

¹³⁹ *Ibid* p. 1-2.

¹⁴⁰ Letter titled, "Modification of Outmoded Customs of Fetish Avakpe of Aklidokpo House House/Agbenyokope of Mafi Avakpedome", by the Shrine Priests, Owners and Elders of the Aklidokpo House to the District Chief Executive, North Tongu District Assembly, Mr. U.S. Clarke, dated October 30, 1990.

¹⁴¹ In a recommendation submitted to the North Tongu District Administration/Assembly dated Thursday, August 22, 1991, the Tongu Students Union indicated that the shrine priests, owners and elders felt they were publicly humiliated at the meeting.

In a more elaborate response, the Elders and Owners of all the Shrines in North Tongu District addressed a letter to the North Tongu District Chief Executive stating their position.¹⁴² In a change of position from the earlier position of Shrine Priests, Elders and Owners of the Aklidokpo House, the Elders of all the shrines in North Tongu asserted that the Priests and Owners have no authority to offer a different item in place of a *trokosi*. They claimed they did not know any custom to perform to make the gods stop demanding *trokosis*, and that even priests, when they offend the gods, have to pacify them by providing a virgin to serve as a *trokosi*.

The Elders argued that the gods demand *trokosis* from only criminals and deviants and so perform a good service for the community. In which case, “good” (as in “law abiding”) people have no need to fear the gods. They contended that it is only criminals and deviants who are demanding the abolishment of the *trokosi* practice. The Elders, thus, advised the authorities to educate the public to avoid the criminal and deviant acts that cause the shrines to demand *trokosis*. They maintained that *trokosis* are not slaves and that anyone disposed to marry a *trokosi* after her service could do so without any objection from them. Further, the letter highlighted the protective, policing, and other crime control functions of the shrines.

Initially, then, the shrine priests, owners and elders did not seem to favour transforming the institution and practice of *trokosi*. They have maintained that so long as crimes are

¹⁴² Letter from the Elders of the North Tongu Traditional Fetish Shrines to the Provisional National Defence Council (P.N.D.C) District Secretary, North Tongu District, Adidome, dated August 29, 1991.

committed in the community, and offenders are reported in the shrines, the *trokosi* system would be maintained. Thus, in 1994, Togbui Addo VIII, Fiaga of Klikor Traditional Area, presented a memorandum to the National Commission on Culture.¹⁴³ In this document, he discussed the current controversy over *trokosi* within the context of the conflict between Christianity and African Traditional Religion and chauvinism on the part of elite women in Ghanaian society. He ascribed the controversy mainly to Christian prejudice, vindictiveness, and fanaticism and wonders why the Christian Convents for sisters and nuns are acceptable but not the institution of *trokosi*.

Togbui Addo's response to the question of why only women are *trokosis* is that men who occupy a similar position are called Troklus. He admitted that the *trokosi* system obtains in Klikor (p. 2). This contradicts the position of Afrikania Mission (Osofo Ameve's faction), which denies the existence of such a system. Togbui Addo's description of the conditions of initiation and treatment of *trokosis* in Klikor (p. 4) confirm what other researchers (Dovlo and Adzoyi, 1995; Greene, 1996; Dovlo and Kufogbe, 1997; Nukunya and Kwafo, 1998; Ameh 1998) have pointed out that the *trokosi* system in Klikor is more humane than the version practiced in the Tongu area. Unlike the traditionalist Dr. Dartey-Kumordzie, who argues for a separate school for *trokosis*, Togbui Addo argues for improved facilities for existing public schools to serve all the people of Klikor including *trokosis*.

¹⁴³ Togbui Addo "Memorandum On Inquiries Into the *Trokosi* System of Klikor" dated August 17, 1994.

Thus, in reality, Shrine Priests were divided in their opposition to the anti-*trokosi* campaign. Some Shrine Priests opposed any suggestion of modernization and issued threats to journalists¹⁴⁴ and engaged in confrontations with anti-*trokosi* campaigners.¹⁴⁵ Yet, others were prepared to transform the system very early in the practice becoming a national issue. Others such as Togbe Charmlarh, chief linguist to a cluster of Koklofu *Trokosi* shrines, conceded that the system could be changed, but only by the Shrine Owners and if they are approached in private as opposed to the public attacks they were being subjected to in the media.¹⁴⁶ In 1994, the Ghana Psychic and Traditional Healers Association, an national association of Shrine Priests, announced that would negotiate with *Trokosi* Priests to modify the *trokosi* practice such that *trokosis* would spend only 8 months in the shrines.¹⁴⁷

CONCLUSION

From the foregoing, it is clear that the local people did not sit unconcerned about the *trokosi* problem in their area. Native individuals, community groups and opinion leaders

¹⁴⁴ *The Mirror* “‘*Trokosi*’ Priests Issue Threat of Death to Mirror Reporter” Saturday, May 21, 1994, p.1.

¹⁴⁵ A. E. Amoah and Vincent Azumah “*Trokosi* Priests Challenge Patrons” in *The Mirror* Saturday, June 17, 1995, p. 3; Vincent Azumah “*Trokosi* Priest Attacks Christians” in *The Mirror* June, 3, 1995.

¹⁴⁶ Vincent Azumah “Goats now to Replace Girls As *Trokosi* Sacrifice” in *The Mirror* Saturday, April 30, 1994, p. 1; A. E. Amoah “‘*Trokosi*’ in Retrospect II” in *Daily Graphic* Wednesday, June 14, 1995, p. 5; Vincent Azumah “*Trokosi* Priest Attacks Christians” in *The Mirror* June, 3, 1995; Emma Brooker “Slaves of the Fetish” in *Independent* Sunday, June 16, 1996.

¹⁴⁷ *Daily Graphic* “*Trokosi* System to be reformed” Wednesday, June 15, 1994, p. 3.

such Mark Wisdom, the District Administration/Assembly led by Mr. U.S. Clarke, Paramount Chiefs in the District, Tongu Students Union and the CDRs all got involved in the *trokosi* modernization project in North Tongu. Apart from the Shrine Priests, Owners and Elders, and for obvious reasons, all the above community groups and individuals were unanimous in their recognition of the negative elements of the practice, referring to it as slavery, demanding the liberation of inmates, and expressing the need to transform the practice altogether.

Mark Wisdom and Sharon Titian's Christian approach to the issue was, however, not popular among the local groups. This compelled the Tongu Students Union, for example, to recommend that the District Administration not associate Mark Wisdom with the modernization project.¹⁴⁸ Titian's welcome to the shrines was terminated. But in dealing with the uncooperative attitude of the Shrine Priests, Owners and Elders, other local

¹⁴⁸ See "General Recommendations Submitted to the North Tongu District Administration/Assembly by Tongu Students Union on Their Educational Campaign on Modernization and Improvement of Conditions of Inmates of Fetish Shrines – Friday, 16th to Thursday 22nd August, 1991".

groups such as the Student Union and CDR made efforts to get them (shrine priests, elders and owners) to change their position towards the modernization project. As seen above, while the Student Union asked for education of the people, an apology to the Priests and Elders and using influential relatives of the Priests and Elders, the CDRs appealed to the Paramount Chiefs, as the custodians of culture and the most respected people in any local area in Ghana, to talk directly to the Shrine Priests and Elders to change their attitude. That these efforts bore fruit was seen in as early as 1991, when some Shrine Priests and Elders gave permission to their *trokosi* inmates to interview for admission into the proposed vocational school for *trokosis*.¹⁴⁹

One thing that was clear in all the documents cited so far was the lack of resources to carry out the modernization project, which consisted of literacy programs, establishment of vocational schools, replacing human beings with animals as objects of reparation in the shrines, and the total liberation of all *trokosis* in all the shrines in the District. Faced with this problem, the District Administration decided to invite two NGOs – International Needs Ghana and Missions International – to help them fight the system.¹⁵⁰ This did not

¹⁴⁹ Letter from the Committees for the Defence of the Revolution, North Tongu District Secretariat, regarding “Interviews for Selection to Vocational Training – Fetish Shrine Inmates” to the PNDC District Secretary, Adidome.

¹⁵⁰ TOYACE pulled out of the *trokosi* modernization project in November 1990 because the founders and directors felt the project would divert them from their mission. See letter titled “Report and Concern Re: Tongu Youth and Children Evangel (TOYACE)” from Sharon Titian to Nana Koranteng, Development Program Officer, Canadian International Development Agency (CIDA), Accra. They did not support the total liberation of *trokosis*. The District Administration saw this as running counter to its objectives. See letter by the District Chief Executive to Madam ... dated March 1, 1993. The insistence of the Comboni Centre that intervention should be done only in the shrines was also not acceptable to the District Administration.

mean the local community abandoned its interests and efforts in the *trokosi* modernization project. The District offered its unflinching support and the little resources that it had to the NGOs. On October 10, 1991, the North District Assembly released both a bungalow and a 15-acre plot of land in Adidome to be used free of charge by International Needs Ghana for the proposed Vocational Training Centre for *trokosis*.¹⁵¹ The District Assembly also monitors the activities of the two organizations in the District.¹⁵²

During the first wave of the anti-*trokosi* campaign, there was hardly any impact in terms of *trokosi* liberations. An important achievement of this stage, however, was the laying of the foundation for the work in the other stages of the campaign. *Trokosis* who attended the International Needs Vocational School lived in the shrines, were released to attend school, and returned to the shrine at the end of the school term. International Needs Ghana's role in the anti-*trokosi* campaign will be highlighted at the other stages of

¹⁵¹ See two letters, both dated October 10, 1991, regarding "Release of Bungalow to International Needs (Gh) Accra" and "Release of Land to International Needs (Gh) Accra" from the PNDC District Secretary to the Executive Director, International Needs Ghana, Accra.

¹⁵² In December 1991, ING was invited to submit a comprehensive report on its plans to the District Assembly (See invitation letter from the District Secretary to the Executive Director, International Needs Ghana, dated December 9, 1991); In February 1992, the District Assembly, in conjunction with the Department of Social Welfare, attempted to settle a dispute between ING and Missions International (See "Minutes of a Meeting Held between the two NGOs – International Needs (Gh) and Missions International – and Committee for NGOs Affairs at the Administration's Conference Room on 12th February, 1992); that same month, wrote to reprimand Missions International for preventing International Needs from using some equipment (Letter dated February 26, 1992 from the PNDC District Secretary to the Director, Missions International); and, in October 1993, the District Assembly invited International Needs Ghana to embark on a second phase of Vocational Training for *trokosis* (Letter from the District Secretary to the Executive Director, International Needs (Gh.) dated October 1, 1993).

the campaign where it played a predominant role. These stages are discussed in the next chapter.

CHAPTER 6

***TROKOSI* POLITICS II: THE MEDIA, SOCIAL MOVEMENTS, AND THE MAKING OF A NATIONAL SOCIAL PROBLEM**

INTRODUCTION

In chapter five I discussed the pioneers of the anti-*trokosi* campaign, most of whom were local people from the centre of *trokosi* practice in Ghana. I concluded that even though their role in the campaign was very important, they did not achieve much, initially, with respect to liberating *trokosis*. Nevertheless, the activities of the individuals and groups involved in the first wave of the anti-*trokosi* campaign soon caught the attention of the local and international media. In this chapter, my account of the anti-*trokosi* campaign picks up from where I left off in the last chapter, the early 1990s. I will discuss the tremendous impact of the campaign waged by the local and international media in drawing public attention to the *trokosi* problem. Another consequence of the media campaign was the attraction of several groups and individuals to the cause of the anti-*trokosi* movement. The contributions of these groups, individuals, and their strategies are also discussed in this chapter.

THE MEDIA

The first media report on *trokosi* in the early 1990s was on March 6, 1993. In a front-page story, “1000 Girls Kept as Slave Wives Under *Trokosi* System”, A. E. Amoah of *The Mirror* drew the attention of Ghanaians to the *trokosi* practice. Reactions to the

story were swift. In a letter to the editor, a reader called for the immediate and total abolition of the practice.¹⁵³ The Ghana National Commission on Children's response was to organize the Organization of African Unity's (OAU) Day of the African Child for 1993 at Mafi-Avakpedome in the North Tongu District.¹⁵⁴ These reactions were followed by Audrey Gadzekpo's article, "Sexual Bondage", in the May/June 1993 issue of *Awo Magazine*. Gadzekpo highlighted sexual exploitation in the *trokosi* system. Around the same period, Yvette Dzeble, treasurer of the Ghana Committee on Human and People's Rights (GCHPR), cited *trokosi* as an example at a seminar on the rights of vulnerable groups organized by the GCHPR.¹⁵⁵ The *Ghana Human Rights Quarterly* followed this up with the stories of two *trokosis* – Juliana Dorgbadzi and Yawa Meworlase – in their October-December 1993 issue.¹⁵⁶

It was, however, not till April 1994 that the "*trokosi* story" was picked up again by the press. In that month alone, Vincent Azumah, another journalist of *The Mirror*, wrote two articles documenting the rebellion of some *trokosis* against their shrine priests. These

¹⁵³ Anthony Tabiri Abebrese "Give the '*trokosi*' girls their freedom now", in the "letters" column of *The Mirror* Saturday, March 21, 1993.

¹⁵⁴ Ghana News Agency "VR observes OAU Day of the African Child", news item carried by the *Ghanaian Times* Saturday, June 26, 1993; A. E. Amoah "Forum On '*Trokosi*' System" in the *Daily Graphic* Saturday, June 26, 1993; and the "Comment" by the *Daily Graphic* Saturday, June 26, 1993. See also Theodore Ahuno's report, "At the '*Trokosi*' Forum, in the Early Childhood Committee's Quarterly, *Our Children* October 1993, p. 3, and the "Editorial" of that issue.

¹⁵⁵ *Ghana Human Rights Quarterly* "The Plight of Vulnerable Groups" April-June 1993, vol. 1, no. 2, p. 4. This is a publication of the Ghana Committee on Human and People's Rights.

¹⁵⁶ *Ghana Human Rights Quarterly* "Slavery in Ghana" October-December 1993, vol. 1, no. 4.

trokosis were allowed by the shrine priests to undertake vocational skills at the International Needs Vocational Training Centre at Adidome (affiliated with efforts of the North Tongu District Assembly as discussed in the chapter 5). At the end of their training period the *trokosis* decided to not return to the shrines.¹⁵⁷

This decision by the *trokosis* caused a stir among stakeholders of the *trokosi* system and the public. For shrine Priests, Owners, and Elders in the North Tongu District, the mutiny created a division among them. While the Priests at Dofor, Mepe, Mafi Dugame, and Avakpedome agreed to modify the practice by accepting animals instead of girls and women in reparation for crimes, those in Volo and Battor resisted change.¹⁵⁸ In a letter to *The Mirror*, shrine Priests in Adidome denied the story on the rebellion, asked to be appeased, and threatened the life of Vincent Azumah, the journalist who carried the story.¹⁵⁹

This conflict prompted responses from other stakeholders and sections of the Ghanaian population. The Honourable (Hon.) Kosi Kedem, Member of Parliament for Hohoe South, in a statement in Parliament asked for the abolition of the *trokosi* practice. Kedem's demand for the abolition of the *trokosi* system was carried by the two largest

¹⁵⁷ Vincent Azumah "No More! ... *Trokosi* Virgins Rebel" in *The Mirror* Saturday, April 16, 1994, pp. 1.

¹⁵⁸ Vincent Azumah "Goats Now to Replace Girls As *Trokosi* Sacrifice" in *The Mirror* Saturday, April 30, 1994, p. 1.

¹⁵⁹ *The Mirror* "'*Trokosi*' Priests Issue Threat of Death To Mirror Reporter" Saturday, May 21, 1994, pp. 1.

circulating Ghanaian daily newspapers, the *Daily Graphic* and the *Ghanaian Times*.¹⁶⁰ A few days later, the *Ghanaian Times* reported that J. J. Rawlings, then President of Ghana, gave a speech at Wa in the Upper West Region. He asked District Assemblies, in collaboration with traditional rulers, to pass by-laws to abolish outmoded customs including *trokosi*.¹⁶¹ With this statement from the President, the *trokosi* issue firmly won a place on the national agenda as his statement engendered further discussion of the *trokosi* issue.

About a week after his statement, a fifteen year-old *trokosi*, identified only as Christie, made an appeal to J. J. Rawlings to let her live with Sharon Titian instead of returning to the shrine through *The Mirror*.¹⁶² Less than two weeks after this, the *Daily Graphic* reported the announcement of the Ghana Psychic and Traditional Healers Association that Priests have agreed to reform the *trokosi* system. Mr. Joe Babanawo, the National Co-ordinator for the Association stated that while the shrine Priests have rejected

¹⁶⁰ Mr. Kosi Kedem “Statement on Vestal Virgins (*Trokosi* or *Fiasidi*) in Republic of Ghana *Parliamentary Debates* Tuesday, 24th May, 1994, cols. 283-288. This was also reported by Debrah Fynn and Joe Okyere “Abolish ‘*Trokosi*’ System – Kedem” in the *Daily Graphic* Wednesday, May 25, 1994, p. 1. The *Ghanaian Times* also carried the same news item in its issue of Wednesday, May 25, 1994.

¹⁶¹ *Ghanaian Times* ... Friday, May 27, 1994. A letter dated April 25, 1994, from the Office of the President titled, “Petition to Fetish Priests to Permit *Trokosi* (Slave Girl) to Attend School”, addressed to the Chairperson of the Ghana National Commission on Children applauded the efforts of the GNCC in encouraging the Volta Regional Minister to mitigate the effects of the *trokosi* system. Citing the relevant portions of the Constitution, the letter asked the Chairperson to take legal action against any shrine priest, individual or groups of people contravening the constitution regarding the *trokosi* practice.

¹⁶² Rebecca Adda-Dontoh “Tell Rawlings to Let Me stay – *Trokosi* Girl Pleads” in *The Mirror* Saturday, June 4, 1994, pp. 1 & 5.

substituting animals for the girls, they agreed for the girls to spend a shorter time of eight months to one year in the shrine.¹⁶³

Thus, by June 1994, the seeds of the *trokosi* issue, sowed by A.E. Amoah's story in March 1993, had developed a life of its own: the Ghanaian *trokosi* debate was born. Since then, *trokosi* practice has become a staple news item of several Ghanaian newspapers, television, and magazines whenever the issues of human rights and outmoded customs surface.¹⁶⁴ Through press conferences, feature articles, discussion programs, advertisers' announcements, and the "letters" column of newspapers by individuals, politicians, and officials of public and non-governmental organizations, the Ghanaian media has become inundated with *trokosi* news. It is, thus, proper to say that the media has become the site where the Ghanaian *trokosi* debate is being staged. In the next few paragraphs, I will discuss some major issues raised in this debate.

One major issue in the debate was in reaction to the call to abolish the practice. In essence, can the law put an end to *trokosi*? Victor Ahadzie, in an open memorandum to Parliament, which appeared in the *Ghanaian Times*, argued that the law cannot kill *trokosi* since the practice is ingrained in the beliefs of the people. He thus called for reform through education and dialogue with the stakeholders and people in the practicing communities. Ahadzie thus suggested that the District Assemblies should deal with the

¹⁶³ A Ghana News Agency news item carried by the *Daily Graphic* Wednesday, June 15, 1994, p. 3.

¹⁶⁴ See an exhaustive list of media sources at the end of the dissertation.

issue rather than Parliament.¹⁶⁵ In response to Ahadzie's position, Rev. Geoffrey A. Quist opposed Ahadzie's suggestion on the grounds that Parliament was the voice of God and the voice of the people. In this way, Quist pitted Christianity against African Traditional Religion¹⁶⁶ and the state against traditional beliefs.

Quist found support in J. C. K. Addom who argued that fear instilled in the members of practicing communities by the practice renders the District Assemblies, whose members are recruited from the communities, unable to resolve the problem. As a result, he called on Parliament not only to kill but also bury the practice of *trokosi*. But Addom also sent the debate to a low level when he described the practice as "primitive", and misrepresented the people in the practicing communities as "psychologically and spiritually undeveloped" and "socially backward".¹⁶⁷ All the same, Ahadzie had his supporters. B. E. A. Mensah highlighted the effective law and order functions of the *trokosi* system, the shortcomings of the modern crime control system, and the negative impact of Christianity on the development of African values. He contended that the law cannot kill *trokosi* and called for a proper study of the system to guide its reform, not its

¹⁶⁵ Victor Ahadzie "The Law Cannot Kill 'Trokosi': Memo to Parliament" in the *Ghanaian Times*, Tuesday, August 2, 1994, p. 4.

¹⁶⁶ Rev. A. Quist "Trokosi Must Die", a letter to the *Ghanaian Times* Thursday, August 11, 1994, p. 4.

¹⁶⁷ J. C. K. Addom in a letter titled, "Let's Kill and Bury 'Trokosi'", to the *Ghanaian Times*, Wednesday, August 17, 1994.

abolition.¹⁶⁸ In support of the position of both Ahadzie and Mensah, Foe Kwaku Dordzi suggested that the first step in any attempt to modify the practice should be talking to the priests.¹⁶⁹

Another major issue debated in the press was whether *trokosi* was slavery. This debate was kindled by Aameamu Gakpleazi's article, "*Trokosi* is Not a Slave", which appeared in three installments in the *Ghanaian Times*.¹⁷⁰ Gakpleazi focused on *fiasidis*, the more humane version of *trokosi* practiced by the Anlos, and the non-*trokosi* functions of *troxovi* shrines to support his argument that *trokosi* is not slavery. He, thus, completely ignored any analysis of the *trokosi* practice of the Tongus, which is at the centre of the *trokosi* controversy. In December 1998, International Needs Ghana fired back a response to the Editor of the *Ghanaian Times* in less than two weeks citing evidence from sources such as the Commission on Human Rights and Administrative Justice in favor of its own position that *trokosi* is slavery.¹⁷¹

¹⁶⁸ B. E. A. Mensah in a letter titled, "*Trokosi* Needs Proper Study – The Law Cannot Kill It", to the *Ghanaian Times* Thursday, August 25, 1994, p. 4.

¹⁶⁹ Foe Kwaku Dordzi in a letter titled, "Want to Kill *Trokosi*? Talk to the Priests First", to the *Ghanaian Times* Thursday, November 10, 1994, p. 7.

¹⁷⁰ Aameamu Gakpleazi "*Trokosi* is Not a Slave", in three issues of the *Ghanaian Times* Monday, November 16, 1998; Tuesday, November 17, 1998, p. 5; and Wednesday, November 18, 1998, p. 6.

¹⁷¹ Letter from Vincent Azumah (Project Officer, Advocacy, ING) titled, "Re: *Trokosi* is Not a Slave", to the Editor, *Ghanaian Times*, dated December 2, 1998.

Most media coverage of *trokosi* in 1999 and 2000 was devoted to reports of several press conferences held by Afrikania Mission, proponents of the *trokosi* system, and also the anti-*trokosi* movement led by International Needs Ghana (ING). The reports carry accusations and counter-accusations traded between the two groups and the response from the public to these. The Afrikania Mission contended that there is nothing called *trokosi* among the Ewes; consequently, they label the anti-*trokosi* movement a fraud. The anti-*trokosi* movement then countered accusing Afrikania of supporting the violation of the rights of *trokosi* women and children. These issues will be discussed further as we outline the position of the two groups below.

