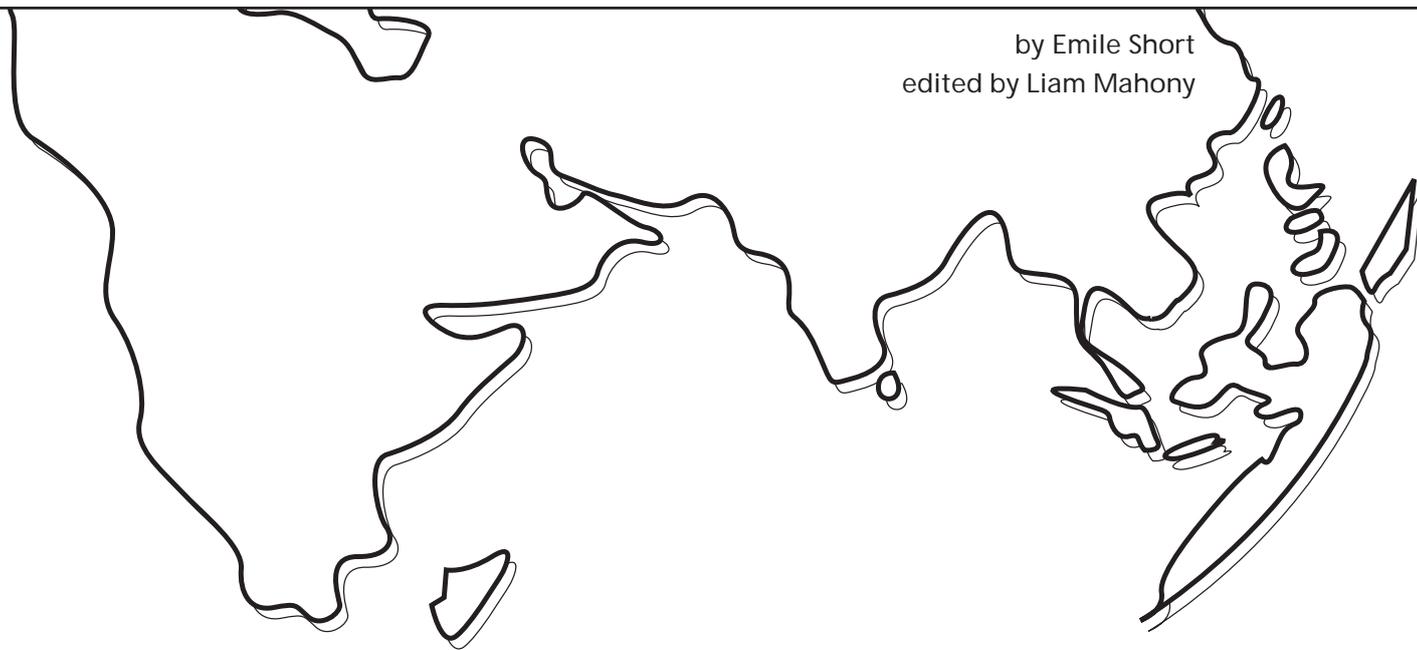


Powerful Persuasion

Combating traditional practices that violate human rights

by Emile Short
edited by Liam Mahony



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The liberation of thousands of Trokosi girls from shrines was possible only through the hard work of many people beside me and the Commission on Human Rights and Administrative Justice. Crucial among these people were the leaders of the NGO International Needs Ghana (ING), and Mama Adokua Asigle IV, Queen Mother from the Tefle traditional area and member of the National Commission on Civic Education. I am also particularly grateful to Mr. Wisdom Mensah of ING for his support in providing detailed information and analysis for this tactical notebook.

Emile Short

Emile Short is a lawyer by profession, called to the English Bar in London as a barrister in 1966. He holds a master's degree in law from the London School of Economics and Political Science, University of London, and has practiced law in both London and Ghana, including private legal practice in Ghana from 1974 to 1993. In 1993 he was appointed the first Commissioner for Ghana's newly created Commission on Human Rights and Administrative Justice, a constitutional and statutory body that is mandated to promote and protect human rights and administrative justice, and also has an anti-corruption mandate. He has published a number of articles on human rights and administrative justice, and was an Assistant Editor for two years with the Lawyer's Cooperative Society (Rochester, New York), publisher of the second edition of the annotated series *American Law Reports*.