For now, suffice it to say that as we have entered the twenty-first century, the *trokosi* issue is far from dying off. On the one hand, ING has extended its activities to Togo and Benin with the adoption of its sub-regional approach in February 2001 and the anti-*trokosi* movement is demanding that the government enforce the law on *trokosi*.¹⁷² On the other hand, Afrikania Mission is calling on the newly elected government of Ghana to probe all anti-*trokosi* NGOs for fraud.¹⁷³ At a press conference in May 2001, the chiefs

¹⁷² Rosemary Ardayfio "Enforce Anti-Trokosi Laws" in the *Daily Graphic*, Thursday, February 8, 2001, pp. 16-17 (center-page)

¹⁷³ Timothy Gobah "Probe *Trokosi* Liberation Campaign" in the *Daily Graphic* Thursday, February 15, 2001, pp. 16-17 (center-page).

of Anlo maintained that there is nothing called *trokosi* in their society.¹⁷⁴ In light of all these, I cannot but agree with the title of a recent article on *trokosi*, which succinctly captures the current *trokosi* scene in Ghana: “The *trokosi* beat goes on”.¹⁷⁵ It will be interesting to see how all these developments evolve in the next couple of years.

The preceding describes the local Ghanaian coverage of the *trokosi* issue. It did not, however, take long for the media in the USA, UK, Britain, Australia and Canada to develop interest in the *trokosi* issue. CNN, BBC, Reuters, CBC, The Globe and Mail, Vancouver Sun all published news items on *trokosi*.¹⁷⁶ In the meantime, the publicity accorded the *trokosi* issue caught the attention of the Commission on Human Rights and Administrative Justice (CHRAJ), the Ghana National Commission on Children (GNCC), and the International Federation of Women Lawyers (FIDA). All held discussions on the problem. The three organizations decided to visit practicing areas, hold discussions with the chiefs and opinion leaders to help them determine an appropriate strategy to stop the practice.¹⁷⁷ Other organizations drawn into the *trokosi* debate include the National

¹⁷⁴ E-mail message from Wisdom Mensah on Friday, June 8, 2001. Mensah stated there were 43 Anlo chiefs at the press conference and that a week before his e-mail Afriakania Mission had a meeting with the Deputy Minister of Governmental Affairs, CHRAJ, and the Ghana National Commission on Children (GNCC).

¹⁷⁵ Yaa Fredua Sekyiama “The *Trokosi* Beat Goes On” in *The Ghanaian Times* Monday, May 24, 1999, p. 6.

¹⁷⁶ See an exhaustive list of international media sources at the end of the dissertation.

¹⁷⁷ *Ghanaian Times* “CHRAJ, GNCC Consider Stopping ‘*Trokosi*’ System” Wednesday, August 24, 1994, p. 1.

Council on Women and Development (NCWD), the Ghana Law Reform Commission (GLRC), Anti-Slavery International (UK and Australia), Women in the Lord's Vineyard, the 31st December Women's Movement, Christian Churches, the Afrikania Renaissance Mission, and *Trokosi* Abolition Fellowship International (TAFI).

Starting with International Needs Ghana, I discuss those organizations which have made significant contributions to the anti-*trokosi* campaign based on the available material. I also give voice to *trokosis* in this chapter as they narrate the *trokosi* story from their own perspectives.

INTERNATIONAL NEEDS GHANA

International Needs Ghana (ING) is a front-line ministry member of the international Christian organization, International Needs (IN). International Needs¹⁷⁸ was founded in 1974 by Dr. Ray Harrison, as a partnership between support and front-line ministry countries to help Christians serve God in their own countries and provide community services for their people. The support countries (now called supply-line country networks) such as Canada, Australia, New Zealand, the United States and Britain raise funds to support front-line ministry countries such as India, Bangladesh, Ethiopia,

¹⁷⁸ International Needs changed its name in 2001 to Inter-National Needs to reflect the nature of the partnership between its member nations. Most of the factual information about International Needs is obtained from their web site <<http://www.inter-national-needs.com>>. Factual information about International Needs Ghana (ING) was obtained from a booklet, *International Needs*, prepared by ING; and a brochure written by Wisdom Mensah (n.d.) *International Needs: Towards the promotion of human rights and community development for the relief of socio-economic problems and cultural injustice*.

Romania, Fiji, The Phillipines, and Ghana. The President of IN is Mel Newth, based in Langley, BC, Canada. All member countries are run through autonomous national boards comprising local people. The mission of IN is to connect Christian partners in the developed and developing world in evangelism, discipleship and community development. IN lays emphasis on “helping Christians serve in their own countries”¹⁷⁹ to alleviate “poverty, disease, illiteracy, hunger, idolatory, negative beliefs, and practices and to facilitate the growth of rural and underprivileged communities”.¹⁸⁰

Mr. Walter Pimpong registered International Needs Ghana (ING) in 1987 as a voluntary organization after meeting Ray Harrison in 1981 and finding that they share a common vision of Christian social work.¹⁸¹ In line with IN’s mission, ING mission is “to promote human and community development for the relief of socio-economic problems and cultural justice”. To fulfill this mission, ING works five broad program areas: (i) Human Rights, (ii) Poverty Alleviation, (iii) Child Welfare and Development, (iv) Human Resource and Development, and, (v) Women’s Development. Specific programs in these broad areas include (i) Human Rights Advocacy, (ii) Rehabilitation of victims of human rights abuse, (iii) Child Development and Education, (iv) Micro enterprise development

¹⁷⁹ See the vision of IN at <<http://www.inter-national needs.com>>.

¹⁸⁰ See booklet prepared by International Needs Ghana (n.d) *International Needs*

¹⁸¹ *Ibid*

and credit schemes, and, (v) Skills and Vocational Training.¹⁸² Of these programs, however, ING is by far better known for human rights advocacy through its *Trokosi* Modernization Project than for any other program.¹⁸³

As noted in chapter five, ING was invited to assist the North Tongu District Assembly in its *Trokosi* Modernization Project in 1990. Wisdom Mensah, Projects Officer of ING, notes that the invitation was made by Mr. US Clarke, then District Secretary, who heard about ING through one Ntiamoah, a native of Mafi, and a former student of Walter Pimpong at Maranatha Bible School in Accra. Mensah explains that the discussion at the time was to establish a vocational training centre for *trokosis*. But

we moved from vocational training in to advocacy purely because after graduating the first batch of students in three years of starting the centre, people started accusing us of training *trokosis* and letting them go back the shrines. I therefore designed the advocacy program and invited the Commissioner of Human Rights into the picture.¹⁸⁴

The invitation to the Commissioner of Human Rights and Administrative Justice marked the beginning of an enduring partnership between ING and several statutory bodies.

¹⁸² International Needs Ghana (n.d.) *International Needs*; and Wisdom Mensah (n.d.) *International Needs: Towards the promotion of human rights and community development for the relief of socio-economic problems and cultural injustice*

¹⁸³ During my fieldwork in Ghana, one question I was constantly asked by most of the people who knew that I was researching *trokosi* always whether I had talked to ING.

¹⁸⁴ Personal e-mail message I received from Wisdom Mensah on Friday, June 8, 2001.

These included the CHRAJ, the Ghana National Commission on Children (GNCC), the Ghana Law Reform Commission (GLRC), National Council on Women and Development (NCWD), National Commission on Culture (NCC), and the National Council on Civic Education (NCCE) in the anti-*trokosi* campaign. In this campaign, ING collaborates with several NGOs such as FESLIM, the Federation of Women Lawyers (FIDA), and the Ark Foundation. ING is a founding member of the Ghana Human Rights Coalition, and the Ghana NGO Coalition on the Rights of the Child.¹⁸⁵

Apart from IN, its parent organization, ING also teams up with other international organizations in its fight against the *trokosi* system. Among them are Anti-Slavery International (UK and Australia), Reebok Human Rights Foundation, Centre for Reproductive Law and Policy (CRLP), Green Earth Organization, Equality Now, Forefront, Urgent Action. Thus, strategic networking and coalition building have been key to ING's approach to the anti-*trokosi* campaign.

In the early 1990s when the *trokosi* issue was first given national and international publicity, not much was known about the issue. ING has contributed a lot to expanding the knowledge base of the *trokosi* issue. ING commissioned the first academic study of the issue in 1995,¹⁸⁶ organised

¹⁸⁵ A former Project Officer of ING, Susan Saaba, is the Executive-Director of the Ghana NGO Coalition on the Rights of the Child.

¹⁸⁶ See Elom Dovlo and A. K. Adzoyi (1995) *Report on Trokosi Institution* Department for the Study of Religions, University of Ghana, Legon.

the First and Second National Workshops¹⁸⁷ on *Trokosi*, and were instrumental in securing CIDA funding for the first scientific census on *trokosis* and the geographical spread¹⁸⁸ of the practice. All these were done in a bid to inform the anti-*trokosi* campaign on the nature and extent of the *trokosi* problem.

After six years of negotiations with shrines in Dangme, the first-ever mass *trokosi* liberation was achieved by ING when the Dada Piem shrine at Big Ada set free 40 *trokosis* in July 1996.¹⁸⁹ In less than six months, ING followed this up with its second batch of liberations in North Tongu in November 1996.¹⁹⁰ These liberations opened the floodgates of *trokosi* liberation, which became a common occurrence in Ghana from 1997 till the present. As at August, 2000, ING in collaboration with other NGOs has liberated 2800 of the 4,714 known *trokosis*, i.e. 59% of all known *trokosis*. This is phenomenal considering the difficulties and complexities involved effecting change with respect to traditional norms and customary practices.

¹⁸⁷ International Needs Ghana 1995 *Report on the First National Workshop on Trokosi*; and, International Needs Ghana 1998 *Report on the Second National Workshop on Trokosi*; and, Graphic Reporter "Review *Trokosi* System through education", a report on the First National Workshop in the *Daily Graphic* July 11, 1995

¹⁸⁸ See Elom Dovlo and S. K. Kufogbe 1997 *Baseline Survey of Female Ritual Bondage in Ghana: the Geographic Spread and Count of Victims*

¹⁸⁹ For a report on the liberation ceremony, see James Asante "Dangme Elders Relax '*Trokosi*' System" in the *Ghanaian Times* Monday, July 29, 1996; *The African Observer* "Ghana: Slave Girls Freed" August 1-14, 1996; and, Angela Dwamena-Aboagye "*Trokosi* Liberation Gives Ray of Hope" in the *Ghanaian Times* Wednesday, October 9, 1996, pp. 6 & 7.

¹⁹⁰ Theophilus Yartey "40 Girls and Women Offered Freedom" in the *Weekly Spectator*, November 30, 1996.

ING has also put in place a comprehensive rehabilitation program for liberated *trokosis*. This includes (i) psychological counselling; (ii) “seed money” (capital) to start a business chosen by the *trokosi*; (iii) vocational skills training at either the ING Vocational Training School or the Missions International Vocational Training Centre; (iv) day care facilities for children of *trokosis*, who are attending the vocational training school; (iv) providing the basic equipment required to start up a small business at the end of the vocational training; and, (v) further financial support through the micro-credit and micro-enterprise scheme, which also enables regular follow-up of up to about three years due to the regular monthly micro-credit meetings

At the 1998 Second National Workshop on *Trokosi*, it became clear that *trokosi* was a regional problem: the practice is found not only in Ghana but also among the Ewe ethnic groups in the Republics of Togo and Benin. In addition, *trokosis* found in the shrines in Ghana were recruited from all over the sub-region. In February 2001, ING took up the regional challenge by organizing the First West Africa Sub-Regional Workshop on Female Ritual Servitude. Stakeholders such as shrine priests, *trokosis*, human rights NGOs, law-makers, members of government, academics, and, observers from the UK, Australia, Canada and the US, gathered in Accra, Ghana, to deliberate over the nature and extent of the West African problem and to develop strategies for dealing with it.¹⁹¹ In a communiqué adopted at the end of the Workshop, ING was asked to lead the development of a strategy to combat the phenomenon in the sub-region in consultation

¹⁹¹ I was invited to, and did present a paper on the topic “Lessons from the Ghanaian Anti-*trokosi* Campaign” and also served as a Rapporteur-General for the Workshop.

with other stakeholders. This might determine the direction of ING's *trokosi* programs for the next several years. In my opinion, the sub-regional conference marks the beginning of a new phase – the fourth wave – of the anti-*trokosi* campaign. The key feature of this stage will be the regional approach.

No other anti-*trokosi* NGO is comparable in its achievements on the *trokosi* issue to those of ING. Other NGOs have so far engaged in only one or just a few of the programs that ING has put in place for *trokosis*. This sets ING apart as the leader among anti-*trokosi* NGOs in Ghana. But how did ING manage to do all these?

The initial strategy of ING was to convert *trokosis* to Christianity. In an interview with the British Columbian *Christian Info News*, asked about his anti-*trokosi* campaign, Walter Pimpong stated that, “[o]ur aim is to reach the community for Christ, but through the women”.¹⁹² This is not surprising considering the mission of IN, the larger network of which ING is a segment; however, this religious strategy was hardly put into effect. ING, quick to learn from the mistakes of Wisdom and Titian, abandoned their religious agenda of church planting, at least publicly.¹⁹³ They adopted a new strategy of dialogue and education in approaching the shrines. Even that did not prevent some shrines from expressing hostility to ING staff as they did to Wisdom and Titian, once ING was

¹⁹² *Christian Info News* May 1995, p. 11.

¹⁹³ In a comment about ING's latest liberation to IN, Pimpong described 800 women seeking to be liberated as “potential daughters of God”. This was as recently as 1999. See IN website <<http://www.Ualberta.ca/~...pnu/intlneed/history.htm>> accessed Dec. 5, 1999.

identified as a Christian organization. The *trokosi* modernization project could not bear much fruit at this stage.

The new strategy of dialogue with, and education of practitioners and other stakeholders in the practicing communities is anchored in human rights advocacy. ING argued that whereas the communities were free to practice their traditional religion, freedom of religion as guaranteed by the Ghanaian Constitution is only to the extent that religious freedom does not infringe on other rights enshrined in the Constitution. In this vein, ING harped on the rights of *trokosis* which were being violated: health, education, forced labor, human dignity, freedom from sexual exploitation, and the right to choose a marriage partner. This was the message ING staff carried with them from one seminar to the other in the villages and towns in the *trokosi* practicing communities.¹⁹⁴ Pimpong points out, “[o]ur strategy is very simple and it is to educate the practitioners to give up the practice themselves. We believe that a change that emanates from within would be more permanent” (Pimpong 1997:2)

¹⁹⁴ For a report on some of the seminars at Volo, Dorfor, and Adidome see *Ghanaian Times* “National Workshop on ‘Trokosi’ planned” May 20, 1995; *Daily Graphic* “Workshop on Trokosi in July” May 20, 1995; Vincent Azumah “Trokosi Priest Attacks Christians” in *The Mirror* June 3, 1995; A.E. Amoah and Vincent Azumah “Trokosi Priests Challenge Patrons” in *The Mirror* Saturday, June 17, 1995, p. 3; and, next footnote.

The seminars targeted traditional leaders such as chiefs, queenmothers,¹⁹⁵ and shrine priests, owners and elders; opinion leaders; *trokosis*; and identifiable groups. ING also worked in close collaboration with other anti-*trokosi* groups such as FESLIM and FIDA; prominent groups such as the Association of Tongu Paramount Chiefs and the Tongu Queenmothers Association; and public organizations such as the CHRAJ and NCCE. Custom demands that the traditional leaders of the Ewes, like those of other ethnic groups in Ghana, should be approached with respect, gifts in drinks and/or money, and talked to through linguists. ING staff did just that. ING also funded the educational campaign of the Tongu Students Union through the North Tongu District Assembly. The new strategy soon proved to be an effective one. On Saturday, July 27, 1996, six years after joining the anti-*trokosi* campaign, ING had its first mass liberation ceremony at which 40 *trokosis* were granted freedom. And since then, Pimpong (1997:2) notes that most of the liberations ING has had have been at the initiative of the shrines themselves.

ING has, however, been quick to attribute its success to the support they received at the local level especially, the close collaboration and support of the District Assemblies.¹⁹⁶ In this regard, Mensah declares, “[l]et it be known that without Mr U. S Clarke [former

¹⁹⁵ See, for example, ING (1996) *Workshop for Paramount Chiefs and Queen Mothers in North, South Tongu, and Akatsi Districts*. This was a report of three separate workshops organized by ING for (i) Paramount Chiefs and Queenmothers of North and South Tongu Districts at Sogakope, (ii) Paramount Chiefs of Akatsi District at Akatsi, and (iii) for Queenmothers of Tongu Traditional Area at Adidome.

¹⁹⁶ Wisdom Mensah (n.d.) *International Needs: Towards the promotion of human rights and community development for the relief of socio-economic problems and cultural injustice* p. 4.

North Tongu District Secretary] giving us the governmental support at the grassroots we would have abandoned the [*Trokosi* Modernization] project at a point”.¹⁹⁷

One cannot, however, talk about ING’s success without giving some credit to the support ING receives outside Ghana. In addition to its parent organization, IN, ING’s partnership with international organizations such as Anti-Slavery International, The Danish Development Agency (DANIDA), Canadian International Development Agency (CIDA), The British Overseas Development Agency, has meant a steady flow of funds and other resources to implement programs. Lack of funds and resources was a major problem during the first wave of the anti-*trokosi* campaign. Mark Wisdom, for instance, had to use his personal fortune to finance his campaign activities (Ameh 1998). The ability of ING to attract foreign support not only testifies to the management and organizational skills of its leadership but also to their credibility.

ING, nevertheless, has its problems. Like FESLIM and Missions International, ING is a Christian organization. Even though it has shelved its Christian agenda by pursuing a human rights strategy, it is, all the same, portrayed by proponents of *trokosi* as having a Christian agenda and accused of Christian chauvinism. Walter Pimpong has been described in the media as a “fraud” and “liar” by the Afrikania Mission.¹⁹⁸ He was called

¹⁹⁷ Personal e-mail message I received from Wisdom Mensah on Wednesday, June 6, 2001.

¹⁹⁸ See story titled, “Ghana Ministry Under Attack” at the International Needs website <<http://www.ualberta.ca/~...pnu/intlneed/history.htm>> Accessed December 5, 1999; and Afrikania Mission (1998) *Fact-Finding Report on Trokosi*

a liar because Afrikania Mission claims there is no practice in Eweland known as *trokosi*, and a fraud because of the funding he receives from organizations abroad when, in the view of Afrikania Mission, there are no *trokosis* to be liberated.

What has carried ING through these accusations against its leader is the credibility of Walter Pimpong. Several interviewees expressed confidence in Pimpong and vouched for his credibility and that of ING when the issue of “false liberations” came up during my fieldwork. “False liberations” refers to a situation whereby people who are not *trokosis* are presented as *trokosis* and made to go through the *trokosi* liberation process. It has the effect of swelling up the number of liberated *trokosis*. Proponents of the *trokosi* system have accused anti-*trokosi* groups of doing this to look good before their donors and the public. This was one reason Afrikania Mission called Pimpong a “fraud”.

The problem of “false liberations” will be discussed in further detail later in the concluding chapter within the context of the role of poverty in the practice of *trokosi*. For now, suffice it to say that Pimpong and ING went through this accusation unscathed because of the strong positive image he has carved for himself and ING and the good-will ING has earned from the people.

In spite of all the support and goodwill ING enjoys, it needs more funding given the scope of their programs, the remote location of shrines, complexity of the problem, and the enormous amount of time required to carry through one liberation ceremony. Vincent

Azumah, one of the first journalists to cover the *trokosi* issue and who has since become the Public Relations Officer of ING, recently made a public appeal for financial support of ING's *trokosi* rehabilitation programs.¹⁹⁹

ROLE OF INTERNATIONAL ORGANIZATIONS

The role of several international organizations, mentioned earlier, that became part of the anti-*trokosi* campaign²⁰⁰ was limited mainly to funding local groups. Officers of foreign organizations interviewed confirmed that their support for the anti-*trokosi* campaign was in line with their governments' or organizations' human rights policy or programs. Almost all the *trokosi* seminars, conferences, workshops, educational campaigns, liberations, and on going rehabilitation programs have been supported with funding from one or a combination of international organizations, which collaborates with the local anti-*trokosi* NGOs. Hence, while the local people and NGOs do the ground work of educating and dialoguing with the shrine priests, owners and elders, the financial resources for doing the work comes from international organizations.

¹⁹⁹ Vincent Azumah "What Next After *Trokosi*?" in the *Daily Graphic* Thursday, October 8, 1998, p. 9.

²⁰⁰ I am not aware of any foreign organization that supports the proponents of the anti-*trokosi* campaign.

The only exception to this engagement of foreign organizations in the anti-*trokosi* campaign has been the Sentinelles Movement,²⁰¹ a Swiss international NGO. Sentinelles arrived in Ghana in 1996 with literally suitcases full of cash to liberate *trokosis*. They headed straight to Volo, a village in the Tongu area with two *troxovi* shrines, “feverishly scouting to pay any amount as a compensation to the shrine owners and the priests in order to secure the release of 40 troksosis”. As A. E. Amoah, the first journalist who blew the whistle on *trokosi* in the early 1990s notes, “Mr. Robert Zimmerman, the leader of the organisation was not interested in learning from the organizations which have been on the ground”,²⁰²

With so much cash brandished around in a poverty stricken community, it was not surprising that they succeeded in procuring the liberation of 40 *trokosis* from two shrines within 3 months of arriving in Ghana.²⁰³ In fact, theirs was the second mass liberation in the history of the anti-*trokosi* campaign. But that was to be their first and last contribution to the anti-*trokosi* campaign. Sooner than later, news spread around that Sentinelles staff had lots of cash in their possession. Before long, they were robbed of their cash and other equipment. The group folded up and left the shores of Ghana. The

²⁰¹ For more on Sentinelles, see their website, <<http://www.sentinelles.org/activites/index.htm>>.

²⁰² A. E. Amoah “The Transformation of *Trokosi*” in the *Daily Graphic* Friday, May 15, 1998, p. 7.

²⁰³ For reports on the Sentinelles liberation ceremony, which took place in October 1996, see Ghana News Agency “40 *Trokosi* Slaves Set Free”, a news item carried by the *Daily Graphic* October 26, 1996; and Richard Afari “*Trokosi* Slaves Freed – but Apprehensive Over What Happens Next” in *Public Agenda* November 4-6, 1996.

rehabilitation of the *trokosis* they liberated became a problem.²⁰⁴ The arrogance displayed by Sentinelles staff on arrival in Ghana resulted in their dismal failure.

In summary, the liberation movement produced mixed strategies and results. I now turn my attention to the proponents of the *trokosi* system.

II. PROPONENTS OF THE *TROKOSI* SYSTEM

DR. DARTEY-KUMORDZIE

Dr. Dartey-Kumordzie's views on *Troxovi/Trokosi* were discussed in some detail in chapter two. Instead of repeating those same ideas here, I will just sum up his position as portrayed in his works.²⁰⁵ Dartey-Kumordzie maintains that:

²⁰⁴ A. E. Amoah "The Transformation of *Trokosi*" in the *Daily Graphic* Friday, May 15, 1998, p. 7. Emile Short, head of the Commission on Human Rights and Administrative Justice, on whom Sentinelles fell for assistance to leave Ghana, also confirmed this during the West African Sub-Regional Workshop on *Trokosi* in February 2001.