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September 2004

Dear Friend,

Welcome to the New Tactics in Human Rights Tactical Notebook Series! In each notebook a human rights practitioner describes an innovative tactic used successfully in advancing human rights. The authors are part of the broad and diverse human rights movement, including non-government and government perspectives, educators, law enforcement personnel, truth and reconciliation processes, and women's rights and mental health advocates. They have both adapted and pioneered tactics that have contributed to human rights in their home countries. In addition, they have utilized tactics that, when adapted, can be applied in other countries and situations to address a variety of issues.

Each notebook contains detailed information on *how* the author and his or her organization achieved what they did. We want to inspire other human rights practitioners to think *tactically*—and to broaden the realm of tactics considered to effectively advance human rights.

In this notebook, we learn about some of the most difficult human rights violations to eradicate—customary or traditional practices based on deep-seated beliefs, particularly those with a spiritual dimension. One such practice is the Trokosi, in Ghana, a system of servitude that meets the community need for justice and the material and sexual needs of fetish priests. Women and young girls are brought and kept in fetish shrines to atone for sins or crimes allegedly committed by one of their relatives. The Commission on Human Rights and Administrative Justice (CHRAJ) recognized that legislation outlawing such practices may not be effective and may, in some cases, result in driving a customary practice further underground. Respected leaders—at local and national levels—engaged in direct dialogue with perpetrators, victims, other community leaders, and the community at large to facilitate understanding of the practice, while providing alternatives and avenues for abandoning the practice without losing status. There are many ways in which respected leaders can be enlisted to help community members understand the dynamics of customary or traditional practices, and to address the underlying complexities of such practices in order to transform or change those that violate basic human rights.

The entire series of Tactical Notebooks is available online at www.newtactics.org. Additional notebooks are already available and others will continue to be added over time. On our web site you will also find other tools, including a searchable database of tactics, a discussion forum for human rights practitioners, and information about our workshops and symposia. To subscribe to the New Tactics newsletter, please send an e-mail to newtactics@cvt.org.

The New Tactics in Human Rights Project is an international initiative led by a diverse group of organizations and practitioners from around the world. The project is coordinated by the Center for Victims of Torture, and grew out of our experiences as a creator of new tactics and as a treatment center that also advocates for the protection of human rights from a unique position—one of healing and of reclaiming civic leadership.

We hope that you will find these notebooks informational and thought-provoking.

Sincerely,

A handwritten signature in cursive script that reads "Kate Kelsch".

Kate Kelsch
New Tactics Project Manager

Introduction

Some of the most difficult human rights violations to address are customary or traditional practices based on deep-seated beliefs of a community or people, particularly practices that have a spiritual dimension. In the Trokosi system in Ghana, women and virgin girls are taken without their consent to fetish¹ shrines to atone for sins or alleged crimes committed by family members. They are forced to serve the shrine priests through manual labor, including farming and cooking, and are sexually exploited as well. The practice occurs mainly in remote areas of the Volta Region of Ghana, which is dominated by an ethnic group called the Ewes. Through a coalition effort involving the Commission on Human Rights and Administrative Justice (CHRAJ, a constitutional and statutory body), International Needs Ghana (ING, an NGO), the National Commission on Civic Education (another constitutional body), and the traditional leaders from the Ewe communities, we have succeeded in liberating thousands of young women and girls held in this bondage.

Our tactic is to mobilize the support of respected community leaders, such as chiefs, queen mothers, and local governmental officials, using them as resources in seminars and durbars² on the human rights implications of the practice and recommending voluntary liberation of the victims. After these meetings, we enter direct negotiations with the shrine priests and elders, persuading them to voluntarily end the Trokosi practice.

Because they speak the same language and hail from the same communities as the practitioners, the community leaders have played a crucial role in changing the mind-set, beliefs, and behavior of those involved in the human rights abuse. This approach is useful when dealing with cultural or traditional practices based on deeply entrenched beliefs, especially when the practice has a spiritual dimension and practitioners are reluctant to abolish it for fear of incurring the wrath of the gods.