²⁰⁵ Sammy Dartey-Kumordzie (1995) "*Trokosi* or *Fiasidi*: Pillar of Africa's Survival" in *Weekly Spectator* July 15, p. 5; Sammy Dartey-Kumordzie (n.d.) "Report on *Fiasidi*-Vestal Virgins" Accra: Hu-Yehweh Society; Sammy Dartey-Kumordzie (n.d.) "Origin and the Importance of *Troxovi* or *Fiashidi* (*Trokosi*) in Modern Ghana"; Sammy Dartey-Kumordzie (n.d.) "The Relevance of *Trokosi* (*Fiasidi*) in Modern Ghana"; Sammy Dartey-Kumordzie (2001) "Re-defining Hu-Yehweh the Knowledge of Africa and the Various Orgrans for Development of Human Resources" in *The Ghanaian Times* Saturday, July 1, p. 14; *Progressive Utilization Magazine* (1994) "*Trokosi* – Virgins of the Gods or Concubines of Fetish Priests?" 1, 1, pp. 2-6

- (i) the institution of *Troxovi* and the Practice of *Trokosi* was an ancient Ewe Cultural Institution of Education for women of virtue. These women produced the rulers and other elite, the *ameteme*, who run the state. Consequently, the institution and practice are good *per se*.
- (ii) The practice has, however, been corrupted by the adoption in Ghana of foreign cultural values and practices, and by the functionaries (Shrine Priests and Elders) who run the shrines. He points to some of the pollutions in the present system as sexual exploitation, lack of organized instructions, the requirement that the *fiasidis/trokosis* from Klikor must only marry men from Klikor, and the lack of vocational training for the women.
- (iii) There is need for reform in order to correct the system. Reform must, however, be in the form of rebuilding the original schools, which trained women of virtue.

Dartey-Kumordzie argues for maintaining the institution of *troxovi* and practice of *trokosi*. Though he advocates strongly to get rid of the exploitative features of the practice, his position does not go well with the proponents of the anti-*trokosi* movement. In my opinion, however, his stance is moderate and more amenable to the type of reform the anti-*trokosi* movement has fought for than the hardline position of the Afrikania Mission.

AFRIKANIA MISSION

The “Report of the Fact-Finding Mission to Genuine *Troxovi* Shrines” by the Afrikan Renaissance Mission (1998), discussed in chapter two, constitute the basis of Afrikania’s position and response to the controversy surrounding the *trokosi* practice. It is worth recounting here. The Report:

- (vi) takes issue with the use of the term “*trokosi*” by the abolitionist movement (p. 1);
- (vii) denies there is any practice known as “*trokosi*”;
- (viii) concludes that there are only 12 genuine *troxovi* shrines, with only 14 *fiasidis* in the whole country (p. 3); and,
- (ix) argues that the anti-*trokosi* campaign is a Western Christian attempt to destroy African Traditional Religion, and,
- (x) contends that the campaign is an unholy alliance between Ghanaian Christian NGOs and fake shrines to defraud international donors and the public (pp. 3-20).

These sentiments, arguments and conclusions have become the position of the Afrikania Mission in the *trokosi* debate. They are reiterated at their press conferences and in speeches delivered by Osofo Kofi Ameve.²⁰⁶ The Afrikania Mission has published in the

²⁰⁶ See for example “Address Delivered by His Divine Holiness Osofo Kofi Ameve, Spiritual Head of Afrikania Religion at the Meeting of the *Troxovi* Shrines Held at Klikor Unity Park on 10th April, 1999” (Available from Afrikania Renaissance Mission); Timothy Gobah “Probe Trokosi Liberation Campaign” in the *Daily Graphic* Thursday, February 15, 2001, pp. 16-17 (center page); and Timothy Gobah 2000 “Ghanaians Urged to Cherish Their Culture” in the *Daily Graphic*, Thursday, August 10, p. 13.

Ghanaian newspaper, *Daily Graphic*, a list of 23 “genuine *trokosi* shrines” (revised from the list of 12 in the “Fact-Finding Report”).²⁰⁷ In this publication, Afrikania stated specifically,

The Afrikania Religion and some of its Professional Units including the Ghana Psychic and Traditional Healers Association and African Psychic Healers have thoroughly investigated the issue and found no evidence of the existence of “*Trokosi*” as defined by some NGO and CHRAJ in Ghana.

Based on this position, Afrikania declined an invitation from the CHRAJ to attend a seminar on the topic: “*Trokosi* Custom and The Criminal Code Amendment Law Act 554”²⁰⁸ Their basic argument could be summed-up thus: since there is no practice known as *trokosi* among Ewes, then, those claiming *trokosi* exists and that it is slavery are liars. In this sense, leaders of NGOs are frauds, who are only exploiting the *trokosi* issue to win donations from international funding agencies. This led to Afrikania’s call in February 2001 that the government should probe all anti-*trokosi* NGOs for fraud.²⁰⁹

All the shrines on the Afrikania list have refused to set free their *trokosis* and *fiasidis*. The Paramount Chiefs of Tongu, at a press conference on June 23, 2000, have, however,

²⁰⁷ The *Troxovi* Institutional Council “List of Genuine *Troxovi* Shrines in Ghana”. An announcement in the *Daily Graphic*, Thursday, March 23, p.28; Tuesday, March 28, and, Tuesday, April 4, 2000.

²⁰⁸ Letter from CHRAJ dated 25 January, 2000 addressed to Torgbui Asifodi of Klikor Afegame and Torgbui Asifodi’s reply dated February 5, 2000. Torgbui Asifodi is a member of the *Troxovi* Institutional Council (also known as Afrikania Religious Organisation), a sub-group of the Afrikania Mission.

²⁰⁹ Timothy Gobah “Probe *Trokosi* Liberation Campaign” in the *Daily Graphic* Thursday, February 15, 2001, pp. 16-17 (center page)

responded to the Afrikania position by stating categorically that “there is a practice in their traditional areas known as ‘*trokosi*’”.²¹⁰ They defined *trokosi* as a practice “whereby young virgin girls are sent to shrines as objects of reparation.” As the custodians of tradition and custom in Tongu, the Paramount Chiefs of Tongu are better qualified than Afrikania to confirm or deny that *trokosi* is practiced in their traditional areas. This casts doubts on the veracity of Afrikania’s denial of the existence of both the term and practice of *trokosi*. In Afrikania’s response to the Tongu chiefs, the Mission admitted for the first time that some Ewes could have a practice known as “*trokosi*”.²¹¹

There is, however, a positive development with respect to Afrikania’s position on *trokosi* terminology: it forces anti-*trokosi* campaigners and *trokosi* researchers not only to consider the different types of *trokosis* in the system but also the variety in *trokosi* and *trokosi*-like practices. It requires them to distinguish between the *institution* of “*troxovi*”, which is a shrine that accepts children/women [human beings] as punishment for

²¹⁰ “Resolution of Tongu Traditional Rulers in Response to Afrikania Publication on the *Trokosi* Practice” in the *Daily Graphic* Thursday, June 29, p. 6; Saturday, July 15, p. 10; Monday, July 17, 2000. The news conference was also reported by Hannah Hesse “*Trokosi* still exists in Eweland – Chief” in the *Daily Graphic*, Thursday, June 29, 2000, p. 13; and by the *Public Agenda* “Tongu Chiefs Challenge Afrikania”, July 3-9, 2000, p. 8. I also attended this press conference.

²¹¹ Tordzagbo Dzivor-Normanyo “Afrikania Mission Replies Tongu Traditional Rulers” in the *Daily Graphic*, Saturday, July 8, 2000, p. 9.

crimes²¹² and the *practice of trokosi*, which is a system whereby human beings, usually females who are virgins, serve in shrines in reparation for crimes committed by family members.

In this context, “*trokosi*” practice can take place only in a “*troxovi*” shrine. This entrenches the message that not all shrines are engaged in *trokosi* practice and hence, the anti-*trokosi* campaign should not necessarily translate into an anti-shrine or anti-African Traditional Religion campaign. If anti-*trokosi* NGOs accept this message and act accordingly, it would strengthen their argument that they are only interested in transforming the negative aspects of *trokosi* practice and not in attacking African Traditional Religion (ATR).

On the issue of a Christian attack on African Traditional Religion, Afrikania Mission passed a resolution on December 10, 1999 asking the government

... as a matter of urgency to stop the Christian indoctrination of children in all Government-funded schools; ... stop teachers from forcing children to learn and say Christian prayers, and sing Christian hymns in Government-funded schools ... [and] as a matter of policy, see to the teaching and learning of African Traditional Religion (ATR) as a separate discipline in schools, colleges and universities in the country.²¹³

²¹² There are shrines in Ghana, even in the *trokosi* practicing areas, which do not accept human beings as penance for crimes.

²¹³ African Renaissance Mission “Resolution on Christian Indoctrination of Children in Government Funded Schools” December 10, 1999.

The Mission followed this up with a press conference at the Arts Centre, Accra, on June 13, 2000 to explain its position on the teaching of religion in first cycle public schools in Ghana.²¹⁴ The speech by Osofo Ameve at this press conference softened Afrikania's position as stated in the December 10, 2000 resolution. It limited the demand for the prohibition of "Christian indoctrination" to first cycle public schools instead of all government-funded schools. The stated position of the Mission can be summed-up as:

- Ghana is a secular state and its laws recognize freedom of religion.
- No particular religion should be projected over the others.
- The current practice whereby the Christian Religion is projected and studied as a discipline even in the first cycle educational institutions must stop.
- Religion, as a discipline, could be taught from the Senior Secondary School level, and particularly at the tertiary level.
- This must include all religions, especially African Traditional Religion, and not only Christianity.

It is worth pondering some of the issues raised by Afrikania, as stated above. The missionaries who first brought the Christian gospel and formal education to Ghana were western Europeans. Western European countries today champion international human

²¹⁴ Afrikania Mission "Speech Delivered by His Holiness Osofo Komfo Kofi Ameve, Leader of Afrikania at a Press Conference Held at the Art Centre on 13th June, 2000, to Explain the Afrikania Position on the Teaching of Religion in the First Cycle Public Schools in Ghana". The same speech was reproduced in an advertisers announcement in the *Daily Graphic*, Wednesday, June 21, 2000, p. 12. (I attended this Press Conference). A leader of one of the Pentecostal Churches in Ghana gave a response to the Osofo Ameve's speech in a two-part series. See Apostle Kwamena Ahinful "Stop Indoctrination in Schools? Osofo Kofi Ameve's funny logic" in *The Mirror* Saturday, June 24, 2000, p. 16, and Saturday, July 1, 2000, p. 16.

rights norms, espousing principles of freedom of religion including the right of individuals to choose their own religion. Thus, in the western world generally, Christianity is no longer formally projected as the ideal religion. My personal observation based on staying in Western countries for the past 16 years has been that the hold of Christianity and the influence of Christian principles in maintaining control over the lives of citizens of the western world, especially the youth, have both considerably waned. At the risk of appearing to be arguing that whatever western countries do should be done in Ghana, and at the risk of appearing anti-Christian,²¹⁵ I argue that Christians should not be granted the sole privilege of teaching about their faith in the elementary schools in Ghana, in their attempt to keep to their “master’s command”. The point is, since Ghana has ratified most international human rights instruments and has accepted the principles and conventions of the international human rights regime, then, Afrikania Mission has a right to voice its concern against Christian indoctrination in our schools and perceived Christian attack on ATR.²¹⁶

²¹⁵ See what I consider as a parochial response of a leader of one of the Pentecostal Churches in Ghana to Osofo Ameve’s speech on Christian Indoctrination. Apostle Kwamena Ahinful “Stop Indoctrination in Schools? Osofo Kofi Ameve’s funny logic” in *The Mirror* Saturday, June 24, 2000, p. 16, and Saturday, July 1, 2000, p. 16. Ahinful failed to consider the wider context of African culture and the negative consequences of imperialism on Africans. For a more balanced response to Osofo Ameve’s speech, see Dr. N. Josiah-Aryeh “Who is Afraid of Traditional Religion?” in the *Daily Graphic*, Wednesday, June 21, 2000, p. 7.

²¹⁶ For a more detailed discussion of Afrikania beliefs on culture, tradition and religion, see Osofo Kofi Ameve (1999) *Culture and Tradition* Accra: Afrikania/Afrikan Renaissance Books Ltd.; and, Kwakuvi Azasu (1999) *Afrikan Traditional Religion – Afrikania: A Brief Exposition* Accra: Afrikania/Afrikan Renaissance Books Ltd. These booklets raise a lot of issues of interest to African scholars such as imperialism and regaining pride in African values.

Further, the literature on Underdevelopment documents quite well the damage Christian Missionary activity and colonialism have done to African values and culture and how these play out in Africa today. Scholars such as Franz Fanon (1967), Walter Rodney (1972), Colin Sumner (1982), Stan Cohen (1982) and Edward Said (1993) have analyzed the negative impact of colonialism and Christian missionary activity and imperialism in general on Africa. This impact, compounded by that of the Trans Atlantic Slave Trade, is still felt today by peoples of African origin all over the world in the form of demonization and negative attitudes towards anything and everything African.

In this context, Afrikania's underlying theme of protecting and defending traditional African values, what I see as localization as opposed to globalization, should be seen in a positive light. Afrikania makes a valid point in protesting the anti-tokosi campaigners' and media's denigrating references to the clergy and adherents of African Traditional Religion as "fetish priests", "fetish worshippers", "idol worshippers", "pagans" and "animists". International media reports and the literature on Africa are replete with negative references to Africa in most derogatory terms.

The sentiments expressed by Afrikania in this regard are similar to the concept of "African Personality" touted by Osagyefo Dr. Kwame Nkrumah, the First President of Ghana, and of "African Renaissance" currently advanced by President Thabo Mbeki of South Africa. It is in this context of avoiding demonizing everything African that I adopted the term "shrine priest" instead of "fetish priest"; "controversial

traditional/customary practices” instead of “negative traditional/customary practices”; and, “female circumcision” instead of “female genital mutilation”.

An important question to ask, however, is “how does the Afrikania assertion of Christian attack on ATR relate to the anti-*trokosi* campaign?” I pointed out in 1998 that the first wave of the current anti-*trokosi* campaign was dominated by Christians – as individuals and organizations. Mark Wisdom, the born-again Christian, like Paul of the New Testament faith, saw a vision to liberate *trokosis* from the shrines. Sharon Titian, representing the international Christian organization, Missions International, was more or less a modern “missionary” in Africa. The initial aim of Walter Pimpong, of the Ghana branch of the international Christian organization, International Needs, was to win over the *trokosi* women and girls for Christ.²¹⁷

Yet, by the time of the third wave of the anti-*trokosi* campaign, when so many other NGOs and statutory bodies got involved, and particularly after the First National Workshop on *Trokosi* in July 1995, the strategy of the campaign had changed from a Christian crusade to an international human rights campaign (Ameh 1998). International Needs (1995, 1998) and their leader, Pimpong (1995, 1998a, 1998b), Emile Short (1995, 1998a, 1998b) representing the Commission on Human Rights and Administrative Justice (CHRAJ), and Anita Ababio (1995, 1998a, 1998b), representing the Ghana Law Reform

²¹⁷ Christian Info News “Opponent of ‘fetish slavery’ in Ghana will visit BC” May 1995, vol. 15, no. 5, p. 11

Commission, all made it clear that the anti-*trokosi* campaign was a human rights issue, not a religious issue.

The Report of the Second National Conference on *Trokosi* makes it very clear that the campaign was **not about abolishing *trokosi* shrines but modernizing the *trokosi* functions of the shrines.** This involves liberating *trokosis* from shrines and asking shrine owners and priests to accept items other than human beings in expiation for crimes committed. In effect, the campaign takes no issue with the non-*trokosi* functions of the shrines; and even with its *trokosi* functions, only those that involve women and girls serving in penance for crimes. In this respect, for Afrikania Mission to continue debating the *trokosi* issue today on grounds of religious indoctrination and a conspiracy to destroy African Traditional Religion is anachronistic.

There is, however, some evidence that at the early stages of the campaign some non-Ewes displayed gross ignorance of the socio-cultural context of the *troxovi* institution and practice of *trokosi*. For example, Barfour Nana Dr. Abayie Boateng²¹⁸, chief of Asrumaso, Ashanti, and a lecturer at the Institute of African Studies, University of Ghana, sees the operation of the *trokosi* system only in terms of the ineffectiveness of the institution of chieftaincy in the practising areas of the Volta Region to maintain control over their people through other means and as a tool for social change.

²¹⁸ Nana Dr. Abayie Boateng I “The Chief as a Tool for Change in the *Trokosi* System” Paper presented at the First National Workshop on *Trokosi* System in Ghana, July 6-7, 1995, pp. 31-34.

The institution [of chieftaincy] has been struggling to cope with the contemporary social and political conditions. It is, therefore, not surprising that it has been condoning and conniving at the operations of the *Trokosi* system in parts of southern Volta Region. The chiefs in the areas have relied on the spirituality of the system for the control of the population. Thus, through the *Trokosi* system, the chiefs have a grip on the people. This means that the chief's role as the head of the judiciary is partly being handled by the *Trokosi* spirituality. It seems to us that this is the reason why the traditional authorities have been tolerating the system. Indeed, what the chiefs failed to achieve from royal thrones, they achieved through the *Trokosi* system. The chief as a tool, therefore, is an ineffective one (Boaten 1995:31).

Such a statement displays ignorance about Ewe chieftaincy and social control mechanisms. Resolving conflicts through the *trokosi* system is only one of several mechanisms, and often a last resort, for settling disputes among the southern Ewes; also, shrine priests and owners operate under the authority of the chiefs (Abotchie 1997). Also, other astute contributors to the *trokosi* debate have attributed the survival of the *trokosi* system rather to lack of confidence in the modern criminal justice system (Short 1997; Ababio 1995) than to the weakness of Ewe chiefs. Consequently, to attribute the existence of the *trokosi* system to the weakness of Ewe chiefs for which they have ceded control of their people to *trokosi* priests and owners, is most unfortunate. Boaten's (1995:32) suggestion for the solution to his diagnosis of the *trokosi* problem was that Ewe chieftaincy should be modelled along the lines of the Akans,²¹⁹ which he sees as a more effective system for a chief to maintain control over his people. This fails to acknowledge the important role of chiefs from the *trokosi* practising areas in the Volta Region in the anti-*trokosi* campaign. Boaten sees the Akan matrilineal system as placing more value on women than the Ewe patrilineal system.

²¹⁹ For an excellent analysis of Akan chieftaincy, especially Ashanti chieftaincy, see Kofi Abrefa Busia (1968) *The Position of the Chief in the in the Modern Political System of Ashanti: a Study of the Influence of Contemporary Social Changes on Ashanti Political Institutions* London: Cass

Boaten's suggestion raises several questions: (i) Is "Akan society"²²⁰ or for that matter any other traditional society in Ghana devoid of controversial customary practices? (ii) Is all well with Akan women because of their matrilineal system? (iii) What about the widowhood rites and inheritance practices among some Akans which largely prompted the promulgation of the Intestate Succession Law 1985 (Provisional National Defence Council Law 111), which has largely not been heeded by the people (Hilary Amesimeku 2001; Gloria Boadu 2001)? (iii) Should other Ghanaian ethnic groups with different systems of inheritance suggest to the Akan societies to adopt the patrilineal system in order to resolve the problem of succession practices among some Akan groups?

To say the least, Boaten's analysis smacks of ethnocentrism, obfuscates the issues, and muddies the *trokosi* debate. Cast in such terms, the debate tends to look like, and could easily be interpreted as "Ewe-bashing" by others in the country. Indeed, Elom Dovlo and A.K. Adzoyi (1995) have observed that the *trokosi* problem "is being highlighted by people of other ethnic groups who wish to present the Ewes as barbaric" (p. 21). A consequence of this has been that some Ewes, among them prominent leaders of the Afrikania Mission, have adopted a defensive stance towards the anti-*trokosi* campaign. Dovlo and Adzoyi (1995) describe this situation as leading to the development of "a negative attitude" towards the anti-*trokosi* campaign.

²²⁰ There is disagreement among Ghanaians about the term "Akan". In its ordinary usage, Akan refers to all the ethnic groups comprising the Ashantis and its linguistically related groups such as the Fantes, Akyems, Kwahus, Nzemas, Bronos, Ahafos and Akwapims. (The Akwapims are, however, matrilineal). Generally, however, the Akans reject the term claiming there is no group known as Akan.

If even other Ghanaians who share similar culture to the Ewes describe this practice as “barbaric”, it could be much easier for western observers of the *trokosi* scene whose culture is, in most respects, different from that of Africa to do the same. Such negative perceptions about Ewe culture and the practice of *trokosi* could only be attributed to ignorance of Ewe socio-cultural practices, values and norms. The existing literature on *trokosi*, especially media reports, has, so far, mainly emphasized the negative aspects of the *trokosi* practice outside the socio-cultural context, which produced and maintains the practice.

III. THE GOVERNMENT AND OTHER STATUTORY BODIES

Several statutory bodies (semi-autonomous governmental organisations) and the different branches of government were drawn into the *trokosi* debate. Among the statutory bodies, the Commission on Human Rights and Administrative Justice, and the Ghana Law Reform Commission played a major role. The part played by Parliament and the Executive branch of government is also discussed.

COMMISSION ON HUMAN RIGHTS AND ADMINISTRATIVE JUSTICE (CHRAJ)

Several organizations responded to the prolific media reports on *trokosi* in the early 1990s. Statutory bodies (semi-autonomous governmental organizations) were not left out of this. Bodies such as the Ghana National Commission on Children (GNCC), the National Council on Women and Development (NCWD), The Commission on Human

Rights and Administrative Justice (CHRAJ), and the Ghana Law Reform Commission all sent teams to the practicing areas to investigate and issue a report on the practice.²²¹

CHRAJ sent out its investigative team in the latter part of 1994. The 22-page report and exhibits confirmed the existence of the practice in the Volta Region.²²² One recommendation of this report was that only District Assemblies should pass by-laws to regulate the practice and not Parliament. Fear was expressed that since the practice is based on the beliefs of the people, nation-wide laws could drive the practice underground in Ghana, and also across the borders to the neighbor countries of Togo and Benin.

The position of CHRAJ on *trokosi* is based on the findings of this report. Mr. Emile Short, the Commissioner of CHRAJ, has reiterated this position – that *trokosi* is illegal, yet law alone cannot eradicate the practice, hence, the need for education and dialogue – in speeches at several workshops and seminars on *trokosi* since 1995.²²³

²²¹ I do not yet have a copy of the reports of the GNCC and the NCWD.

²²² CHRAJ (1994) Report on Investigations conducted by a team from the Commission on Human Rights and Administrative Justice into the *Trokosi* System in the Volta Region of Ghana. Accra: Ghana.

²²³ See Robert Ameh (1998: 46-55); Keynote address by Emile Francis Short, Commissioner for Human Rights and Administrative Justice at *Trokosi* liberation durbar at Akatsi on July 29, 2000; Emile Short (2001) “Harmonising the Laws, Policies, and Programmes to Transform Ritual Servitude in the West Africa Sub-Region”, paper presented at the First Sub-Regional Workshop on Ritual Servitude in Accra on February 7.

GHANA LAW REFORM COMMISSION (G.L.R.C):

In response to media reports and public outcry about the *trokosi* system, the Ghana Law Reform Commission (G.L.R.C) also initiated a study on the topic, “The Customary Disabilities of Women in Ghana”, with a focus on *trokosi*. The report of this study²²⁴ highlights the legal issues involved in the practice. In fact, the purpose of the report as stated was “to bring to light the fact that the practice of ritual slavery in Ghana is in conflict not only with the 1992 Constitution and other legal documents in Ghana but also several international instruments which Ghana has ratified and acceded to” (p. 7). The three objectives of the study were to: (i) “... analyze the customary disabilities of women *vis-à-vis* the perception and application of human rights; (ii) to examine the factors and issues that affect the application of human rights; and, (iii) to suggest reforms in dealing with such factors” (p. 8).

The report argues that the courts in Ghana have been through a dilemma when dealing with cases concerning fetish.²²⁵ For example, while the courts cannot automatically stop fetish practices nor prevent people from seeking recourse to them, findings from fetish practices are not legally acceptable evidence in the law courts, except in situations when their practices cause harm to someone and could then form a basis for criminal prosecution. According to the report, “... the law prior to 1960 provided that the

²²⁴ Ghana Law Reform Commission (1995) *The Impact of the Constitutional Provisions on the Customary Disabilities of Women in Ghana: Report on the Abolition of Ritual Slavery, Forced Labour and Other Related Practices* Accra: Ghana.

²²⁵ As explained in chapter 2, I prefer the term “traditional religious or customary institutions or practices”

existence or otherwise of an alleged customary law was a question of fact and had to pass the test of whether it was not repugnant to natural justice, equity and good conscience” (p. 28). Since 1960, however, customary laws and practices have been regarded as part of the laws of Ghana (p. 28). Under this circumstance, and in the absence of specific laws, the protection of individual rights depended on judicial interpretation of the scope of the respective rights (p. 29).

The report cited several cases with respect to enforcing customary law rules to show that the courts would readily pronounce any customary rules and practices invalid and unenforceable in light of current socio-economic realities. One case of direct interest to *trokosi* practice (p. 13-15) was *Atomo v. Tekpetey* (1980). The court was called upon to decide whether the *woryokwe* (as *trokosi* is called among the Dangmes) custom of considering all children born to a *woryokwe* during and after the lifetime of the shrine priest as children of the priest and hence, not allowed to inherit their biological father should be upheld. The court did not uphold the *trokosi* custom on the basis that it was “unreasonable, and repugnant to natural justice, equity and good conscience” (G.L.R.C.: p. 15).

Yet, as the Report points out, where the customs are held to be fair, they are usually upheld by the court (p. 30). For example, in the case of *Tano v. Akosua Koko* ((1974) 1GLR 451 CA), the court upheld the punishment of being ostracized and liable to banishment reserved for Krobo women who become pregnant before undergoing the customary rite of *dipo* required of all Krobo women. The decision of the court was based

on the moral objective of the custom (G.L.R.C.: 30). On the issue of slavery, the report draws attention to the fact that even though it is a criminal offence under Ghana's Criminal Code (The Criminal Code of Ghana 1960 (Act 29)), yet Act 29 may exclude acts of slavery, which result from customary practices. The report points out that "subsection (2) of section 314 [of Act 29] provides that the section on slavery does not apply to any such coercion

as may lawfully be exercised by virtue of contracts of service between free persons, or by virtue of the rights of parents and other rights, not being contrary to law, arising out of the family relations customarily used and observed in Ghana (p. 24).

In *trokosi*, it is parents and relatives who send the girls and women to the shrines, and the shrines are part of the religious and customary practices of the *trokosi* practicing areas. The report thus called for the amendment of Section 314 of Act 29 to include customs which enslave people and subjects them to forced labour.

The report also discusses several constitutional and other legal provisions, both Ghanaian and international with which the practice of *trokosi* is in conflict (p. 19-27). These include the 1992 Ghana Constitution; the Ghanaian Criminal Code (Act 29); ILOs Forced Labour Conventions; the UN Convention on the Rights of the Child; the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); and the African Charter on Human and People's Rights. The Report makes an important observation regarding why women's rights issues are not brought before the courts despite the existence of all these legal instruments. "First, many women cannot afford the legal costs involved in litigation. Second, the high illiteracy among women makes them

unaware of such provisions. Third, there are still too few active women's organizations which would be willing to undertake class or representative actions on behalf of women victims" (p. 22). Consequently, the Report recommended making women's rights issues criminal offences in order to make them amenable to prosecution by the state.

While the legal/criminal option for dealing with *trokosi* looks sound, based on the analysis of the problem thus far, the Report goes beyond this alternative to also emphasize non-legal approaches to the problem. These include creating public awareness of the legal and religious issues involved through public education and providing counseling services for the victims of the practice. These recommendations are based on a line of reasoning, which, I believe lies at the heart of the *trokosi* problem,

... the practice thrives because the local people have still not gained enough confidence in the criminal justice system. They are suspicious of police and feel that they may either not give sufficient attention to their problems and treat them as trivial or be bribed by the offending party to drop the case. They do not also trust the courts because they would not give the type of justice they want. They believe in the type of justice practiced in the Old Testament "an eye for an eye" and also that for an individual to show repentance, for sin, either for themselves or for the whole community, it must involve sacrifice, fasting, and abstinence which is reflected in the life of the girls at the shrines (p. 33).

A consequence of the mistrust in the modern criminal justice system, on the one hand, and confidence in the customary justice system on the other, is that individuals and families in the practicing communities continue to seek redress to their conflicts and disputes at the shrines. Indeed, as the Report notes,

[t]he priests are therefore right when they throw up their hands in despair to say that it is the community that should be blamed for reporting crimes or petty cases of stealing to them for redress. Therefore, the basic social factors permeating practice must be seriously addressed otherwise any

hasty legislative measures to correct the practice may be deemed ineffective e.g. no amount of legal power would prevent the gods from killing A's family members and he would quickly in order to solve the problem, hand over the youngest girl in his family to the fetish. Also legislation would not easily prevent them from believing in a custom handed down from generation to generation. It is also an accepted fact that culture is a way of behaviour of a people handed down from generation to generation. Changing the beliefs of a people is not going to be easy especially if they are of the notion that they would not get the type of justice they want. ... It is their belief that the foundation of the community's happiness is vested in the strict observance of moral values (pp. 34-35).

Hence, the most important recommendation of the Report is that:

[e]ducational campaigns ... seems to be the most favourite option to eradicate the fear surrounding the shrines. Tradition, it is said, dies hard and it is difficult to expect people to adapt quickly to simpler forms of cultural practices with a piece of legislation, since it is known that educated people go to the shrines as well for consultations (p. 43).

One would expect a Law Reform Commission to be focused on legal remedies for the *trokosi* problem. But, by locating the problem within the community and the belief system of the people, the Commission touched the very heart of the problem and was able to make prudent and practical recommendations for combating it. Thus, even though it is not always that recommendations of Commissions are implemented by governments, yet in the case of *trokosi*, not only the executive branch of government and Parliament, but also the NGOs involved in the anti-*trokosi* campaign, took their recommendations seriously. Parliament discussed the recommendations of the GLRC, among others, and passed the Criminal Code Amendment Act 1998 (Act 554) which effectively criminalizes all forms of ritual/customary servitude in Ghana, including

trokosi.²²⁶ The NGOs and statutory bodies involved in the campaign adopted a strategy of education and dialogue with the practitioners to combat the practice. These contributed in no small measure to the success of the anti-*trokosi* campaign (Ameh 1998).

PARLIAMENT

The Honourable (Hon.) Kosi Kedem, Member of Parliament for Hohoe South was the first to mention the issue of *trokosi* in Parliament. When the member representing North Tongu District Assembly sought to have the 1991/92 Consultative Assembly (which created the 1992 Constitution) address the issue of *trokosi*, he was not successful. The understanding then was that since the issue was limited to the southern Volta Region, it could not be covered by the Constitution, and that the “Human Rights” chapter in the constitution would provide a framework for Parliament to enact a law on the issue. The purpose of Kosi Kedem’s statement in Parliament on May 24, 1994, was to draw the nation and Parliament’s attention to the fact that the practice was still alive, and for Parliament to address the issue as intended by the Consultative Assembly.²²⁷ Mr Kedem stated that his statement was prompted by reports in the weekly newspaper, *The Mirror*,

²²⁶ On page 4 of the memorandum to the Criminal Code (Amendment) Bill, Dr. Obed Y. Asamoah, then Acting Attorney-General and Minister for Justice, specifically mentioned the Law Reform Commission and the Child Law Reform Advisory Committee as having recommended the abolition of customary practices that subject any person to any form of ritual or customary servitude or forced labour.

²²⁷ Mr. Kosi Kedem “Statement on Vestal Virgins (*Trokosi* or *Fiasidi*) in Republic of Ghana *Parliamentary Debates* Tuesday, 24th May, 1994, cols. 283-288.

and *Our Children* magazine on the *trokosi* problem. He called for Parliament to debate the issue with a view to enacting a law to abolish the practice.²²⁸

Kedem, however, cautioned that the issue should be handled with maturity and level-headedness. As he explained,

Mr. Speaker, we are all aware that tradition dies hard but I believe that through a well structured educational programme, it should be possible to convince the *trokosi* priests to at least reform the system. ... There is no doubt that without a systematic and well-executed educational programme, legislation alone cannot eradicate this evil practice. Again without education there is likely to be a negative response or reaction from the priests and, maybe, even from the victims of the system. We must not forget that as bad and unjust as the *trokosi* system may be, it was created to solve and address pertinent judico-social problems. For instance, people who want quick justice but are denied it by our modern courts and law enforcement agencies are likely to seek redress from the *trokosi* priests. The unfortunate thing is that it is not only ignorant and illiterate people who go to these priests. It is alleged that some highly educated people and even Christians go to seek help and justice from the priests. This means that our courts or the courts should be reformed to give quick, fair and inexpensive justice to the people. ...

Mr. Speaker, we may accuse these people of ignorance and backwardness. We may even be appalled by the whole set up but, I am afraid, we have to concede that many people will resort to the most convenient means, and the cheapest, to establish what to them constitutes the truth and to seek justice. In our society where justice is often delayed and in some cases denied, some people will always go after the *trokosi* priests for help. Mr. Speaker, it appears the administration of justice as practised by the *trokosi* priest is not in dispute. What is in dispute is the use of teenage virgins to pay reparation to the *trokosi* priests. It is this unacceptable, inhuman system that Parliament is being called upon to eradicate (1994: column 287-288)

²²⁸ *ibid* column 286

Members of the House debated the issue a little, but since it was introduced as a statement, the house could not take a vote or position on it. Kedom was, however, granted permission by the Speaker to introduce a Private Member's motion on the issue at another time. Kedom did this about a year later. On Thursday, June 29, 1995, he introduced a motion on the "Abolition of Dehumanising Customary Practices" which asked Parliament to urge the Government to investigate dehumanising customary practices with the aim of either reforming or banning them altogether as the case may be.²²⁹ This time, Kedom provided a list of 11 practices such as facial and genital mutilation, child mortgaging (pawning), rejection or denial of medical care on cultural and medical grounds, early marriages and child betrothal, widowhood rites and *trokosi*, which he regards as dehumanising. He also quoted freely from interviews with *trokosi* girls and women about their ordeal in the shrines.

After two days of debate, only one MP opposed the motion based on legal grounds²³⁰. According to the Hon. George Buadi, MP for Amenfi East, Article 26(2) already prohibits customary practices, which dehumanise or are injurious to the physical and mental well-being of a person. The Honourable MP argued that what constitutes a "dehumanising customary practice" could only be determined by the judiciary arm of

²²⁹ Kosi Kedom "Motion on Abolition of Dehumanising Customary Practices" in Republic of Ghana *Parliamentary Debates (Official Report)* Thursday, June 29, 1995, column 827.

²³⁰ Republic of Ghana *Parliamentary Debates (Official Report)* Friday, June 30, 1995, columns 926-930. The Parliamentary debates on the issue were also reported by Debrah Fynn and Joe Okyere "Parliament Debates Customary Practices" in the *Daily Graphic* June 30, 1995.

government, and this is not for Parliament to decide. Consequently, he argued that Parliament could not pass legislation on the issue of dehumanising customary practices and that if any one has a problem with any customary practice s/he should contest it in court. Buadi also believed the issue was an educational one and not a legislative one since, as a country we have problems with implementing laws.

The limitation with his line of reasoning is that it has been shown that generally Ghanaians do *not* engage in constitutional litigation, and that the very few who do so, do it on political grounds.²³¹ Moreover, the majority of victims of dehumanising customary practices are women and children. As seen earlier, the G.L.R.C.'s (1995) report on *trokosi* offers several reasons why women's rights issues are not brought before the courts despite the existence of so many legal instruments, which protect their rights. Based on these reasons, the Report recommended making women's rights issues criminal offences in order to make them amenable to prosecution by the state. In this case there is justifiable ground for Parliament to enact specific legislation regarding dehumanizing customary practices. In any case, the framers of the 1992 Constitution had reserved such a legislative role for Parliament specifically regarding dehumanizing customary practices.²³²

²³¹ Ghana Law Reform Commission (1995) *The Impact of the Constitutional Provisions on the Customary Disabilities of Women in Ghana: Report on the Abolition of Ritual Slavery, Forced Labour and Other Related Practices* Accra: Ghana.

²³² See Mr. Kosi Kedem "Statement on Vestal Virgins (*Trokosi* or *Fiasidi*) in Republic of Ghana *Parliamentary Debates* Tuesday, 24th May, 1994, cols. 283-284.

All other Parliamentarians, however, supported the motion. The only difference among them was whereas the majority of these MPs saw it as both an educational and legislative issue, a few saw it as a purely legislative issue. On Friday, June 30, 1995, at the end of the second day of debate, the House agreed to the motion and accordingly resolved to urge “the Government to investigate all customary practices which dehumanise or are injurious to physical and mental well-being of a person with a view to reforming them or where necessary to introduce legislation to abolish them”²³³

The first fruits of the Parliamentary debates on *trokosi* seem to have been realised approximately a year later when the Hon. Tabitha Quaye, MP for Takoradi, announced the first-ever mass liberation of *trokosi* girls and women, in a statement in Parliament.²³⁴ She informed the House of the liberation of 40 *trokosis* on Saturday, July 27, 1996, in Big Ada. In 1997, the National Population Council (NPC) through the Population Impact Project (PIP) of the University of Ghana, Legon, commissioned a study on *trokosi* with the renowned anthropologist Professor G.K. Nukunya as the principal investigator (*Daily Graphic* July 21 and 30). Prior to this, other studies were undertaken by CHRAJ, GLRC, FIDA, GNCC, and International Needs, most of which have been reviewed in this dissertation.

²³³ Republic of Ghana *Parliamentary Debates* Tuesday, June 30, 1995, cols. 932-934.

²³⁴ Tabitha Quaye “Statement on *Trokosi* Girl Child at Big Ada” in Republic of Ghana *Parliamentary Debates (Official Report)* Friday, August 2, 1996, column 1374-1376

On behalf of the Attorney-General and Minister of Justice, the Deputy Majority Leader introduced the Criminal Code (Amendment) Bill to abolish the customary practice of ritual servitude, among others, on January 16, 1998.²³⁵ In his motion at the Second Reading of the Bill, the Attorney-General and Minister of Justice stated the purpose of the Bill: “Mr. Speaker, this is the answer that the Government has for those who have been praying for the abolition of the *trokosi* system. By these provisions, the *trokosi* system would be abolished and declared criminal.”²³⁶

The Minister also assured Members of the House that there would be a sister Bill, with comprehensive provisions on children’s issues including their protection, maintenance, and forced betrothal. Parliament passed the Bill on June 12, 1998 as the Criminal (Code Amendment) Act 1998 (Act 554). This Act effectively amended Act 29 by the insertion of section 314A, which states

Whoever (a) sends to or receives at any place any person; or (b) participates in or is concerned in any ritual or customary activity in respect of any person with the purpose of subjecting that person to any form of ritual or customary ritual commits an offence and shall be liable on conviction to imprisonment to a term of not less than three years.

²³⁵ Republic of Ghana *Parliamentary Debates (Official Report)* Friday, January 16, 1998, column 257. See also the Memorandum which accompanied the Bill: Dr. Obed Y. Asamoah “Criminal Code (Amendment) Bill: Memorandum” Accra: Government Printer, Assembly Press, May 6, 1996.

²³⁶ Attorney-General and Minister of Justice “The Criminal Code (Amendment) Bill: Motion” in Republic of Ghana *Parliamentary Debates (Official Report)* Tuesday, March 3, 1998, column 2554

Also, true to the Minister's word, the Children's Act 1998 was also passed by Parliament in December 1998. This is a comprehensive Act, which consolidates all Bills relating to children in the country and consequently, supports and strengthens the law on *trokosi*.

It was two years after the enactment of the law that Parliament had occasion to discuss the *trokosi* issue again. On February 4, 2000, the Honourable Dwamenya-Aboagye, MP for Akosombo, questioned the Minister of Social Welfare regarding the implementation of the Law²³⁷. In response to the question, Alhaji Muhammad Mumuni, then Minister, stated that since the *trokosi* problem was an attitudinal issue education was as equally important in prohibiting the practice.

ROLE OF GOVERNMENT (EXECUTIVE BRANCH)

The Provincial National Defence Council (PNDC) and the National Democratic Congress (NDC) governments have ruled Ghana from December 1981 to 1992 and 1992 to January 2001 respectively. J. J. Rawlings was President in both governments. Let us recall that his statement in support of Kosi Kedem, the first MP to raise the *trokosi* issue in the Parliament was significant in putting the *trokosi* issue on the national social policy agenda. Whereas Rawlings subsequently spoke against customary practices which dehumanizes women or subject them to servitude, his governments have been accused of inaction on *trokosi* due to personal and political reasons (Ameh 1998). Rawlings is an Ewe and so are some of his former top and closest advisors, some of who are also

²³⁷ Republic of Ghana "Oral Answers to Questions, Minister of Employment and Social Welfare" in *Parliamentary Debates (Official Report)* Friday, February 4, 2000, vol. 24, no. 16, column 1178; See also the electronic report by Ghana Review International "Criminalizing 'Trokosi' is not enough – Mumuni" on the 'GRi in Parliament' section of their website www.mclglobal.com February 7, 2000.

members of the Afrikania Mission. In addition, even though the Volta Region hardly experienced any economic development under the two Rawlings governments, it has been and remains the political power base of the National Democratic Party.

Since I was not able to interview any of the top Ewe advisors of Rawlings for this dissertation, I cannot make any statement of fact on the above allegations. Based on the available documents,²³⁸ however, I can state that when Mark Wisdom wrote a letter to the President in 1981, the President asked the Minister of Culture to contact Mark Wisdom. Through this, the government owned-media granted Mark Wisdom television and radio time, and newspaper space to get his anti-*trokosi* message to the whole nation.

In a letter in 1994, the Office of the President applauded the efforts of the GNCC in encouraging the Volta Regional Minister to mitigate the effects of the *trokosi* system. Citing the relevant portions of the Constitution, the letter asked the Chairperson to take legal action against any shrine priest, individual or groups of people contravening the constitution regarding the *trokosi* practice.²³⁹

Beyond these, the government of Rawlings did not take any other specific action against the practice till 1996 when Obed Asamoah, then Attorney-General introduced the “ritual slavery” bill, which eventually passed as the law on *trokosi*. Since the passage of the law

²³⁸ See chapter 5, section on Mark Wisdom.

²³⁹ Letter dated April 25, 1994, from the Office of the President titled, “Petition to Fetish Priests to Permit *Trokosi* (Slave Girl) to Attend School”, addressed to the Chairperson of the Ghana National Commission on Children. The letter was signed by the Secretary to the President.

in 1998, concerns have been raised about lack of its enforcement. In response to a question in Parliament recently about the implementation of the law, Alhaji Muhammad Mumuni, then Minister of Social Welfare, however, revealed that his Ministry had no specific program in place for *trokosis*. Acknowledging that criminalizing *trokosi* was not enough, he stated that it was his Ministry's "policy not to duplicate the efforts of non-governmental organisations with proven competence in any given field of endeavor". His Ministry's role was thus reduced to "collaborating with the NGOs to ensure effective coordination in the rehabilitation of these slaves of the deity".²⁴⁰ In effect, the government ceded its responsibilities in the fight against the *trokosi* system to the anti-*trokosi* NGOs. It is then fair to say that the NGOs have played a more prominent role in the anti-*trokosi* campaign than the government itself.

VOICES OF *TROKOSIS*

As often happens in a patriarchal society such as Ghana, the voices of *trokosis* themselves were not initially heard in the *trokosi* debate. Their voices were appropriated by either the anti-*trokosi* activists or proponents of the *trokosi* system, each claiming to speak for *trokosis*. Whereas the activists maintained that *trokosis* are slaves and their labour and sexuality were being exploited by shrine officials, the proponents retort that *trokosis*, as wives of the deities, are queens and as such were given supreme treatment

²⁴⁰ Republic of Ghana "Oral Answers to Questions, Minister of Employment and Social Welfare" in *Parliamentary Debates (Official Report)* Friday, February 4, 2000, vol. 24, no. 16, column 1178; See also the electronic report by Ghana Review International "Criminalizing 'Trokosi' is not enough – Mumuni" on the 'GRi in Parliament' section of their website www.mclglobal.com February 7, 2000.

deserved by royals. This was the case throughout the first wave of the anti-*trokosi* campaign. It was, however, the foundation laid by the first wave of the campaign that set the stage for *trokosis* to express their own views for the first time.

By virtue of the agreement made between the North Tongu District Assembly and International Needs Ghana during the first wave, the ING Vocational Training Centre for *Trokosis* was already operational by the early 1990s. But the students (*trokosis*) were only on “loan” to the Centre expected to return to the shrines at the end of the school term. In 1994 when the first batch of students completed their training, however, they staged a revolt by declaring that they would **not** return to the shrines. This was barely a year after the media had shown interest in the *trokosi* story (the second wave of the *trokosi* campaign). Not surprisingly then, the story of the rebellion and the reactions of human rights activists and shrine priests to it became fodder for the media. The weekly newspaper, *The Mirror*, the first newspaper to break the story, ran the story on its front-page for three weeks in April and May.²⁴¹ About a month later, a fifteen-year-old *trokosi* appealed to J. J. Rawlings, then President of Ghana, to save her from being married off to the priest of a shrine.²⁴²

²⁴¹ Vincent Azumah “No More! ... *Trokosi* Virgins Rebel” in *The Mirror* Saturday, April 16, 1994, pp. 1; Vincent Azumah “Goats Now to Replace Girls As *Trokosi* Sacrifice” in *The Mirror* Saturday, April 30, 1994, p. 1; *The Mirror* “‘*Trokosi*’ Priests Issue Threat of Death To Mirror Reporter” Saturday, May 21, 1994, pp. 1.

²⁴² Rebecca Adda-Dontoh “Tell Rawlings to Let Me stay – *Trokosi* Girl Pleads” in *The Mirror* Saturday, June 4, 1994, pp. 1.