Experience combating female genital mutilation taught us that legislation prohibiting traditional and customary practices is ineffective if not preceded by intense public education programs. In addition, human rights groups must engage in dialogue with practitioners, working to change their mindset and persuade them to voluntarily give up the abusive practice. It can be difficult, however, for human rights groups to achieve such engagement if they are perceived as “outsiders” by the traditional communities. Well-intentioned human rights efforts can easily

be construed as an attack on people’s fundamental cultural and religious beliefs. Experience suggests that you cannot change deep-seated beliefs and practices by attacking them, nor can the law be enforced if there is no public cooperation. A different path must be found.

We set out to convince practitioners and other stakeholders of the necessity of changing the Trokosi practice. We wanted the communities to see the practice for what it was: an abuse of human rights and an attack on the dignity and humanity of women in their own communities. We also wanted them to recognize that traditions are flexible and can be transformed over time, and that this practice could be changed without offending the gods. Unless we could achieve such an attitudinal change, legislation and enforcement could result in the practice being driven underground, and women and girls continuing to be trapped in this system of bondage.

ING provided support and oversight of the effort, setting up initial meetings with the Trokosi priests, shrine elders, and community chiefs, and arranging the seminars and durbars. I represented the CHRAJ, while the third key participant was Mama Adokua Asigble IV, Queen Mother from the Tefle traditional area and member of the National Commission on Civic Education.

This process has taken more than a decade, and has involved a complex series of integrated steps: human rights advocacy and education in the various communities; negotiations with shrine priests and elders; and, for the freed Trokosi women, vocational skills training programs, emancipation ceremonies, and counseling and rehabilitation support. In this notebook we focus on the crucial method of engaging with respected community leaders to gain access, conduct educational programs, negotiate with the shrines, and carry out the emancipation process.³

According to the estimates of our NGO partner, 3,000 Trokosi women and children have so far been liberated through these efforts. In 1998 we also secured the passage of the “Prohibition of customary servitude” law; this has helped give momentum to the process, despite the fact that no prosecutions have yet taken place under this law.

¹ A fetish is a witch doctor or native spiritualist, directly linked to the gods of the shrine.

² A community gathering called by community leaders.³ The subsequent rehabilitation and monitoring process is an ongoing task of International Needs Ghana, but will not be the focus of this notebook.

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The problem

THE TROKOSI PRACTICE

In 1993 the government of Ghana transitioned from military rule to democracy and constitutional rule, and a free press was established. Until this time many human rights violations—including the Trokosi system, as well as the practice of harassing and often lynching women suspected of witchcraft—had been unknown to the general public. Revelations of these practices came as a shock to many, and provoked intense public debate and condemnation.

The Trokosi practice has spiritual underpinnings. The process begins when a family experiences an unexplained tragedy, such as sickness, an accident, or death. Family members consult the shrine for an explanation, and the priest explains that the tragedy is punishment for a crime committed by a family member. He tells them that to avert further tragedy someone from the family, preferably a virgin girl, must be sent to the shrine to atone for the crime. Families willingly comply, believing the tragedy will continue if they do not, and see the practice as effective reparation, despite abundant evidence that those sent away are deeply unhappy. Such belief is, indeed, deeply entrenched even among many of the female victims.

A study conducted by Professor Elom Dovlo, of the Department of the Study of Religions at the University of Ghana, Legon, found the Trokosi practices to constitute gender discrimination, spiritual bondage, and physical, sexual, child, and legal abuse. His report

I am the first born of my parents' ten children. I was only eight years old when I was taken to the shrine.

When I first asked why I was brought to the shrine, I was told that it was to prevent my parents, siblings, and myself from dying. I grew up to know about the reason—my aunt divorced her husband who did not appeal to her any more. The husband was not pleased with this so he demanded payment of his bride price [alimony]. My aunt sought refuge at the shrine and collected money (10 shillings and 3 pence) from the priest to pay her ex-husband. She later cohabited with the priest in the shrine where she lived till she died. Her siblings went to the shrine to demand her corpse for burial under protest and this offended the gods who demanded a replacement of her. I was sent for this "offense." I was given a new name; that is Mama. --Yawa

Meworlase

states that "the crux of the Trokosi institution, which is supposed to be marriage, woefully violates all the norms of marriage known even within the Tongu society. First, the priest does not perform any of the customary rites of engagement and marriage. Second, the priest is not obliged to provide for the needs of the Trokosi; these are the responsibility of the family. Third, the priest does not provide for the burial of the Trokosi; neither does he perform the rites of widowhood as required by custom when a spouse dies."