Since then, a lot of *trokosi* stories in both the local and international media have included interviews with *trokosis*.²⁴³ Both sides of the *trokosi* debate, but moreso the anti-*trokosi* movement, have also adopted the strategy of presenting *trokosis* and *ex-trokosis* at seminars, workshops, and conferences to narrate their own experiences. Missions International in 1994 encouraged the *trokosis* at their Vocational School to relate their experiences and assisted them to write these into a report.²⁴⁴ International Needs Ghana went one step further by flying two *ex-trokosis* to the UK and the United States to recount their experiences in the shrines to human rights activists and the press. Mercy Senahe told her story in the UK²⁴⁵ and Juliana Dorgbadzi in the USA.

I interviewed Juliana Dorgbadzi, the most high-profile *ex-trokosi*²⁴⁶ at her home in Adidome on August 17, 2000. She recounted her experiences as a *trokosi*, having been taken to the Tsaduma Shrine at Kebenu at the tender age of 7. Mysterious deaths started occurring in their family. In line with the Ewe desire to seek the truth, her family

²⁴³ This includes CNN, "60 Minutes", PUM Magazine, Globe and Mail, and Vancouver Sun. See bibliography for complete list and references.

²⁴⁴ The "Reports given by victims of *trokosi* Practice" are available at Missions International.

²⁴⁵ Carol Midgley "Sold Into Slavery" in the features section of *The Times* December 14, 1999. Accessed at <<http://www.the-times.co.uk/cgi-bin/BackIssue?999>> on January 6, 2000. Mercy Senahe currently lives in Adidome. She had agreed to grant me an interview but time constraints prevented me from interviewing her.

²⁴⁶ I regard Juliana Dorgbadzi as the most celebrated *ex-trokosi* because of the awards she has won and also one comes across her interviews all over the abolitionist literature on *trokosi*. A most recent one appears in Kerry Cuomo (2000) *Speak Truth To Power: Human Rights Defenders Who Are Changing Our World* pp. 16-19. She also won two prestigious human rights awards in 1999.

consulted an oracle, where it became known that the deaths were due to a curse from a deity on the pledge of the victim from whom her grandfather had stolen some money. To reverse the curse, a female child had to be offered in atonement for the crime.

Thus began Juliana's life as a *trokosi*.²⁴⁷ She had to go through the initiation rites. First, *edzatsi* (a concoction of water and herbs in a calabash) was rubbed on her face. About a week later, she had a bath with a similar concoction in a pot. From then onwards, each morning she had to do household chores and give the priest a drink of water before she could talk to anybody. All *trokosis* took turns in performing these functions. She laboured on the priest's farm daily. The priest started demanding sex from her regularly from the age of twelve. Other hardships in the shrine included not having sufficient food, crowded living conditions with other *trokosi* women and their children, and hard physical labour.

As she became older and became more mature, she understood better her status as a *trokosi* and decided she would not bear the hardships anymore. So she ran away from the shrine to her parents. The priests mounted a search for her. There was no place to hide. Her parents were terrified of the wrath of the gods to have her home. She returned to the shrine only to be beaten severely. But she did run away again. On one of these escapes, she had an affair with a young man at Ada and became pregnant. She returned to the shrine and gave birth to her first child. The young man was fined heavily.

²⁴⁷ In her interview in Kerry Cuomo (2000) *ibid.* (p.17) she stated she was a replacement for a sister who died while serving the same sentence.

Her next escape from the shrine took her to the International Needs Vocational School.²⁴⁸

Surprisingly after completing a course in catering at the ING Vocational Training Centre, Juliana returned to the shrine. As she explained in my interview with her,

I had nowhere to go after the training. My family had rejected me. Besides, I was still afraid of the priests. I was very ignorant at that time. So I slept again with the priest and got my second child. But my faith ... [in the Christian God] ... has now taken all the fear away.

It was at this point that Juliana heard of Sharon Titian and her programs for *trokosis* and *ex-trokosis*. Juliana asked for Sharon's assistance and left the shrine permanently.

Juliana has since become a Catering Officer at the International Needs Vocational School in Adidome. She married James Edzre, a native of Adidome and a staunch Christian, with whom she has had her third child. Juliana is a founder and President of Survivors for Change, an NGO dedicated to assisting *ex-trokosis* adjust to life outside the shrine and liberating *trokosis*. She has done numerous interviews and presentations at seminars, conferences, Parliament (of Ghana), and in the media. Juliana is a highly sought-after speaker on *trokosi*. In 1999, Juliana was in New York to receive the Reebok Human Rights Award and the Gleitsm Foundation Award of Achievement. In Kerry Cuomo's (2000) book, *Speak Truth to Power*, Juliana is among the list of people from all over the

²⁴⁸ In her report to Missions International, she had stated that when she came back to the shrine pregnant, she was asked to leave but she refused to go.

world, featured as “human rights defenders who are changing our world”, which is also the sub-title of the book.

Before closing the section on Juliana, it is important to comment on the several versions of Juliana’s account of her life as a trokosi. I have intentionally pointed out in two of the footnotes in this section to some of the numerous contradictions in her account to different people and organizations which have interviewed her. The most contested discrepancy in her story is the assertion in the quote on this page that she slept with the priest and that he (the priest) was the father of her second child. The priests vehemently deny this. My investigations have revealed that the Priest has never had sexual intercourse with Juliana and that he did not father any of her children. This revelation and the contradictions in her story have become a source of serious concern and embarrassment to people within the anti-trokosi movement and other stakeholders.

Leslie Wechsel of the Human Rights and Democracy section of the US Embassy in Accra has also investigated this issue and come to the same conclusion that the Priest never had any sexual relations with Juliana. When Leslie brought Juliana face to face with the Priest to discuss this issue, Juliana could not utter a word.²⁴⁹ According to a leading member of the anti-trokosi movement, Juliana was extremely beautiful when she was young and the priest was just waiting for her to come of age for him to have sex with her. Unfortunately, he never had the chance to do this before Juliana’s liberation. This, I

²⁴⁹ Personal phone and e-mail communication with Leslie Wechsel. I am grateful to Leslie for driving home forcefully the serious implications of the contradictions in Juliana’s stories.

understand, has been a source of great regret for the Priest and the accusation of having had sex with Juliana breaks his heart.²⁵⁰

I have since not had the opportunity to talk to Juliana, it, however, seems to me that the desire to present a sensational account of her *trokosi* experience, perhaps based on bad advice, has led to the contradictions and several versions of her life in the shrine. For all that *trokosis* in the Tongu area have endured in the shrines, there is no need to make their stories any more dramatic by embellishing the facts. I take a serious view of this issue and believe it casts a dark shadow on the anti-trokosi campaign. Nevertheless, in light of all the other available evidence as shown in this dissertation, this issue does not negate all that the anti-trokosi movement stands, and has fought, for. This issue should, however, make all trokosi researchers and other stakeholders more careful to set in place measures to check the veracity of all information received on *trokosi*.

Not all *ex-trokosis* have been as successful as Juliana in overcoming adversity and becoming celebrities. All the *trokosis* and *ex-trokosis* I have interviewed and those presented by the anti-*trokosi* movement have told horror stories of all sorts of exploitation and abuses which could be described as slavery. Space does not permit me to recount all in this dissertation. Overall, however, the tales of horror as told by *trokosis* could be summed-up thus:

²⁵⁰ Personal e-mail communication.

- (i) Abandoned at the shrines by their parents or other relatives at a tender age, in some cases as young as seven years old.
- (ii) Some did not know why they were so abandoned. For those who knew, the reason has often been a crime of commission or omission by a parent or other relative.
- (iii) The crimes ranged from stealing, adultery, having sex with a *trokosi*, and failure to redeem a pledge made to a deity.
- (iv) Waking up as early as 5:00 am., doing the household chores, working long hours on the farm, having unwanted sex with the priests and bearing children, no access to medical care, and lack of education constitute their normal daily living.
- (v) In addition, their movements were restricted to the confines of the shrine, unless with the permission of the priests. Their clothing was limited to one piece of cloth regardless of weather conditions and the famous raffia necklace.
- (vi) *Trokosis* describe the practice as unfair, inhuman, degrading, and a practice no human being should undergo. In fact, they all describe the practice as slavery.
- (vii) They firmly call for the abolition of the practice.

In December 1998, *The Mirror* interviewed 8 ex-*trokosis* about life outside the shrine.²⁵¹ Some were self-employed, making use of the skills acquired from their vocational training while others were still in training. All mentioned the happiness and freedom

²⁵¹ Vance Azu "Ex-*trokosi* Women talk about Life Outside the Shrine" in *The Mirror*, Saturday, December 12, 1998, p. 22

they are enjoying outside the shrine, condemned the practice of *trokosi*, and had a positive outlook on the future.²⁵² In these interviews and my own, one thing *ex-trokosi* women and girls never fail to mention is their gratefulness to God. While the first wave of the anti-trokoi campaign depicts the strong negative impact Christianity on the *trokosi* liberation process, it also points to a very important factor in the success of the anti-*trokosi* campaign: breaking the chain of fear of the deities that held not only the victims but also practitioners and practicing communities in bondage for several centuries. Juliana Dorgbadzi mentioned fear as one of the grounds for returning to the shrine even after being granted freedom. When this fear was broken upon becoming a Christian, she felt comfortable enough to leave the shrine permanently in spite of her parents' rejection. This underscores the importance of the Christian religion in the anti-*trokosi* campaign, and especially the work of Mark Wisdom, who was the first to show that it is possible to defy the instructions of the deities without suffering any negative repercussion.

The *trokosis* usually presented by the Afrikania Mission, however, claim that as wives of the gods, they are treated as queens. These *trokosis* are, however, few compared to those presented by International Needs. International Needs Ghana uses the strategy of allowing *trokosis* to relate their experiences at its anti-*trokosi* programs more than the

²⁵² Other *ex-trokosi* success stories have been carried in the newspapers. The Saturday, March 29, 1998 issue of *The Mirror* carried the wedding picture of an *ex-trokosi* of the Avakpe Shrine, Miss Olivia Afenutsui, with his groom. *Trokosi News* September 1997, vol. 2, no. 1, gave coverage to success stories of *ex-trokosis*, who have established themselves in the community using skills acquired from their vocational training.

Afrikania Mission. It should be recalled, however, that the leadership of the Afrikania Mission is more closely associated with the *troxovi* shrines in Anlo than in Tongu and that the Anlo shrines which have *fiasidis*, treat their inmates more humanely than the shrines in Tongu. Thus the Afrikania Mission may as well be presenting *fiasidis*, instead of the *trokosis* found in Tongu.

Comparing *fiasidis* and *trokosis* may well be comparing apples and oranges because of the subtle differences between the two practices as noted in this dissertation. But even then, the more humane treatment of *fiasidis* did not prevent researchers such as Dovlo and Adzoyi (1995), Nukunya and Kwafo (1998), and Dovlo and Kufogbe (1997) from arriving at the conclusion that the *fiasidi* system is slavery. Hence, the almost glorious picture painted of *fiasidis* by researchers such as Greene (1996)²⁵³ and Romanoff (1999), which has become the banner of the Afrikania Mission, may not necessarily represent the reality. My own interviews, as stated above, confirm the stories told by *trokosis* presented by the anti-*trokosi* movement. But my interviews did not cover the Anlo areas of Klikor, Keta and Anloga. Hence, it will be premature for me at this time to make a definite statement on the experiences of *fiasidis*. There is a need for further research on this version of *trokosi* practice.

In the next and final chapter of this dissertation, I attempt an assessment of the debate as presented thus far, and state my findings and conclusions of the study.

²⁵³ Greene painted this picture only of *fiasidis* in Anlo society of the 1750s.

CHAPTER 7

DISCUSSION AND CONCLUSION

I set out in this dissertation to examine and explain (i) the traditional Ewe practice of *trokosi*, (ii) the abolitionist debate engendered by the practice, and (iii) to account for the success of the anti-*trokosi* campaign in Ghana. The focus of the study was the policy issue of how to implement international human rights norms in other cultures with respect to controversial traditional practices. My hypothesis was that cultural sensitivity in the issue of child bondage accounts for the positive results in the anti-*trokosi* campaign in Ghana. The study adopted the “cross-cultural universals approach”, which captures the essential elements of the hypothesis, supplemented by elements in other approaches such as feminism, slavery, social movements, and religion. In this final chapter, major research issues are discussed along with my main findings and conclusions. Future research and policy directions are also outlined.

I. WHAT IS *TROKOSI*?

A major issue in the Ghanaian *trokosi* debate has been the definition of the practice. In the early 1990s when *trokosi* was “discovered” and became a national social problem there was little published material on the practice. Anti-*trokosi* proponents and the media initially lumped together all forms of ritual services performed by women in the practicing communities as part of the practice and described all the women involved as *trokosis*. This oversimplification angered practitioners and groups from areas such as

Anlo which believe the services performed by the initiates in their shrine could not be described in such negative terms.

One positive initiative by the anti-*trokosi* movement, led by ING, was to fund academic studies on *trokosi* to inform their campaign. Important studies by Dovlo and Adzoyi (1995), Dovlo and Kufogbe (1997), have become authoritative sources on the *trokosi* issue. For example, most official *trokosi* statistics today are based on Dovlo and Kufogbe's (1997) Census of *trokosis* and *trokosi* shrines in the southern sector of Ghana. Several NGOs and statutory bodies such as FIDA, GNCC, CHRAJ, GLRC, National Population Council, and Afrikania all did their own investigations on the issue and produced reports on *trokosi*.

One would have expected the plethora of reports to settle the issue once and for all whether there is any practice among the Ewes called *trokosi* and if there is, what it entails. In fact, these issues are far from resolved. On one hand, some practitioners, the chiefs of Anlo, and the fact-finding report of Afriakania Mission claim there is no traditional practice among the Ewes called *trokosi*. On the other hand, reports by all the other NGOs, statutory organizations and academics confirm the practice of *trokosi* among the Ewes of the Volta Region and Dangmes of the Eastern and Greater-Accra Region of Ghana.

The findings from this dissertation are that the *trokosi* practice is real, and persists among the Ewes and Dangme people of Ghana. It is now commonly accepted among

researchers and practitioners that there is considerable variety in the practice of *trokosi* as one moves from one shrine, and practicing community, to the other. There are *trokosis* who, like Samuel in the Bible, were offered by their parents to serve in the shrines in appreciation of the help of the gods in their conception and birth. These are the *dorflewiwo*. The *fiasidis* are initiates of the Nyigbla and Yewe religious order, who are given by their families, inducted by the deities, or voluntarily choose to serve in the shrines. These particular *trokosis* are perceived as the “wives of the gods” and consequently, are treated with respect by all in the community including the priests and their husbands. They own property and are not considered poor by community standards. This is the more humane version of the *trokosi* practice, which is found among the Anlo Ewes.

Another category of *trokosis* has become the subject of Ghana’s *trokosi* debate and anti-*trokosi* campaign. These *trokosis* serve in shrines in atonement for crimes committed by other members of their family. They offer free domestic and agricultural labor and sexual services to the priests and other shrine functionaries. Consequently, their rights to determine their own marriage and sexual partners are violated. Ideally, their families are responsible for their upkeep in the shrines, yet no sooner had these families sent these girls and women to the shrines than they forget about them. With the priests unable to provide their basic survival needs, these girls risk a life of extreme deprivations, which sometimes compromise their health. These *trokosis* are mainly found among the Tongu Ewes and the Dangmes.

At the recent West Africa Sub-Regional Workshop on *Trokosi*, it became clear that there are differences in *trokosi* practice between the three sub-regional countries of Ghana, Togo and Benin. In Benin for example, fewer girls/women live in the shrines, and human rights organizations are more focused on other human rights abuses such as child trafficking, which they consider as demanding more urgent action than *trokosi*. The Benin delegates, and to some extent Togolese, could thus not fully share in Ghana's preoccupation with the *trokosi* issue.

II. HOW COULD THE EWES CONCEIVE OF SUCH A PRACTICE?

Trokosi emerged from the traditional Ewe values of high morality and the search for truth both anchored in traditional religion. According to Ewe cosmology, anyone who leads a morally pure life is entitled to a good life on earth. The good life is bestowed on humans by spirit beings who hold the key to justice, life, and death on earth. Consequently, the Ewes are prone to question and investigate afflictions and misfortunes in their lives. An explanation must be sought for accidental deaths and frequent misfortunes, particularly if they happen in rapid succession. For the Ewes, "sin" or for that matter "crime", is an act or omission that injures the relationship between the offender, his/her clan, and the larger community or society. Ewes thus take a serious view of immoral acts such as stealing, adultery and using bad magic or witchcraft.

The *trokosi* system developed out of the southern Ewe desire to seek the truth when crime occurs, through the justified invocation of a curse upon the unknown offender and his/her family when the help of the gods is solicited to redress the grievance.

It seems fair to say that the Ewe religious world view, the importance of maintaining a good and prosperous life, the emphasis placed on living a pure moral life and living in harmony with the gods, the desire to seek the truth in all matters, the values of truth, honesty and peace, have together contributed to the emergence of the institution of *troxovi*, and the practice of *trokosi*.

III. IS *TROKOSI* RELIGION OR BONDAGE?

This is one question that has often been discussed in the *trokosi* debate. In so far as it is part of the religious worship and sacrifice of the Ewes, *trokosi* can be viewed as religion. But is it bondage? That is where the differences begin on this aspect of the debate. Whereas the anti-*trokosi* movement answers this question in the affirmative, Togbui Addo (1998), who addressed this question at the Second National Workshop on *Trokosi*, concluded that *trokosi* is religion, which happens to have some elements of bondage in its practice. I tend to agree with him for several reasons, but first, what is bondage?

The Concise Oxford Dictionary (1990) defines bondage as: “serfdorm; slavery; subjection to constraint, influence, obligation, sado-masochistic practices including the use of physical restraints or mental enslavement” (p. 125). This definition equates bondage to slavery. *The Websters Third New International Dictionary of English*,

however, define bondage as “restraint of personal liberty by compulsion; serfdom; voluntary subjugation (as to some service or duty); servitude or subjugation (as to someone superior) or dominating to some power, motive or appetite” (p. 250). While similar to the first, this latter definition adds the element of volition to the features of bondage, *viz*: servitude, subjugation, serfdom, physical and mental restraint.

All the foregoing elements of bondage are discernible in *fiasidi* practice. But as we saw in chapter four, the institution of *troxovi*, from which *trokosi* practice derives, is an aspect of the religious sacrifice of Ewes. Second, the intention of the forefathers of the Ewes was not to create an institution of bondage. *Troxovis* emerged in the pursuit of a high level of morality, the search for truth, happiness, and the good life. In effect, based on Ewe religious anthropology, cosmology, institutions, prescribed standards of human existence, moral codes and values, *trokosi* is not bondage. In traditional Eweland, religion, as in all religious communities the world over, claimed highest authority over human life and conduct. Third, it is important to remember that the practice was an aspect of the crime control system of the Ewes. In the modern criminal justice system, the institution of prisons or corrections are generally not perceived as systems of bondage but as important aspects of the pursuit of justice and fairness. Similarly, in traditional Eweland *trokosi* has never been considered as bondage but as part of the pursuit of morality, truth, happiness and the good life.

A problem, however, emerges when Ewe traditional religious practices are viewed within the plural society and secular state of present day Ghana. As An-Na'im *et al.* 1993 have

pointed out, multiple religions based on different cosmologies often result in conflicting demands on human beings, particularly in plural societies. Consequently, religions tend to become exclusive and competitive, pitting members against non-members, instead of being universally valid and applicable as they claim. The conflict between Christianity and Ewe traditional religion in the Ghanaian *trokosi* debate testifies to this.

As An-Na'im (1993) *et al* rightly point out there is also an ambiguous relationship between human rights and religious values. They argue that both claim to be universally valid and applicable and claim the highest authority over human life. This situation leads to conflict between the two value positions, as we have seen in the case of African Traditional Religion and human rights in the *trokosi* issue in Ghana.

Under such conditions, argues An-Na'im *et al.*, religious traditions should be judged by the prevailing general standards in plural societies. The laws of modern Ghana, which are based on a combination of Western, colonial, Christian, Islamic and African Traditional jurisprudence and norms, often diverge with Ewe traditional religion with respect to the practice of *trokosi*. Thus, Shrine Priests' demands on *trokosi* women and girls – free labor, non-consensual sex, restricted movement and clothing – are all perceived as bondage according to the laws of modern Ghana. Even though the Constitution of Ghana supports freedom of religion, it prohibits subjecting others to servitude in the pursuit of one's freedom of religion. In this respect, it is better to see *trokosi* in 20th and 21st century Ghana as a practice at the interface of traditional religion,

crime control and international human rights norms. *Trokosi* is both religion and bondage, which qualifies it as ritual bondage.

But the debate on whether *trokosi* is bondage or religion will not be easily resolved between the two sides in the anti-*trokosi* debate. To resolve such conflicts, An-Na'im *et al.* suggest "critical dialogue" between the two value positions. They define critical dialogue as "a mutual search for a better understanding of human life, a just and merciful society, nature, and ultimate reality" (p. vii). It is a process whereby all "the difficult questions should be discussed in a dialogical way, that is, openly with mutual understanding, reciprocal witnessing and critical questioning" (p. vii). Such critical dialogue needs to continue with respect to the *trokosi* issue in Ghana. For as shown in this dissertation, An-Na'im *et al.* were right when they stated that "religious traditions are hermeneutical processes: they do develop, change – and sometimes – improve in response to circumstances and in dialogue with their context" (p. vii).

IV. IS TROKOSI SLAVERY?

I will first address the fundamental question, "what is slavery"? The definition of slavery has generated a lot of heated debate as slavery manifests itself in a wide variety of forms and practices (David Turley 2000). The first definition of slavery in an international document, and one that seem to be accepted internationally, is from the Slavery

Convention of 1926.²⁵⁴ Article 1 (1) of the Convention defines slavery as “the status of or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised” (David Weissbrodt and Anti-Slavery International, 1999). The Supplementary Convention of 1956 augmented the definition of slavery in the Slavery Convention, adding slavery-like institutions and practices termed “servile status”. Institutions and practices analogous to slavery were identified as: debt bondage, serfdom, different types of forced marriages including sale of wives, levirate and sororate, and child exploitation and servitude. The Rome Final Act establishing the International Criminal Court added trafficking in persons, particularly in women and children, to the list of practices that constitute slavery.

Based on the above Conventions and other UN treaties and instruments, Weissbrodt and Anti-Slavery International (1999:10) identify the concept of ownership and control, which results in an individual losing all control over his or her own life and labour as the crux of slavery, in the international context. Consequently, Weissbrodt and Anti-Slavery International argue that, “the circumstances of the enslaved person are crucial to understanding and identifying what practices constitute slavery” (p. 10). They identify three main conditions that distinguish slavery from other practices and institutions:

- (i) “the degree of restriction of the individual’s inherent right to freedom of movement; (ii) the degree of control of the individual’s personal

²⁵⁴ This section draws on David Weissbrodt and Anti-Slavery International’s (1999) Working Paper, “Review of the Implementation of and Follow-Up To the Conventions on Slavery”, presented to the 51st Session of the Working Group on Contemporary Forms of Slavery, UN Commission on Human Rights, Sub-Commission on Prevention of Discrimination and Protection of Minorities. UN Doc. E/CN.4/Sub.2/1999 24 May 1999. Available at <www.anti-slavery.org/>.

belongings; and (iii) the existence of informed consent and a full understanding of the nature of the relationship between the parties” (p. 10).