If a Trokosi woman is found to have a relationship with a man other than the priest, this "crime" results in a new line of reparation by the victim's family. The priest performs no customary role as husband to the Trokosi, and neglects responsibility towards any children fathered, most of

whom go without education of any kind. The family of the Trokosi woman, especially her father and brothers, assume paternal responsibilities, both economic and social. Upon release from the shrines, the girls face an uncertain future, with many men unwilling to marry them because they are seen as wives of the gods.

In some cases the precipitating event leading the family to a shrine priest may indeed be a crime committed by a family member. The Trokosi system, however, lacks mercy. There is no equity in punishment. Punishment is not proportional to the crime, nor is it even aimed at the offender.



Negotiation / Priests & elders



Timeline of the Trokosi modernization campaign

- 1990 First North Tongu durbar, with chiefs and queen mothers deliberating and opposing the practice.
- 1991 Committee of chiefs and priests create report condemning the practice.
- 1992 ING begins vocational training for Trokosi girls.
- 1992–4 General education efforts to awaken Ghanaian society to the problem; independent investigations by CHRAJ and others.
- 1993 Transition in Ghana from military rule to democracy and constitutional rule, and the establishment of a free press, which exposed many human rights violations not known to the general public.
- 1995 First national workshop on Trokosi.
- 1994–5 Core group of educators travel to all six traditional areas of the North Tongu District. Seminars held for targeted audiences such as assembly members, village elders, queen mothers, fetish priests, and shrine elders; durbars held for community members.
- 1995 First national workshop on the Trokosi system in Ghana.
- 1996 First group of women liberated from the Dada Piem Shrine of Big Ada.
- 1998 One thousand Trokosi liberated to date.
Second National Workshop on the Trokosi system.
Lobbying for and passage of the "Prohibition of Customary Servitude" law.
- 1998–01 Legal education of communities regarding the new law.
Fifteen hundred women liberated after the law's passage.
- 2001 West African sub-regional workshop on female ritual servitude held in Accra.
- 2002–03 Progress continues, The Daily Graphic reported on May 13, 2003 that negotiations were underway to "liberate about 2000 trokosi slaves in 19 shrines in the Volta Region."

The difficulties of addressing abusive customary practices

Many influential people in the communities, including some intellectuals and traditionalists, support the Trokosi practice and contend that it is part of their culture. They see any move to change it as cultural imperialism, and an attempt to impose Christianity on their communities. Many go to the shrines to seek success, fortification, and protection from evil, and do not welcome attempts to interfere with the activities of the fetish priests. In addition, many state elected officials are hesitant to actively oppose the practice.⁴ Most politicians in Africa tread cautiously when dealing with highly controversial issues that may have an effect on their political fortunes.

Birth of the tactic

In early 1990 the North Tongu District Assembly (a local government body) organized a durbar of chiefs, queen mothers, shrine priests, and elders to deliberate on the Trokosi problem. All seven paramount chiefs of North Tongu agreed unanimously that the Trokosi practice dehumanized the girls in the fetish shrines, and must be stopped. The priests, on the other hand, believed the practice to be an integral part of the tradition and heritage of the Tongu people, one that could not be abolished.



Mama Adokua Asigble IV, Queen Mother from Tefle, and priests

One person stealing a fowl can result in life servitude for another.

In other cases, the precipitating event is a crime committed against the family. Many people in these communities have no faith in the police, the criminal justice system, or other government supports to overcome their tragedies or address such crimes, and see the shrines as a source of instant justice that the state cannot provide.

Meetings were then held with traditional rulers, government bodies, and Trokosi practitioners in Tongu. In August 1991, a committee of chiefs and fetish priests submitted to the North Tongu District Assembly a landmark report. Its resolutions called for the banning of any use of human beings to pacify the gods of the land, and recommended instead offerings of heifers and rams. It also demanded the unconditional release—with appropriate rituals—of all slaves who had served a three-year tenure, and recommended the substitution of one heifer and

one ram for others. Compliance was demanded of all priests in the region, with a call for fines and imprisonment of those who resisted. (Priests were part of the committee, but refused to endorse the report.) Although these resolutions did not end the practice, they proved that there were traditional leaders who could be allies in eradicating the practice.

⁴ Interestingly, the ex-President of the Republic is a Ewe and hails from the Volta Region, where the practice is prevalent. During his administration, which lasted from 1981 to 2000, there was a perception that his government was reluctant to abolish the practice for fear of losing votes from that area. It was during his tenure, however, that the law criminalizing the practice was passed.

During this period, ING also began a program of vocational skills training for Trokosi girls. The program worked, first of all, to persuade the girls to leave the shrines, and to relinquish the fear of death instilled in them. Although the fetish shrines lack the high walls of traditional prisons, the girls are indoctrinated with the idea that if they leave, the wrath of the fetish will strike them dead. The program also provided the girls with employable skills that would enable them to take care of themselves and their children.

In this educational setting, the Trokosi girls gradually began to tell of their experiences in the shrines. ING invited both local and international media houses to share these stories, resulting in an outcry from the general public and demands that the Trokosi system be abolished. The regularity, consistency, and intensity of the publications in both print and electronic media forced institutions focused on women and children, such as the Federation of Women Lawyers (FIDA), the National Commission on Women and Development (NCWD), and the Ghana National Commission on Children (GNCC), to send investigators to the field. The Parliament of Ghana and CHRAJ also conducted independent investigations into the Trokosi system, concluding that it flagrantly violated articles of the Constitution of Ghana and of international human rights conventions ratified by the country. Armed with reports of such investigations, these institutions joined ING in calling on the government to pass a law criminalizing the practice.

Mama Adokua Asigble IV became involved in the Trokosi program in early 1990, addressing a forum in Adidome on the Trokosi subject. Identifying her at this forum as a strong advocate against the Trokosi system, ING recruited her into the campaign in 1993.

With this groundwork laid, in 1994 a coalition was formed among ING, CHRAJ, and the national Commission on Civic Education to ensure that all Trokosi communities were provided with human rights education to enable them to voluntarily stop the Trokosi system and other dehumanizing cultural practices.⁵ That same year, the Royal Danish Embassy (DANIDA) funded ING's Trokosi Modernization Project, allowing the NGO to expand its work to fully cover human rights education and direct negotiation with the priests and shrine elders.

⁵ According to an unpublished report by ING, "Four key individuals contributed immensely in pushing the Trokosi human rights education program forward. They include Commissioner of Human Rights and Administrative Justice, Mr. Emile Francis Short, and Mama Adokua Asigble IV, Queen Mother of the Tefle Traditional area and Member of the Commission on Civic Education, who together distinguished themselves as chief educators. Mr. Wisdom Mensah of International Needs Ghana provided program strategy, and Rev. Walter Pimpong gave general oversight of the program."

Five days after arrival at the shrine, all the beads and cloths were removed from my body and I was given "bissi" to wear, with a "la" around my neck. I was given a room to sleep in together with all the other inmates. There were no doors, no windows, no bed or sheets in the room. We spread a mat without pillow to sleep. The next day, I was woken up and given my daily schedule—sweep the big compound, fill pots with water, clean and wash and carry all hoes and cutlasses belonging to my senior Trokosis to the farm and back. We farmed from morning till evening, sometimes on empty stomach for days or a week.

As a child, I started to fend for myself by going to the bush to cut trees for firewood and burn charcoal for sale. I had to ask permission and go home for food when the situation became difficult. Sometimes, I could not go because I had no money for transport.

Yawa Meworlase

Members of the alliance traveled to all six traditional areas of the North Tongu District, organizing seminars and durbars. Seminars were targeted at assembly members, village elders, queen mothers, fetish priests, and shrine elders, while durbars were generally held for community members. In July 1995, these activities culminated in the first national workshop on the Trokosi system, drawing participants from the NGO sector, civil service, UN institutions, the universities, Parliament, district assemblies, women's organizations, and the media, as well as traditional rulers and Trokosi practitioners. This workshop recommended a strategy of vigorous education in Trokosi practicing communities, thorough research into the scale and nature of the problem, and rehabilitation and counseling for both priests and slave girls.