They maintain that, “these elements of control and ownership, often inflicted with the threat of violence and accompanied by ongoing abuse, are central to identifying the existence of slavery” (p. 10). They, however, argue that violations of other fundamental rights associated with slavery are aggravating circumstances, which provide “indication that slavery or forced labor is likely to be occurring, but by itself is not sufficient evidence that slavery is taking place, just as its absence should not be interpreted as evidence that slavery is not taking place” (p. 12). Such violations include (i) beatings and other corporal punishment; (ii) keeping victims in chains; (iii) branding or other forms of mutilation; (iv) “giving them no payment, or giving them just enough to pay for meals and accommodation”; (v) “giving them a new name”; (vi) “obliging them to speak a new language”; (vii) or forcing them to change their religion; and (viii) preventing them from owning property (p. 11-13).

How does the practice of *trokosi* compare with these distinguishing features of slavery? The element of ownership and control applies to the practice of *trokosi*. Once a *trokosi* goes through the ritual of initiation, her movements are restricted. Usually there is an initial period (which varies from one shrine to another) that an initiated *trokosi* cannot leave the shrine. Thereafter, she can only leave the shrine with the permission of shrine functionaries. Decisions about what to do everyday and what to do with their lives in general become the prerogative of the shrine functionaries. When *trokosis* work, eat (if food is available at all on some days), sleep, and wake-up are at the whims and caprices

of shrine functionaries. Thus, most *trokosis* are denied basic education, health care, and sometimes even food. *Trokosis* and *fiasidis* wear distinctive clothing: a blue or black piece of cloth, must go barefoot, and always wear their famous necklace made of *seshi*. **All** *trokosis*, and **some** *fiasidis* are sent to the shrines without their consent. Several *trokosis* have reported being asked by their parents to follow them to somewhere²⁵⁵ only to be abandoned at a shrine.

Thus, all three main conditions of for identifying slavery are present in the practice of *trokosi*. Similarly, some of the aggravating factors of slavery constitute part of the practice. Unruly *trokosis* are made to undergo all sorts of ill-treatment, including beatings, and other corporal punishment such as kneeling down on palm kernel or broken bottles; and are made to drink ritual concoctions supposedly to make them corrigible. All *trokosis* in Tongu must have sex with the Shrine Priest after their third menarche (menstruation). Consequently, most *trokosis* become pregnant and have children at an early age. *Trokosis* initiates are given a new name associated with the religion and automatically became adherents of the deity for the rest of their lives. Most *trokosis* and all *fiasidis* carry distinctive physical marks on their face. *Fiasidi* initiates are taught to speak a new language. *Trokosis* do not own property, but *fiasidis* are given landed property by their families for becoming initiates.

²⁵⁵ In Ghana, it is not uncommon for children to be asked to accompany adults to undisclosed destinations. It is part of the obedience parents exact from their children in traditional societies in Ghana.

The practice of *trokosi*, however, falls within the rubric of practices and institutions defined as contemporary forms of slavery. Suzanne Miers (2000) defines contemporary forms of slavery as all the exploitative and cruel practices that fall between the continuum with chattel slavery of ancient times at one end, and freedom at the other. These are institutions of slavery or slavery-like practices found in contemporary times, which are regarded as vestiges of slavery of earlier periods. These include modern forms of chattel slavery in Sudan and Mauritania, debt bondage in Asia and Latin America, forced prostitution, sexual slavery, forced and servile marriage, forced or compulsory marriage, and cult or ritual marriage such as the practice of *trokosi* (Miers 2000).

The intention of the ancestors of the Ewes who originated the practice was not to make slaves out of *trokosis*. In the purely traditional Ewe society, the practice was a just and fair process of religious worship, sacrifice, doing justice, and holding families accountable for the crimes of their members. Nevertheless, viewed by international human rights standards, and other prevailing standards in plural and modern Ghana, *trokosi* is slavery. But as a mechanism of crime control, should *trokosi* be labeled as slavery? In so far as convicted criminals in modern society, particularly those who serve

time in prison, are not considered slaves,²⁵⁶ it will not be fair to consider *trokosis*, who served time in the shrines before the Ewes became part of modern Ghana, as slaves.

But the philosophy, rules and laws by which modern Ghana operates and deals with its criminals are completely different from those of traditional Eweland. Hence, under the laws of Ghana, practicing *trokosi* could be viewed as slavery. In fact, considering the abject deprivation of the basics of life; the gross violations of rights, if not the total absence of rights these women and girls are subjected to, and the absolute control that shrine priests and functionaries exercise over *trokosis* in the Tongu and Dangme areas, it seems to me that *trokosi* practice in Tongu and Dangme qualifies as slavery, or at least, slavery-like.

What about *fiasidi* – the more humane version of *trokosi*? Is it slavery? *Fiasidi* has some elements of bondage, but also elements of free will. As we saw in our references to Greene (1996), because of the advantages that accrued to women in the late eighteenth century gendered society of Anlo, some women out of their own volition opted to become *fiasidis*. For most *fiasidi* women at the time, it was the only opportunity to associate directly with the political and religious elite of Anlo society, leading to respect

²⁵⁶ David Weissbrodt and Anti-Slavery International (1999) argue that there is a distinction between slavery and forced labour, even though both have been condemned by the international community. Based on the ILO Forced Labour Convention (No. 105), 320 UNTS 291(1957) Article 1 (a) and (d), David Weissbrodt and Anti-Slavery International (1999) note that prison labour is exempted from what constitutes forced labour but has some restrictions on its use. They point out that, “It can only be imposed on a convicted criminal. Detainees awaiting trial cannot be forced to work nor can people who have been imprisoned for political offences or as a result of labour disputes. The work must be done under the supervision of the prison authorities and the prisoners can not be obliged to work for private enterprises inside or outside the prison” (p. 22).

from their own husbands and the rest of the community. It is no wonder that some young women were actively encouraged by their mothers to become *fiasidis*. Even for the Anlo state as whole, the practice of *fiasidi* was seen as bringing unity to the whole polity as the state deity, Nyigbla, recruited initiates from every clan in the state. Nukunya and Kwafo (1998:38) have also noted that because most *fiasidis* live with their parents and not in the shrine and are only summoned to the shrine on festive and special occasions, the harsh treatment meted out to *trokosis* in Tongu shrines is absent in the shrines in Anlo.

As pointed out by Dartey-Kumordzie (n.d.), the practice today has become adulterated due mainly to greed and lack of discipline on the part of some priests and other shrine functionaries. This includes elements of ritual bondage such as sexual exploitation. Nukunya and Kwafo (1998:37) stated that as wives of the gods, *fiasidis* are expected to go through the Ewe marital practice of *nyonu dedexo*, that is, secluding the bride in a room (for the groom) for about six months. The researchers have observed that pregnancies do result indicating that the priests have access to confined *fiasidis*. Identification clothing, such as the necklace and raffia leaf, and the famous blue or black cloth; facial marks and the requirement to walk bare feet; and various taboos *fiasidis* are all imposed on them.

All these requirements smack of ritual bondage and constitute a sufficient condition for slavery and contemporary forms of slavery judged by the standards set by the

international human rights regime (See earlier discussion on Weissbrodt and Amnesty International (1999) and Miers (2000)).

Unlike Nukunya and Kwafo (1998), Dovlo and Kufogbe (1997), and Dovlo and Adzoyi (1995), however, I put the label of slavery on *fiasidi* with caution. In fact, I hesitate in calling *fiasidi* slavery at this stage in my research. This is based on (i) the fact that some women become *fiasidis* on their own volition; (ii) the comparatively humane treatment meted out to *fiasidis* in general; (iii) the fact that the intention of the originators of the practice was social (especially crime and moral) control and not slavery; (iii) the advantages the status of *fiasidi* conferred on women in Anlo society in the past as pointed out by Greene (1996); and (iv) that not only can *fiasidis* own property, but are given property because of the status.

This is not meant in any way to lend support to any side in the *trokosi* debate. Rather, as a scholar, I believe that any further discussion of the status of *fiasidi* needs to be grounded in a more in-depth analysis of the concept of slavery as used in the literature. Consequently, my conclusion on the status of *fiasidi* is only tentative. The questions to be further addressed should include (i) the location of *fiasidi* in Ewe social structure (was Eweland a *society with slaves* or a *slave society*?); (ii) the experience of *fiasidi* as registered by both *fiasidis* and the shrine functionaries; and (iii) the ways in which *fiasidi*

was reproduced and maintained.²⁵⁷ In this respect, it will be important to address the issue of volition on the part of some *fiasidis*, their own accounts of their experiences as *fiasidis*, the percentage and treatment of such *fiasidis* compared to the *fiasidi* total population. Most importantly, I think the status of “free” women and children in Ewe society, and modern Ghana in general, should be contrasted with that of *fiasidi* women. Another relevant issue in this context would be an examination of the conditions under which women who dedicate their lives to spiritual service in the major religions, such as nuns of the Catholic Church, are not considered as slaves. This is one direction my future research on *trokosi* will take. Hence, my current conclusions on *fiasidis* are only tentative.

SOLUTIONS

Whether one perceives *trokosi* and *fiasidi* as slavery and ritual bondage or not, there is a need to reform the system. Whatever social system gave birth to the practice, however legal and just that may have been at the time, *trokosi* and *fiasidi* as known currently are unacceptable in Ghana in the twenty-first century. The drastic changes that have taken place in the social organization of the Ewes, like other ethnic groups in Ghana, since colonial times and the act of becoming part of the modern nation Ghana, militate against continuing with these practices in their original form.

²⁵⁷ These questions were adapted from the three questions David Turley (2000) believes lie at the heart of the recognition of the range of manifestations of slavery and its abolition by substituting “*fiasidi*” for “slavery”.

V. CAN THE LAW “KILL” *TROKOSI*?

How do we bring about change? This question is at the heart of this dissertation. Moreover, the question has been asked, “can the law ‘kill’ *trokosi*?” This question has generated heated discussions in the Ghanaian *trokosi* debate. As we saw earlier in the dissertation, whereas some believe the law is able to do it, others feel otherwise. My position on this and hypothesis for this dissertation has been that a policy of education and dialogue, informed by sensitivity to the culture of the people is a better strategy for transforming the practice of *trokosi*. Does the evidence support my position and hypothesis?

The available evidence starting from 1919 shows that, Nyagbledsi, the first person to publicly raise objections to the practice failed in his bid stop the practice because he could not win the support of the Colonial Administration, the practitioners, and the community. Mr. Nyagbledsi was a “lone voice in the wilderness” who had no support from anywhere against the powerful forces of practitioners and the Colonial Administration. So the practice lived on.

Mark Wisdom, the great pioneer of the current anti-*trokosi* campaign, has had limited success. The major hindrance has been his Christian approach laced with a demeaning attitude towards practitioners. Like the campaign from the early 1990s, Mark Wisdom’s activities also caught media attention in the early 1980s. The PNDC government of the period gave Wisdom access to the national radio, television and print media. Yet,

Wisdom's approach of pitting Christianity against African Traditional Religion, wild claims about the role of Christianity in development, lack of good grasp of Ewe cultural values and practices, and repeated disrespect for practitioners only succeeded in alienating people otherwise sympathetic to the cause of his campaign. At a stage in the campaign, the Tongu Student Union recommended that Wisdom not be associated with the campaign. Sharon Titian could not help the situation any better with her Christian approach.

The Tongu District Assembly, led by U.S. Clarke, however, had a moderating effect on the campaign in terms of construing the *trokosi* issue as a impediment to development, and by seriously courting the favor of the traditional rulers of Tongu, including shrine priests and owners, and opinion leaders in the community to combat the practice. This posture of the District Assembly, and Clarke's personal commitment to the plight of *trokosis* that prompted his invitation to any individual or group that shares a similar sentiment, account in large measure for the limited success enjoyed in the first wave of the anti-*trokosi* campaign.

VI. WHAT ACCOUNTS FOR THE PHENOMENAL SUCCESS OF THE SECOND AND THIRD WAVES OF THE CAMPAIGN?

Whereas the Christian approach of the first wave backfired, the activities of that era, nevertheless attracted media attention which brought in several other individuals and organizations some of whom became major players in the second and third waves.

The Ghanaian and international media championed the *trokosi* campaign during the second wave, led by the journalists A. E. Amoah and Vincent Azumah of *the Mirror* and *Daily Graphic*. The media succeeded in attracting the attention of both Parliament and the President to the plight of *trokosis* in 1994. Once the *trokosi* issue was tabled in Parliament and the President made comments on the issue in public, the *trokosi* issue had firmly won a place on the agenda of national social policy-making.

The anti-*trokosi* movement could not have a better chance to launch an all-out campaign on the *trokosi* problem. Their efforts in this respect led to the first-ever mass liberation of *trokosis* in 1996. But why did the media succeed this time round in catching the attention of Parliament and the President? What strategies did the anti-*trokosi* NGOs use this time to elicit a favorable response from the Shrine Priests, Owners and Elders? The answers to these questions are the key to the phenomenal success of the second and third waves of the anti-*trokosi* campaign.

My data point to several factors working together simultaneously, but which were not present in earlier periods. These include factors such as (i) the introduction of constitutional rule in Ghana in 1992; (ii) the formation of the anti-*trokosi* coalition; (iii) the active participation and cooperation of traditional leaders in the practicing areas; (iv) the role of international governments and human rights organisations; and (v) the adoption of a human rights approach based on a strategy of education and dialogue. Each factor is addressed briefly in the following passages.

(1) The Introduction of Constitutional Rule in Ghana in 1992

The first factor is the introduction of constitutional rule in 1992. After more than a decade of military rule starting in December 1981, the Provisional National Defense Council (PNDC) government decided to introduce constitutional rule in Ghana. The first step in this process was the drafting of a new constitution, which came into effect in 1992. The introduction of the new constitution led to the development of what could be termed a “culture of rights” in Ghana.

Not only did the 1992 constitution have a chapter on human rights,²⁵⁸ as with previous Ghanaian Constitutions, but there was also provision (Article 19 (13)) for the establishment of an independent and impartial Commission on Human Rights and Administrative Justice (CHRAJ). The CHRAJ, led by Emile Short, has served the cause of the anti-*trokosi* well. Even though CHRAJ is an independent statutory body, its active participation in the campaign was seen by many as the government’s (executive’s) involvement in the campaign. This strengthened the anti-*trokosi* campaign. Thus, even before the passage of the law prohibiting the practice in 1998, some priests declared at the first mass *trokosi* liberation in 1996 that, “we are releasing the women only because the government wants us to do so”. This was based on the active role of CHRAJ in the education and negotiations that took place before the liberation. In the first interview Mr. Short granted after assuming the headship of CHRAJ, Mr. Short declared that children’s

²⁵⁸ Chapter 5 of the Constitution of the Republic of Ghana, 1992, is titled, “Fundamental Human Rights and Freedoms”.

rights were among his priorities.²⁵⁹ As shown in this dissertation²⁶⁰, Mr. Short has so far lived up to his declared priorities through his active engagement in the anti-*trokosi* campaign, as well as other activities.

The new constitutional era also led to the breaking of what is generally referred to in Ghana as the “culture of silence” which plagued almost the entire duration of the PNDC regime (Attafuah 1993). The mass media were finally at liberty to discuss national issues including human rights. This led to the emergence of private newspapers, magazines and television stations. Overall, the general political and social environment became liberated and relaxed than ever before. This development attracted people, representing all strata of Ghanaian society, in the discussion of national issues in the media. Publicity by both local and international media placed the *trokosi* issue on the national agenda. The reinvigorated social and political environment was also conducive to the development of an attitude sensitive to the rights of others. This led to an unprecedented development of all types of NGOs including those interested in human rights issues such as the *trokosi* problem.

²⁵⁹ *Ghana Human Rights Quarterly* 1995 “An Interview with the New Human Rights Commissioner” Vol. 1, nr. 3, pp. 8-9.

²⁶⁰ See also recent interview Mr. Short granted Ruby Mensah (2000) available at the website <http://www.ghanaclassifieds.com/close_contact/index.shtml>.

(2) The Anti-*Trokosi* Coalition

Never before in the history of an abolitionist movement in Ghana have there appeared so many individuals and groups, all with one common purpose (even if they did not always agree with each other): to stop or at least, modify one practice: *trokosi*. The coalition was a loose association comprising all groups and individuals who wanted a reform or abolition of the *trokosi* system. It includes FIDA, ING, FESLIM, TOYACE, North Tongu District Assembly, Churches, Missions International, CIDA, DANIDA, the British Council, the Human Rights and Democracy section of the US Embassy, the chiefs of Tongu, the queenmothers of Tongu, Mark Wisdom, Sharon Titian, Walter Pimpong, and Emile Short, among others. This is a diverse group of people – students, youth, churches, Chiefs and Queenmothers, local and foreign NGOs, foreign governments – who do not always agree with each other but all united to do one common thing.

The two National Workshops on *Trokosi* and several other workshops, seminars and conference offered the Coalition the opportunity to compare notes, take stock, re-group and adopt new strategies. The Coalition of NGOs on the Rights of the Child and the Ghana Human Rights Coalition constitute the two main umbrella organisations and platform of the anti-*Trokosi* movement.

Compared to the situation the “loner”, Nyagbledsi, faced in the early 1900s, this is a real force to reckon with. The attempt to end any controversial traditional practice, can never be done single-handedly by any individual or organisation. When a group of individuals or organisations are sharply-focused, they generate a force, which gathers its own

momentum that not even a hostile government can stop. In any group or coalition, there are individuals and specific groups, which distinguish themselves from the others. For example, my data shows the incredible role played by International Needs Ghana and CHRAJ since the early 1990s in all these. Yet both organisations have conceded that it was their cooperation with other coalition partners, and not their singular efforts, that has led to the achievements of the anti-trokosi movement. Considering the sheer number of NGOs and individuals involved in the *trokosi* debate, and the increasing negative local and international publicity the issue had attracted, the government could not ignore the issue for long.

(3) The Active Participation of the Local People

Nyagbledsi and Mark Wisdom, both Tongu citizens, were the great pioneers of the anti-*trokosi* movement. Moreover, when the anti-*trokosi* movement gathered momentum, it found a ready allies and support in a number of groups and individuals from the Tongu area – from the Paramount Chiefs and District Assembly down to ordinary citizens. This local support was a very crucial factor in the success of the anti-*trokosi* movement in Tongu in light of the resistance from the Shrine Priests, Owners and Elders. Any effort to effect change in a target group that does not receive the support of the target population cannot succeed. Local people cannot be taken for granted. *The intelligence and other capabilities of local people should not be underestimated.* Outsiders should not project themselves as having all the answers. This brings me to the role of foreign organisations in the anti-*trokosi* campaign.

(4) The Role of Foreign NGOs and Governments

The support given the anti-*trokosi* movement by CIDA, DANIDA, British Embassy, Human Rights and Democracy section of the US Embassy served in no small measure to help the anti-*trokosi* movement achieve its goals. A major problem during the first wave of the campaign was lack of resources to carry through the *trokosi* modernization project. That prompted the District Assembly to invite ING and Missions International as partners in the campaign. Lack of resources, mainly financial, to carry out its mandate, is a perennial problem faced by most institutions and organizations in developing countries. Thus, the provision of funding for workshops, conferences, seminars, studies, and liberation exercises by the fore-named foreign organisations was a welcome relief for the anti-*trokosi* movement.

This supportive role, however, becomes a great source of empowerment for foreign groups and may be abused by them. With their comparatively powerful resource base, some foreign NGOs come to Africa with a condescending attitude, believing they have all the answers and refuse to consult with the local people and organisations. Such was the case of the Swiss group, SENTINELLES, which had to fold up its operations in Ghana when they became victims of their own patronizing attitude and actions. Their approach is typical of international NGOs, which follow the formal, legalistic human rights model of top-down, dictatorial strategy. It is an approach which precludes the local people from the decision making process on issues which directly affect them. It is

often characterized by a contemptuous and demeaning attitude, which does not augur well for the successful implementation of policies.

Fortunately for the Ghanaian anti-*trokosi* movement, other foreign NGOs and groups have restricted their participation to funding, and left the local people to do the ground work. International Organisations providing funding, however, evaluate the work of the NGOs they support regularly to ensure it conforms with their own agenda of promoting international human rights norms in Ghana. I will return to this theme and other roles played by international organisations later in the sub-section “Cross-cultural dialogue”.

(5) A human rights approach based on a strategy of education and dialogue

The anti-*trokosi* campaign started in earnest with Mark Wisdom, and then later, Sharon Titian’s attempt to convert *trokosis* to the Christian Religion. This backfired, and has since pitted Christianity against African Traditional Religion in the campaign. One of the major decisions taken at the First National Conference on *Trokosi* in 1995 was to adopt a human rights approach strategy since the Ghanaian constitution recognizes freedom of religion. But this approach acknowledged freedom of religion to the extent that it does not infringe on other rights enshrined in the Constitution. Thus, implicit in the strategy was an acknowledgement of upholding the laws of the nation. The movement highlighted the legal and human rights violation of the *trokosi* system in such areas as health, education, labour, customary practices that dehumanize people, marriage, and sexuality.

It was, however, not just any type of human rights approach. Key participants at the Conference such as Mr. Short (1995), Anita Ababio (1995), Walter Pimpong (1995), and Mama Adokuwa Asigble (1995), representing CHRAJ, GLRC, ING, and Traditional Rulers respectively, argued effectively that a legal approach, while necessary, could not by itself resolve the issue as *trokosi* was deeply rooted in the belief system of the people. Hence, a particular type of Human Rights approach was adopted which emphasizes education and dialogue with stakeholders, particularly those in the practicing communities. It was also laced with a strong sensitivity to the culture of the people.

This approach was found to be effective when evaluated at the Second National Conference on *Trokosi* (1998). About 42% of known *trokosis* had then been liberated. The anti-*trokosi* movement resolved at the conference not to depart from this approach. The only addition to the approach was a regional tactic: to combat the practice from the perspective of a regional problem found in Ghana, Togo and Benin.

But this brings us back to the question, “can the law ‘kill’ *trokosi*”? We now have the benefit of hindsight to address this. When the *trokosi* problem became a national social issue in the 1990s, opinions were divided on whether law should be used to abolish the practice. A major concern in the anti-*trokosi* movement currently is the lack of enforcement of the law on *trokosi*. At the West Africa Sub-Regional Conference on *Trokosi* in February 2001, this was a recurrent theme in most of the presentations and at discussion sessions. In February 2000, Parliament questioned the Minister of Social Welfare on the implementation of the law. His response, among others, was that

education was more important in addressing the issue than merely enforcing the law. He also admitted that the government had decided that NGOs do most of the *trokosi* work as they seem more competent in that area.²⁶¹

My data show that there has been a slack in the tempo of liberations since the passage of the law. The first *trokosi* liberation took place in October 1996. By the time the *trokosi* law was passed in June 1998, about 42% of known *trokosi* women and children had already been liberated. To date, 59% of known *trokosis* have been liberated. Thus, only 17% of *trokosis* have been liberated three years after the passage of the law, whereas 42% were liberated in the two-year period preceding the law coming into force. With the passage of the law on *trokosi*, anti-*trokosi* NGOs have decided they will not support criminal acts by Shrine Priests. Hence, they no longer give the once generous compensation packages²⁶² that were given to Shrine Priests and Elders upon liberating their *trokosis* before the passage of the law. Thus, whereas anti-*trokosi* NGOs have confirmed in my interviews that the *trokosi* law enhances their campaign by giving it legal backing and providing a weapon in their negotiations with the shrines, the success of the campaign *per se* cannot be attributed to the passage of the law. This gives

²⁶¹ Republic of Ghana “Oral Answers to Questions, Minister of Employment and Social Welfare” in *Parliamentary Debates (Official Report)* Friday, February 4, 2000, vol. 24, no. 16, column 1178; See also the electronic report by Ghana Review International “Criminalizing ‘Trokosi’ is not enough – Mumuni” on the ‘GRI in Parliament’ section of their website www.mclglobal.com February 7, 2000.

²⁶² Some Shrine Priests and Elders whose *trokosis* were liberated before the passage of the law received generous compensation packages such as several herds of cattle and huge sums of money.

credence to their decision in 1995 that it is education and dialogue that hold the key to transforming the *trokosi* system.

This underscores an often-acknowledged problem in social policy: the limitations of criminal law in addressing social problems. Research abounds on how the criminalization of some social practices drives the practices underground. In Ghana for example research has shown that the 1994 law against female circumcision has only succeeded in sending the practice underground (Senaya 1997). Martha Shaffer (1999: 324-325) has advanced important arguments regarding the limitations of the criminal law with regards to hate-crime legislation, some of which equally apply to the *trokosi* practice: (i) Charges are more likely be laid against the vulnerable in society; (ii) passing a criminal law may end up being the only response from the government. This, according to Shaffer, is an easy way out for the government to claim it has addressed the problem. Meanwhile the problem may remain unsolved or may only be partially solved; and (iii) the criminal justice system is rarely an instrument of progressive social change.

In the case of *trokosi*, when officials begin to enforce the law, it is most likely only priests of the small and less powerful shrines who will be prosecuted. I have also pointed out in this dissertation how the Minister of Social Welfare has declared that the Ghana government has no program in place for *trokosis* and that it has delegated this responsibility to the NGOs. One conclusion at the West Africa Sub-Regional Workshop on *trokosi* was that the Ghana government is the government has shirked its responsibilities in the *trokosi* issue and that the NGOs cannot fully address these

responsibilities alone. Speakers at the workshop called on the government to get more involved in addressing *trokosi* issues. The admission by then Minister of Social Welfare in Parliament that the government was doing very little *trokosi* work compared to NGOs and the lack of implementation of the *trokosi* law, as discussed above attests to the fact that the criminal justice system may indeed not be an instrument for positive change as pointed out by Shaffer.

RELEVANCE OF THE CROSS CULTURAL UNIVERSALS APPROACH

If the success of the anti-*trokosi* campaign cannot be attributed to the passage of the *trokosi* law, then, it can only be attributed to the strategy adopted by the anti-*trokosi* movement: human rights approach anchored in cultural sensitivity with education and dialogue as the key elements. This, then, underscores the relevance of the cross-cultural universals approach in the campaign.

The relevant elements of the cross-cultural universals approach identified for this dissertation were (i) internal dialogue, (ii) cross-cultural universals approach, and (iii) cultural sensitivity. How did these elements manifest in the Ghanaian *trokosi* campaign?

(i) Internal Dialogue

The element of internal dialogue in the cross-cultural universals approach is based on the assumption that in every society could be found other values besides those of the dominant cultural group. Hence, change could be wrought through dialogue between the dominant and minority groups in the same culture. In chapter 5, I discussed the roles

played by identifiable groups and individuals with the “discovery” of the *trokosi* problem. Starting with the born-again Mark Wisdom, who challenged the relevance of the dominant religious institution of *troxovi* and the practice of *trokosi*, several others – Chiefs and Queenmothers, local NGOs, individual citizens, the District Assembly, and Shrine Owners and Priests – were drawn into the *trokosi* debate. Finally, an understanding was reached that the *troxovi* and *trokosi* systems had become anachronistic and ought to be reformed, if not abolished. The problem then became how to bring about change.

Even with NGOs such as ING, which is part of an international network, its official policy is to reach nations of the world through their own citizens.²⁶³ In this respect, apart from the financial support, the grassroots work of dialogue and education was done by Ghanaians. In line with the same principle, the majority of ING staff assigned to the *trokosi* modernization project are Ewes, who speak the language and know the customs of the people. This promotes local activism, another element of the cross-cultural approach. ING approached the traditional rulers, Shrine Priests, Owners and Elders with drinks and gifts, and drank water from the one calabash used by all present at gathering as demanded by custom. These acts opened the door for dialogue and education. The leaders of ING and the fieldworkers had several discussions with the Chiefs, Queen Mothers, Shrine Priests, Owners and Elders and the local people in their palaces, shrines and at several seminars, and workshops.

²⁶³ IN Mission statement posted at IN's official website: <<http://www.inter-national needs.com>>. Assessed May 10, 2001.

(ii) Cross-cultural Dialogue

One major concern in this dissertation has been how to get local cultures to adopt and implement international human rights norms. The assumption underlying the element of “cross-cultural dialogue” is that culture is not static, but dynamic. In this regard, it is possible to borrow values and practices from other cultures into a local culture.

I argued in chapter three that even though international human rights norms are created with Western cultural values, which are foreign to African cultures, yet Africa stands to benefit from the implementation of some aspects of the conventions and treaties of the international human rights regime. African cultures have something to learn from western cultural values. One such value is respect for the individuality of women. As discussed in chapter four, Ewe society, for example, is organized around communal principles with emphasis on the principle of collective responsibility. Thus, communal values are given precedence over individual values in the organisation of the institutions and practices of African societies. Unfortunately, *in almost all such cases it is the individual rights of women and girls or children that are sacrificed for the benefit of the whole society*. Almost every imaginable controversial customary African practice – circumcision; witch villages; funeral and widowhood rites; *rites de passage*;²⁶⁴ inheritance practices; marriage practices such as polygamy, levirate, sororate, child

²⁶⁴ By far, fewer *rites of passage* are instituted for boys than girls in Africa. And some societies such as the Southern-Ewe have no *rites de passage* for boys.

marriage, spousal veto, and brideprice; and, *trokosi* – either apply only to females or carry a much greater impact for females than males. An unresolved question that this situation raises with respect to the *trokosi* issue is, “why is it always women?”

As I contended earlier, the implementation of the relevant international human rights instruments could infuse the Western values of respect for individuality which could help address the oppression and subjugation of the African woman embedded in customary practices such as *trokosi*. In this respect, Fitnat Adjetey (1995)²⁶⁵ has argued (citing Ebow Bondzie-Simpson 1988) that the African woman has an individualized personality, dignity and freedom, which must be recognized, respected and exercised (p. 1364). She shows, with examples from traditional Asante society, how some Ghanaian women in the past exercised rights even in the political and other spheres and how this changed with the imposition of colonization. She argues that several traditional practices, which currently exist in Africa, subjugate and oppress women, preventing them from attaining their reproductive rights and autonomy.

She contends that customs and traditional norms can adapt to the changing needs of society. In this regard, she suggests that what constitutes African customary law today is a product of evolution resulting from African customs, imported colonial common and civil law notions, and religious concepts from Christianity, Islam, and traditional African

²⁶⁵ Fitnat Naa-Adjeley Adjetey (1995) “Reclaiming the African Woman’s Individuality: Reproductive Autonomy and African Society and Culture” in *The American University Law Review*, vol. 44, pp. 1351-1381

religions. This product, she contends, constitutes a male view of custom as it represents the views of influential and powerful male traditional rulers and colonial – invariably male – appointed leaders. Simply put, if customary law and practices have changed in the past, then they can be made to change again, though this time by recognizing individual values for the benefit of women. To this end, she argues for the implementation of international human rights norms in Africa to establish feminist values in the African and Ghanaian socio-legal system. While I take a different position from her legal approach to addressing this issue, Adjetey (1995) nevertheless articulates the very important issue of granting individual rights and autonomy to the African woman – which applies to the southern Ewe woman – and argues persuasively for change.

Other African scholars have also shown that even though African societies cherish communal values, they also recognize individual values. Kwame Gyekye (1996) examined several African maxims and came concluded that, “the espousal of communal values by the African people does not in any way involve the rejection of individualistic values” (p. 49). On the contrary, he argues that the “achievements, success, and well-being of the group depend on the exercise of by its individual members of their unique talents and qualities. And these talents and qualities are assets to the community as a whole” (p. 50). Gyekye, however, indicates that some Africans may have a problem striking a balance between communal and individual values, as the tendency, in practice, is to emphasize the former to the detriment of the latter.

Based on the mountain of evidence from scholars on Africa, and especially from African women scholars, it is only fair to state emphatically that African societies have a daunting problem of striking a balance between communal and individualistic values. This is one area African societies can borrow from other cultures.

Asked in my interviews why they support the anti-*trokosi* campaign, all the international groups – the financiers of the campaign – responded that it falls in line with their development programs of promoting international human rights norms in Ghana. Anti-*trokosi* groups share in the basic principles of international human rights even as they adopted an international human rights approach to the problem. Yet, in approaching the practitioners, traditional rulers, and practicing communities, they did so in a culturally accepted manner. This opened the door for them to educate the practitioners and local people on international human rights norms and the laws of the modern state of Ghana and to be better informed in turn.

I have pointed out (Ameh 1998) that a legacy of colonialism is the preference for anything foreign to anything Ghanaian. Hence, association with an international group puts one in a stronger bargaining position in the Ghanaian socio-political system. In this regard, sponsorship from a foreign NGO or government confers a lot of prestige and leverage on the local NGOs and individuals in the anti-*trokosi* movement. In addition, the adverse foreign exchange rate of the Ghanaian cedi translates the smallest foreign donation into millions of cedis. The anti-*trokosi* movements have been able to produce the material resources needed to do the liberations.

A related issue is the dependence of the Ghana government, like the governments of other developing countries, on foreign aid. Western countries have tied aid to conformity with international human rights norms by developing countries. What this has meant is that governments of developing countries strive to be seen by the West as adhering to international human rights norms. Thus, adverse human rights reports in the Western media, as happened in the case of *trokosi* in the 1990s, are seen as hampering a government's aid opportunities. Under such circumstances, governments, even if they do not originally support a particular course of action, will, nevertheless, support it if only to open up the channels of international aid. Such was the influence of the international governments, organizations, and media in the anti-*trokosi* campaign.

(iii) Cultural Sensitivity

As shown in chapters five and six, Dartey-Kumordzie, Afrikania Mission, Shrine Priests, Owners and Elders have demanded respect for their cultural and religious practices. The Chiefs and Queenmothers of Tongu, with all their support for the anti-*trokosi* campaign, have stated in my interviews with them that they would not support any effort aimed at dismantling their traditional cultural and religious practices *per se*. The chiefs, queenmothers, Tongu District Assembly saw the *trokosi* issue within the context of community development. The human rights strategy of dialogue and education adopted by the anti-*trokosi* movement was respectful of the non-controversial aspects of the target group's culture. The NGOs, statutory bodies and individuals involved in the Ghanaian anti-*trokosi* campaign have consistently maintained that they were only seeking the

modification of the aspects of the *trokosi* system that violate the rights of the women and girls involved.

A close examination of the arguments advanced by the anti-*trokosi* campaigners reveals a healthy sensitivity towards traditional cultural and religious values, which has rarely been exhibited in previous attempts to change traditional practices in Ghana.²⁶⁶ Of the anti-*trokosi* campaigners, only Mark Wisdom has argued for the complete abolition of the *trokosi* system irrespective of the religious and cultural issues involved (PU 1994, 1995). This approach was rejected by at the First National Workshop on *Trokosi*. Sharon Titian argues that the priests can continue with their traditional religious beliefs to the extent that they do not violate human rights by making innocent young girls pay for crimes committed by some other persons (PU 1995: 4). International Needs Ghana showed great sensitivity to cultural values – in this case to the position of fetish priests and owners in traditional society – when it declared its willingness to negotiate with the latter, among other options (Pimpong 1995: 16).

The Commissioner for Human Rights and Administrative Justice (CHRAJ) has declared that he would not pass judgement on the belief system which supports the *trokosi* system, though he does not mince words in condemning the human rights violations involved in the system (Short 1995: 27). In a speech made at the release of 28 *trokosiwo* at

²⁶⁶ As noted earlier, in the case of female circumcision, another traditional practice which violates the human rights of its victims, all that the Ghanaian Parliament did was to pass a law abolishing it in December 1994, without any attempt to have dialogue with, or educate the stake-holders of the practice. Research shows this has driven the practice underground (Senaya 1997).

Dzanpong Shrine in Tokpo on the July 18, 1997, the Commissioner made explicit the approach favoured by CHRAJ on the *trokosi* system:

There are those who advocate an immediate dismantling of all the shrines and the liberation of the innocent victims. It has been suggested in some quarters that the law enforcement agencies and institutions such as CHRAJ should make the practitioners of the system face the full rigours of the law. *The problem is however a complex one. The Commission has always taken the view that the problem would not be solved effectively by the enforcement of the laws which the system violate. It must be recognized that the practice is based on the entrenched and deep seated belief of the people and that, therefore education of the people in order to renew their mind and to change their mindset is the answer to finding a lasting solution to the problem.* The system has thrived for so long because the practitioners lost confidence in the traditional criminal justice system, particularly the ability of the Police to apprehend people who commit crimes. People were therefore more disposed to consulting the shrines which they claim were able to detect the perpetrators and inflict instant justice (Short 1997: 2; emphasis added).

CHRAJ thus identifies education as the key to finding a solution to the *trokosi* system. CHRAJ, however, favors a legal solution only to the extent that it supplements the educational approach (Short 1997: 3).

In a similar vein, a key agreement from the discussions at the First National Workshop on *Trokosi* was that legislation alone cannot eradicate the system. Anita Ababio, speaking for both the FIDA and the Ghana Law Reform Commission summed up this consensus among the workshop participants in these words:

... I wish to emphasize that, legal measures alone will not eradicate the practice since *Trokosi* has deeply rooted religious and cultural links. We believe that any legislative measures must involve people living in the local communities in order to grasp the root of the problem (Ababio 1995: 37) ...

From what has already been said it can be seen that the practice thrives not only because the perpetrators of the practice are not being brought to book but also because the people who are used to “instant justice” do not have

enough confidence in the criminal justice system which is fraught with delays in the carriage of justice. They could therefore be encouraged to take cases to the customary arbitration courts which are systems that they are already used to and trust (Ibid.: 42).

In addition to raising the issue of failure of the modern criminal justice system in meeting the needs of the people,²⁶⁷ Ababio, like most speakers at the workshop, displays sensitivity to traditional religious and cultural practices of the people.

Indeed as Justice Short further points out,

[i]t was obvious from the beginning that the practitioners of the system had not appreciated the implications of the practice and the issues at stake. It is for these reasons that we took the position that education was the key to a change and lasting solution. I believe we have been vindicated by the liberation ceremonies that have taken place over the past eight months or so (Short 1997: 3).

... I can say without fear of contradiction that the liberation of the Trokosis which have taken place of late can be attributed mainly to the dialogue, interaction and brainstorming sessions that took place during the workshops referred to above and subsequent negotiations and consultations that were held between International Needs and the practitioners and the Chiefs and Queenmothers for the various Traditional areas (Ibid.: 1; emphasis added).

Pimpong, the Executive Director of ING, confirms this:

Our strategy is very simple and it is to educate the practitioners to give up the practice themselves. We believe that a change that emanates from within would be more permanent. Hence the liberations we have had so far have been at the initiative of the shrines themselves (Pimpong 1997: 2).

²⁶⁷ This is a researched and documented subject; see Attafuaah 1993, Ameh 1993, Gyando 1989, Lowy 1978.

With such sensitivity, the anti-*trokosi* groups easily found allies in the chiefs, queenmothers and other opinion leaders of the practising regions. In my view, this sensitivity, coupled with the active involvement of the local people, including the Shrine Priests, was pivotal to the success of the anti-*trokosi* campaign. Sensitivity to traditional religious and cultural practices, and a clear grasp of the complexity of the problem led to the decision to attack the problem through education, dialogue and interaction with the practitioners and local people instead of using legislation alone. All interviewees from the anti-*trokosi* movement attributed the success of this campaign to this approach. Mr. Emile Short summed-up the position of interviewees in a recent interview with a journalist:²⁶⁸

... we have liberated close to about 1600 and there are about 2000 more women and children in bondage but eradicating customary and traditional practices is not an easy problem because these practices are based on deep seated and entrenched beliefs of the people. We have done a lot of education trying to get the practitioners to understand that the 'Trokosi' practices violate the human rights of the victims and have had a lot of negotiations which has resulted in the liberation of as I said 1600 people, we are also doing education about the law and the need for people to comply voluntarily with the law ...

This lends support to my hypothesis that cultural sensitivity, which leads to an approach of negotiations, dialogue, and education accounts for the current success of the Ghanaian anti-*trokosi* campaign.

²⁶⁸ Ruby Mensah (2000:6-7) available at the website
<http://www.ghanaclassifieds.com/close_contact/index.shtml>. Assessed December 6, 2000

As expected, there was initial resistance from the practitioners and proponents of the system. But the process of dialogue and education was empowering. After the initial confrontation with the Christian abolitionists, the practitioners suddenly found themselves regarded as partners whose ideas about transformation of the *trokosi* system were valued by the “new” abolitionists. They relented in their initial position of resistance. Nevertheless, they did not give up easily the benefits which accrued to them from the *trokosi* system, so they made demands based on these. The anti-*trokosi* groups were determined but patient. They persisted in their demand for reform of the system but realized they had to make some concessions in terms of addressing some of the needs and interests of the practitioners. After six years this process yielded its first fruits in the first mass liberation of *trokosis* in 1996. That launched the large number of liberations the anti-*trokosi* movement has achieved so far.

This underscores the most important contribution of this dissertation: There are several human rights approaches to reform controversial traditional practices. The formal, legalistic, top-down approach, which alienates the local people, as used by Sentinelles, does not take root. But a culturally sensitive approach based on negotiations, dialogue, and education, which secures the support and participation of the local people, seems to be a better way of injecting change into controversial traditional practices. Thus, (i) a traditional practice, such as *trokosi*, may be the most repugnant in the world; (ii) one may have all the good intentions in seeking reform of the practice; but (iii) if one does not adopt the right approach to change, one may not achieve much in the way of reform.

CHALLENGES

Despite the tremendous success of the last two waves of the campaign, the *trokosi* problem is far from over. An array of problems encumbers the efforts of the anti-*trokosi* movement. In addition to the problem of lack of enforcement of the law discussed already, other problems include:

(1) Persistent Fear in the Communities

Fear and secrecy have been major characteristics of the *trokosi* system. So pervasive was the fear of incurring the wrath and supernatural sanctions of the gods that people could not even discuss the practice publicly. One achievement of the pioneers of the anti-*trokosi* campaign and especially the Christian abolitionists such as Mark Wisdom was to prove that one could not only discuss the *trokosi* issue but also speak unfavourably against the deities, shrines, and their officials without any negative repercussions. Despite this achievement, a significant amount of fear still surrounds the practice particularly among the adherents of African Traditional Religion and non-Christians.

This manifests itself in several ways. Some *trokosis* themselves still believe in the power of the deities and doubt the sincerity of the priests in releasing them. Consequently, the

liberation rituals they are taken through before their release, and the certificate²⁶⁹ of emancipation they are awarded upon their liberation, do not mean much to them. One result of this has been that some liberated *trokosis* still harbour fears about leaving the shrines. This relentless fear is shared not only by some *trokosis* but also some families and the community at large. For instance, some families of liberated *trokosis* fear to take back their daughters as they still believe the gods may yet strike the family with adversity and other misfortunes for doing so. This has posed problems for liberated *trokosis* as they end up not having anywhere to go upon their liberation. Some have actually returned to the shrines as a result.

In the practicing community at large, there is the general belief that no law enforcement officer would dare approach any shrine to enforce the *trokosi* law. Even before the *trokosi* law was passed, Ababio (1995) pointed out that no local citizen would ever come out as a witness in any legal action that might result from the violation of a law banning the practice. Others still believe the whole anti-*trokosi* campaign pits Christianity against Africa Traditional Religions and they resent the anti-*trokosi* movement for this. Fear and misunderstanding thus pose significant problems for both liberation and rehabilitation efforts. Clearly, there is the need to continue with the educational programs of the anti-*trokosi* campaign.

²⁶⁹ See Appendix F for a sample *trokosi* certificate of emancipation obtained from International Needs Ghana. The certificate basically declares that the traditional rulers and shrine functionaries have emancipated and forever set free the *trokosi* in question and is signed by the shrine officials and the liberating NGO.

(2) Challenges of *Trokosi* Rehabilitation

Apart from rejection by their families, some *trokosis* face the problem of having no contact with their families after years of servitude in the shrines. Some *trokosis* start serving at the age of four or five years, and visits from family members usually do not go beyond just a couple of years, if at all. Some *trokosis* serve in the shrines all their lives, becoming senior citizens in captivity. Under such circumstances, some forget their real names (they are given new names upon initiation in the shrines), let alone those of their parents or relations.

The lack of family contact leads to the twin problem of where to send some women after liberation and who should have the responsibility of caring for them. Currently, there are only two Vocational Training schools for liberated *trokosis*. But quite often, not all liberated *trokosis* are interested in going school or undertaking vocational training. Besides, such training may not be of any benefit to the senior citizens among them. Further complicating the rehabilitation efforts is the stigma attached to the status of being a former *trokosi*, and the psychological and emotional trauma most *trokosis* have been through in the shrines (Puplampu, 1998). This situation makes liberated *trokosi* vulnerable even after winning their freedom. The need for resources, especially financial, for *trokosi* rehabilitation cannot be overestimated.

(3) What has poverty to do with *Trokosi*?: The Problem of “False Liberations”

A “False liberation” is a situation whereby someone who is not a “*trokosi*” is presented as such and is made to go through the process of liberation. This leads to the inflation of

the number of liberated *trokosis*. Advocates of the *trokosi* system have accused the anti-*trokosi* NGOs of engaging in this practice to give a false impression to the media and especially international donor agencies that the group involved is working hard. The inflation of figures is supposed to make it easier for NGOs to attract foreign funding.

My investigations revealed that whereas “false liberations” could occur they may not necessarily be attributed to the anti-*trokosi* groups. The general poverty of most *trokosi* practising regions (as shown in chapter four) is a major factor in the problem of “false liberations”. Professor Soyini Madison was the first scholar to make links between the economy and *trokosi*. In the dramatic performance, “Is it a Human Being or Girl? The Debates on the *Trokosi* System, Traditional African Religion, Human Rights and Globalisation”,²⁷⁰ which she produced and directed, she linked the negative economic impact of the World Bank and the International Monetary Fund (IMF) prescribed Structural Adjustment Program (SAP) of the Ghana government to the practice of *trokosi*. The performance used a medley of monologues, dialogues, sound and movements from Dr. Soyini’s interviews traditional cultural practices, women’s human rights, and globalization to show how a poor economic background could create and sustain controversial cultural practices such as *trokosi*.

²⁷⁰ D. Soyini Madison “Is it a Human Being or Girl? The Debates on the *Trokosi* System, Traditional African Religion, Human Rights and Globalisation” A Dramatic Presentation which run at the Drama Studio, University of Ghana, on June 9, 2000 and at the W.E.B. Dubois Centre in Accra, on June 24 and 25, 2000. Dr. Madison of the University of North Carolina, Chapel Hill, was a Fulbright Scholar who researched *trokosi* in Ghana and taught at the Department of English, University of Ghana.

It is easy to understand how part of the initial resistance of shrine functionaries to the liberation of *trokosis* was due to threatened economic benefits such as free labour and domestic services they derived from keeping the girls and women. But for a centuries-old practice such as *trokosi*, a link between *trokosi* and SAP, which the former Ghana government embarked upon only for the period 1983-1999, is not so obvious. Greater reflection on the issue of “false liberations” makes this link understandable. Poverty could make people behave in an irrational manner if this brings them some extra income. In Ghana, worsening economic conditions in the 1980s and 1990s have been attributed to the implementation of SAP.²⁷¹ Many vices such as different forms of crime and corruption emerged or became entrenched as a result of the worsening economic situation.

In the *trokosi* liberation process, a vice that emerged was that some priests presented some women and girls, who were not *trokosis*, as candidates to be liberated. The more *trokosis* they presented, the greater the commission they received. On their liberation, *trokosis* are given a start-up capital (called “seed money” by ING) to help in their rehabilitation. Some Shrine functionaries impose a levy on this amount from every newly liberated inmate. In this respect, the more *trokosis*, the shrines present for liberation, the more money they make from the liberated girls and women. The temptation to add names of friends and relatives who are not *trokosis* then becomes irresistible for some of the shrine functionaries. Shrine functionaries are responsible for

²⁷¹ For an example of such analysis, see The Institute of Statistical, Social and Economic Research (ISSER) (2000) *The State of the Ghanaian Economy in 1999* University of Ghana, Legon.

compiling the list of their inmates. The list is then presented to the NGO coordinating the liberation.

For the NGOs in the anti-*trokosi* movement, it was the perceived **credibility of their leaders**, especially of Walter Pimpong, Executive Director of ING, that helped them withstand this potentially damaging accusation of fraud and deceit. On the issue of “false liberations”, the overwhelming majority of interviewees stated that the NGOs would never inflate the number of liberated *trokosis* for any reason. Most expressed confidence in the leaders of the NGOs engaged in liberating *trokosis*. For their part, the NGOs have since the discovery of the problem put in place measures to eliminate the problem of “false liberations”. ING, for example, has introduced an elaborate pre-liberation program in which each candidate for liberation is thoroughly interviewed and accepted by ING field staff as a real *trokosi* before making it on the liberation list.²⁷²

The issue of false liberations is a serious one which could damage the reputation of the anti-*trokosi* movement beyond repairs. If this accusation is proved to be true, it could provide solid evidence to support the charge of “fraud” leveled against the campaigners and bring all that the movement has stood and fought for to naught. NGOs engaged in liberations need to tighten their criteria for accepting potential candidates who show up

²⁷² This process has generated data on thousands of liberated *trokosis*, spanning such issues as the crime for which they became *trokosis*, their experiences at the shrines, family information, and where *trokosis* can be located after the liberation. These data are of immense research value including the *trokosi* practice as perceived by *trokosis* themselves. ING has, however, been reluctant to release this information to researchers.

as genuine *trokosi* deserving liberation. It might become necessary, for example, to require all candidates to show the “*akpe*” given them at the time of initiation as evidence of being genuine *trokosi*. NGOs need to devote more resources and time to their pre-liberation ceremony preparations.

(4) The Regional Approach

The regional approach initiated by ING and which became formal with the West Africa sub-regional workshop in February 2001 will require substantial financial and human resources. The language barrier is foremost. The official language of Togo and Benin is French, while that of Ghana is English. At the Regional Workshop for example, ING had to pay a substantial amount to secure the services of translators. Even that, there were brief moments of confusion due to communication problems when some bilingual participants pointed out inaccuracies of some translations. Second, it became clear at the workshop that the *trokosi* problem assumes a different dimension and priority in Ghana, on the one hand, and in Togo and Benin on the other. The *trokosi* problem is not yet considered a national social problem in the last two countries. Hence, if the anti-*trokosi* campaign is to make any significant impact, it would take much more education in the two countries than in Ghana. And finally, if the Ghanaian experience is anything to go by, ING will have to brace itself for travel to the remote and often inaccessible areas to get to the shrines.

The foregoing problems together make the anti-*trokosi* campaign complex, daunting, and calls for massive resources in transportation, communications, personnel and

administration. The success achieved in the Ghanaian campaign within the short span of 10 years, suggests that it is not an impossible task. The big lesson from the anti-*trokosi* campaign in Ghana is that with negotiations, dialogue, education, and respect for practitioners as partners in resolving the problem, it is possible to unlock the door of positive change.

FUTURE RESEARCH AND POLICY DIRECTIONS

Trokosi practice is at the interface of traditional religion, crime control and human rights. The multi-dimensional nature of the practice opens up several research directions in which the issue could be explored. These include approaches in feminism, slavery, social movements, religion, culture and human rights. This dissertation examined the *trokosi* issue from a human rights perspective, with focus on the implementation of international human rights norms in other cultures. But considering the complexity of the *trokosi* problem due to its multi-dimensional character, and the limitations of a graduate research project, the dissertation barely scratched the surface of the *trokosi* issue. It did not address several questions.

Consequently, future research on *trokosi* needs to explore some of the unresolved issues. First, there is a need to explore more fully than before, the perennial question of the *trokosi* debate, “why is it only women who become *trokosis*”? Whereas research has now confirmed that there are male *trokosis* (Dovlo and Adzoyi 1995; Dovlo and Kufogbe 1997; Nukuya and Kwafo, 1998, Ameh 1998), invariably, it is females who become victims. But this seems to be the norm with regards to all controversial traditional

practices in Africa. As noted earlier, these practices usually carry greater negative consequences for women than for men, leading to the broader question, “why is it always women who must sacrifice their autonomy and rights for the community”? Fitnat Adjetey (1995) has argued that the African woman exercised her rights and autonomy in the past but lost them to the forces of socio-political change that swept the African continent starting with colonialism. Using feminist analytical tools, *trokosi* researchers need to explore factors involved in the lack of respect for the individuality of the African woman. Most importantly, researchers need to develop effective policy measures to address this injustice and to give a stronger voice to *trokosis* in the current *trokosi* debate.

Closely related to this is that the voice of *trokosis* is not strongly represented in the anti-*trokosi* debate, as shown in the dissertation. The voice of *trokosis* was never heard till the second and third waves of the anti-*trokosi* campaign. But when this started happening, accounts by *ex-trokosis* of their experiences were appropriated by each side of the debate for its own purposes. Currently, we have some *fiasidis* saying they were treated like queens, while *trokosis* narrate their stories of a life of exploitation and slavery. Researches need to “dig deeper” and critically examine the stories from both sides with the purpose of empowering *ex-trokosis* and giving a stronger voice to *trokosis* in the current anti-*trokosi* debate. That is why recent information about “Survivors for Change”, an NGO of *ex-trokosis*, led by the Reebok Human Rights award winner, Juliana Dorgbadzi, is welcome news. There is a need to highlight the activities of this group as very little is known about their activities to date.

But if some *ex-fiasidis* testify that they were treated as queens during their tenure of service in the shrines, then is the practice of *fiasidi* slavery or bondage? As to be expected, whereas the anti-*trokosi* movement believes *fiasidi* is slavery, proponents of the system think otherwise. Based on my data, I have *tentatively* concluded that *fiasidi* is ritual bondage, in which case, it is slavery-like. At this stage, I hesitate to put the full label of “slavery” on *fiasidi*.

My conclusion is tentative because I believe there is need for further inquiry into the practice of *fiasidi*. This conclusion is based on the following factors: (i) the element of volition in the recruitment of some *fiasidis* (voluntary *fiasidis*); (ii) that *fiasidis* are given property for taking on the status; (iii) the status of *fiasidi* confers certain advantages on the women that others do not have; and (iv) the persistence of Anlo chiefs that *fiasidi* is not slavery. Researchers need to approach this issue on several fronts:

- (i) explore further the slavery literature and compare with the elements of *fiasidi* practice;
- (ii) determine the proportion of voluntary *fiasidis*;
- (iii) investigate the relative treatment of voluntary *fiasidis* compared to other types of *fiasidi*;
- (iv) compare the treatment of *fiasidis* to that accorded adherents of some major religions; and
- (v) compare the status of *fiasidis* relative to that of “free” women among the southern Ewes in particular, and Ghanaian women in general. Researching

these issues, among others, could help us address this recurring question, “are *fiasidis* slaves”?

There are some other gaps in the available literature on *trokosi*. Starting from 1895 when *trokosi* was first mentioned in the literature, it was not till 1919 that the issue appears again in the literature. This was the first recorded public resistance to the practice by Mr. Nyagbledsie, whose anti-*trokosi* activities were recorded up to 1923. Another gap in the records appears from 1923 till 1977, when Mark Wisdom, the great anti-*trokosi* pioneer of modern times, started his campaign. Records from the two missing periods, 1895-1918, and especially 1924-1976, may shed further light on the *trokosi* issue. The Public Records Office on London may hold crucial information on the periods 1896-1918 and 1924-1957, when Ghana officially gained political independence from Britain.

In terms of policy, the regional approach embarked upon by ING in 2001, adds a new dimension to the complex problem of rehabilitating liberated *trokosis*. Follow-up studies to determine the adjustment of liberated *trokosis* to their new environment of freedom could inform the nature and future direction of rehabilitation programs. There may also be some utility in exploring the *trokosi* issue from the perspective of failure of the modern Ghanaian criminal justice system to address the needs of local communities. Researchers may well work towards developing a Holistic Policy Approach, which should seek to synthesize relevant policy information from the different possible approaches to the *trokosi* problem. Any attempt to combat the *trokosi* problem that ignores a multi-dimensional approach will not be successful.

APPENDICES

Appendix A: Sample Interview Guide

SIMON FRASER UNIVERSITY
SCHOOL OF CRIMINOLOGY

CHILD BONDAGE IN GHANA: A CONTEXTUAL POLICY ANALYSIS OF *TROKOSI* **By Robert Ameh**

[Introduction to be read to all Participants at the start of interview]

This is a study in policy analysis with a focus on public and governmental response to the issue of *Trokosi*. The objective of this study is purely academic: it is to satisfy the dissertation requirement for the award of a doctoral degree. Participation in this interview is voluntary and you can withdraw at any time. I guarantee that all responses will be treated as confidential and reported anonymously, except for those who state **explicitly** that they could be identified by name and/or position in the dissertation. Tapes on which interviews are recorded will be destroyed at the end of the research. Research results can be obtained from the School of Criminology or the University Library, Simon Fraser University. Complaints about the conduct of the research should be directed to Dr. Robert Gordon, Director, School of Criminology, Simon Fraser University, Burnaby, B.C., V5A 1S6, Canada. He could also be reached at (604) 291-4305. Thanks for taking time off your busy schedule to grant this interview.

YOUR ORGANIZATION

1. In your opinion, what were the factors that led to the perception of *trokosi* as a national social problem in the early 1990s?
2. [Why was *trokosi* not perceived as a national social problem before the early 1990s?]
3. What do you think were the groups and individuals involved in (making *trokosi* a national social problem?) the *trokosi* debate?
4. What do you (does your organization) think of the practice of *trokosi*?
5. What were the nature of the arguments employed by you (your organization) to support its position?
6. Has there ever been any changes your (your organization's) position (i.e. support for or opposition to) toward the institution of *trokosi*?
7. What do you perceive as your contributions (the roles and functions of your organization) to the *trokosi* debate (anti-*trokosi* campaign)?
8. Do you think these functions have remained the same or changed over time? If so, how? Please elaborate.
9. What do you think were the reasons behind your involvement (the involvement of your organization) in the *trokosi* debate (anti-*trokosi* campaign)?

OTHER GROUPS AND INDIVIDUALS

10. What, in your opinion, have been the roles and functions of the groups and individuals you identified above (question 3) in the debate (campaign)?
11. What were the nature of the arguments employed by these organization/individuals to support their positions on the *trokosi* issue?
12. Do you think the functions/positions of these organizations/individuals have remained the same or changed over time? If so, how? Please elaborate.
13. What do you think were the reasons behind the involvement of these groups and individuals in the debate (campaign)?

THE ANTI-TROKOSI CAMPAIGN

14. Has there been any change(s) in the practice of trokosi since the early 1990s? If so, please identify and elaborate.
15. Would you attribute these changes to the impact of the anti-trokosi campaign? If no, in your opinion, what factors account for the changes in the practice since the early 1990s?
16. [Do you (does your organization) think the anti-trokosi campaign has made any impact on the practice of trokosi?]
17. Would you describe the anti-trokosi campaign as successful? Why?
18. What were the factors that contributed to the success of the anti-trokosi campaign? [For shrine owners and priests: What were the factors that made you let go of your trokosis?]
19. In your opinion, could these factors work for the eradication of other controversial traditional practices such as female circumcision? If so, how? Elaborate.
20. Are there any other comments you would like to make about the trokosi issue?

THANKS!

Appendix B: Sample Informed Consent Form.

SIMON FRASER UNIVERSITY
SCHOOL OF CRIMINOLOGY

**INFORMED CONSENT FOR STUDENTS BY THE DIRECTORS/PRINCIPALS OF
VOCATIONAL TRAINING INSTITUTES FOR TROKOSIS.**

**Child Bondage In Ghana: A Contextual Policy Analysis of Trokosi
by Robert Ameh**

The University and those conducting this project subscribe to the ethical conduct of research and to the protection at all time of the interests, comfort, and safety of subjects. This form and the information it contains are given to you for your own protection and full understanding of the procedures.

Your signature on this form will signify that the Principal Investigator, Robert Ameh, of the School of Criminology, Simon Fraser University, has described the procedures, possible risks, and benefits of this research project, to you, and that you have received an adequate opportunity to consider the information, and that you have granted permission to your students to participate in the project.

Any information that is obtained during this study will be kept confidential to the full extent of the law. Knowledge of your identity is not required. So, you are not required to write your name on the research materials. Materials will be held in a secure location and will be destroyed after the completion of the study.

As Director/Principal of _____ Vocational Institute for Trokosis, I consent to my students participating in open-ended unstructured interviews with Robert Ameh. The interviews will be carried out at the _____ Vocational Institute during the time period

_____ in a research project supervised by Dr. Brian Burtch, Dr. Margaret Jackson and Prof. Mark Carter of the School of Criminology, Simon Fraser University, 8888 University Drive, Burnaby, BC, V5A 1S6, Canada; and Prof. G.K. Nukunya and Dr. Elom Dovlo of the University of Ghana, Legon-Accra.

I certify that I understand the procedures to be used and have fully explained them to my students. In particular, the participants (students) know the risks involved in taking part. The students also know that they can withdraw from the project at any time.

I have been informed that the research material will be held confidential by the Principal Investigator.

I understand that my supervisor or employer may require me to obtain his or her permission prior to allowing my students participate in this study.

I also understand that I may register any complaint I might have about the study with the Principal Investigator or with the Director, School of Criminology, Simon Fraser University (Phone: (604) 291-4305).

I may obtain a copy of the results of this study, upon its completion, by contacting: Robert Ameh, School of Criminology, Simon Fraser University, Burnaby, BC, V5A 1S6 Canada. Ph. (604) 291-3213.

Name: _____ Witness: _____
Signature: _____ Signature: _____
Date: _____ Date: _____

Appendix C: Sample Informed Consent Form for International Organizations.

SIMON FRASER UNIVERSITY
SCHOOL OF CRIMINOLOGY

INFORMED CONSENT BY SUBJECTS TO PARTICIPATE IN RESEARCH PROJECT:

Child Bondage In Ghana: A Contextual Policy Analysis of Trokosi
by Robert Ameh

The University and those conducting this project subscribe to the ethical conduct of research and to the protection at all time of the interests, comfort, and safety of subjects. This form and the information it contains are given to you for your own protection and full understanding of the procedures. Your signature on this form will signify that you have received a document which describes the procedures, possible risks, and benefits of this research project, that you have received an adequate opportunity to consider the information in the document, and that you voluntarily agree to participate in the project.

Any information that is obtained during this study will be kept confidential to the full extent of the law. Knowledge of your identity is not required. You will not be required to write your name or any other identifying information on the research materials. Materials will be held in a secure location and will be destroyed after the completion of the study. However, it is possible that, as a result of a legal action, the researcher may be required to divulge information obtained in the course of this research to a court or other legal body.

This research project is supervised by Dr. Brian Burtch, Dr. Margaret Jackson and Prof. Mark Carter of the School of Criminology, Simon Fraser University, 8888 University Drive, Burnaby, BC, V5A 1S6, Canada. My field supervisors are Prof. G.K. Nukunya and Dr. Elom Dovlo of the University of Ghana, Legon-Accra.

Having been asked by Robert Ameh of the School of Criminology of Simon Fraser University to participate in this research project, I have read the procedures specified in the document. I understand the procedures to be used and the personal risks to me taking part. I understand that I may withdraw my participation at any time, stop the interview at any time, or decline to answer any questions.

I also understand that I may register any complaint I might have about the study with the researcher or with the Director, School of Criminology, Simon Fraser University. I may obtain a copy of the results of this study, upon its completion, by contacting: Robert Ameh, School of Criminology, Simon Fraser University, Burnaby, BC, V5A 1S6 Canada. Ph. (604) 291-3213.

I agree to participate in open-ended unstructured interviews with Robert Ameh as described in the document referred to above, during the time period _____ at

Name: _____

Signature: _____

Date: _____

Witness: _____

Signature: _____

Date: _____

Appendix D: Sample Feedback Form

**SIMON FRASER UNIVERSITY
UNIVERSITY RESEARCH ETHICS REVIEW COMMITTEE**

SUBJECT FEEDBACK FORM

Completion of this form is **OPTIONAL**, and is not a requirement of participation in the project. However, if you have served as a subject in a project and would care to comment on the procedures involved, you may complete the following form and send it to the Chair, University Research Ethics Review Committee. All information received will be treated in a strictly confidential manner.

Name of Principal Investigator: _____

Title of Project: _____

Dept./School/Faculty: _____

Did you sign an Informed Consent Form before participating in the project? _____

Were there significant deviations from the originally stated procedures? _____

I wish to comment on my involvement in the above project which place:

(Date) (Place) (Time)

Comments: _____

Completion of this section is optional

Your name: _____

Address _____

Telephone: (w) _____ (h) _____

This form should be sent to the Chair, University Research Ethics Review Committee, c/o the Office of the Vice-President, Research, Simon Fraser University, Burnaby, BC, V5A 1S6 Canada

Appendix E: Sample Invitation to Participate (General Information for Respondents) in study.

[SCHOOL OF CRIMINOLOGY LETTER HEAD UTILIZED]

DATE

**INVITATION TO PARTICIPATE IN STUDY CONDUCTED
BY ROBERT AMEH**

Title: **Child Bondage In Ghana: A Contextual Policy Analysis Of *Trokosi***

Dear Potential Participant:

I would like to introduce myself and my research objectives in order for you to make an informed decision about participation in my project. I am a Ph.D. student in the School of Criminology at Simon Fraser University, Burnaby, Canada. I work under the supervision of Dr. Brian Burtch, Dr. Margaret Jackson and Prof. Mark Carter. The fieldwork portion of this research will be partly under the supervision of Prof. G.K. Nukunya and Dr. Elom Dovlo both of the University of Ghana, Legon-Accra. I am currently in the research stage of my degree and have proposed a study that would benefit from your voluntary participation.

My study, as the title indicates, is focused on policy analysis of the *trokosi* issue with the objective of accounting for the success of the Ghanaian anti-*trokosi* campaign. As you are aware, the issue of *trokosi* became a Ghanaian national social problem since the early 1990s. Several views and opinions have been expressed, and positions taken, on the issue. This has engendered a heated debate not only locally but also abroad. By January 2000 (i.e. a decade after the *trokosi* issue burst on the Ghanaian national and international human rights scene), it is estimated that 42% of all known *trokosis* have been liberated. This is a very high success rate compared to efforts to eradicate other controversial traditional practices such as female circumcision. The proposed study seeks to address the methods and strategies used by the anti-*trokosi* campaigners and what made it easy for shrine owners and priests to let go of their clients.

I will be asking potential participants to answer questions and provide comments in an unstructured open-ended interview format. Questions will pertain to the roles and functions of groups (NGOs and governmental) and individuals involved in the *trokosi* debate, the interests represented by these groups and individuals, and whether participants perceive the anti-*trokosi* campaign as successful or not. Other questions will revolve around the factors that participants consider as accounting for the success or failure of the campaign, and whether these factors could help in the eradication of similar controversial traditional practices. Interviews will remain confidential and will last approximately 1 hour. Where permissible, interviews will be audio taped.

It is my hope that the lessons from the Ghanaian anti-*trokosi* campaign will provide some insight about *what works* in the eradication of controversial traditional practices. The findings of this study will be beneficial to wide range of audience especially legislators, international bodies, NGOs and governmental organizations grappling with the implementation of international human rights norms in traditional societies.

Your participation would be greatly appreciated.

Sincerely,

Robert Ameh M.A.; M.Phil.
Doctoral Candidate

Appendix F: Sample Certificate of Emancipation

CERTIFICATE OF EMANCIPATION

THIS IS TO CERTIFY THAT we, the **CHIEFS, TRADITIONAL RULERS/HEADS, OWNERS** and the **UNDISPUTED CUSTODIANS** of ...[name of Shrine]... of ...[name of village/town]... in the ...[name of Traditional Area]... in the ...[name of Administrative District]... in the ...[name of Region]... of Ghana:

HAVING come to the realization that the said Trokosi System, whereby human beings, mainly women, are committed to Trokosi Shrines as Fetish Slaves to expiate and atone for the sins of other people against the said shrine or its protégés, is unprogressive and retards the economic and social growth of the people of ...[name of Traditional Area]... in the ...[name of Administrative District]... of the ...[name of Region]...;

HAVING sought and received financial assistance from **INTERNATIONAL NEEDS (GH)** to abolish the said Trokosi system in the ...[name of Traditional Area]... in the ...[name of Administrative District]... of the ...[name of Region]...;

DO HEREBY EMANCIPATE and FOREVER FREE:

...[NAME OF LIBERATED TROKOSI]...

her descendants, successors, agents, privies and assigns from the said Troksosi system spiritually, psychologically and physically forthwith.

DATED AT ...[NAME OF VILLAGE/TOWN]... IN THE ...[ADMINISTRATIVE DISTRICT]... OF THE ...[REGION]... THIS ... DAY OF ...[MONTH AND YEAR]...

.....
SHRINE OWNER

.....
SHRINE OWNER

.....
SHRINE OWNER

.....
INTERNATIONAL NEEDS (GH)

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