THE FIRST LIBERATION

During the first successful direct talks and negotiation meetings with the priests and shrine elders of the Dada Piem of Big Ada, a process was established. The shrine priest and elders first created a written resolution denouncing the continued practice of Trokosi; pledging to liberate the Trokosi women, their families, and their descendants spiritually, psychologically, economically, and physically; vowing to no longer accept humans as objects of reparation; and requesting financial assistance to liberate the Trokosi girls and to rehabilitate the shrine. The shrine was then provided with the promised assistance, at which time a list of the Trokosi in servitude was released to ING for verification and assessment. Dates were set for pre-liberation counseling and for the liberation ceremony; a program was created, and invitations sent. On the day of liberation, invited dignitaries and sponsors gave speeches. The fetish priest, shrine elders, ING members, and the Commissioner for Human Rights and Administrative Justice then signed a legal document. The fetish priests said traditional prayers, and emancipation rites were performed to publicly free the Trokosi.

We knew at this point that we were on the right track. And although it took a great deal of work and

commitment, the tactic was not thereafter difficult to implement. With funds from donor agencies, we had sufficient resources. We had the support of human rights NGOs, both international and domestic, of the media, and of some parliamentarians, who helped create legislation against the practice. We were also helped by the work and testimonies of some of the liberated Trokosi women. Though we were aware of the difficulty of doing away with deeply entrenched beliefs, we were committed to the cause, determined to improve the human rights situation in the country and to help bring about a change.

Breaking the tactic into steps

Our goal was to change the behavior of fetish priests, liberate the women, and end the practice. To do this we had to convince the priests, the girls themselves, the owners and elders of the shrines, and the entire community that it was in their interest to give up the practice and that, contrary to their beliefs, the gods would not be angry if they did so. We also needed to offer alternatives to the practice of taking women and young girls, and wanted to encourage people to use the criminal justice system, namely the police and the courts, rather than resorting to the shrines for instant justice.

The steps of the process, then, include: 1) research, 2) alliance-building, 3) outreach, 4) negotiation, 5) advocacy, 6) liberation, and 7) rehabilitation.

RESEARCH

CHRAJ sent a team to the area to do field research, which included interviewing practitioners (fetish priests) and victims, and gathering statistics on the practice. The Commission then developed a report, which, together with research carried out by other groups, became the basis for planning a strategy to end the practice.⁶

ALLIANCE-BUILDING

As described above, the tactic required forming a complementary coalition that included NGOs close to the communities, a constitutional body, and traditional leadership respected by the communities.

OUTREACH:

MEETINGS/SEMINARS, DURBARS, & RADIO

ING, an NGO with influential Ewe members, had well-established communication links in each community we entered, and was able to set up meetings and seminars with assembly members, village elders, queen mothers, fetish priests, and shrine elders, as well as durbars with community members. These gatherings served the function of public education, but were also important steps towards eventual negotiations with the shrine priests.

After the first national workshop on the Trokosi system, human rights education was expanded beyond the North Tongu District to cover the remaining six Trokosi practicing districts of South Tongu, Dangme East, Dangme West, Akatsi, Ketu, and Keta. A series of seminars was organized at the district capitals, first

for district assembly members, then for traditional rulers. Seminars were also conducted for fetish priests and their shrine elders; several notable chiefs were recruited as facilitators of these seminars. And educational programs, in the form of durbars, were organized in the communities. The District Offices of the National Commission on Civic Education and the Center for National Culture were used to reach community members at the grassroots level.

We went from community to community to talk about the practice and encourage people to end it. In each case, ING prepared the groundwork, getting in touch with practitioners,



Signing legal documents / Togo & Benin

victims, and local chiefs, and arranging the schedule for the dialogues, workshops, and seminars. My role was to bring the weight of the law and the government into the discussion. The queen mother represented the traditions of the community, and demanded respect as “one of them.” Ours was an effective blending of expertise and backgrounds. We approached local chiefs who were sympathetic to the cause, spoke with them, and involved them in workshops; they then took it upon themselves to speak to the fetish priests.

In early 1996 ING extended its human rights advocacy program to involve FM stations in the Volta Region. Once a week for a period of six months, the ING project coordinator and advocacy officer addressed an aspect of the Trokosi issue in the local dialect. This radio program, coupled with the community durbars, created a high level of awareness on the dehumanizing aspects of the Trokosi system. It also generated a great deal of debate among community members, resulting in some Trokosi girls demanding their freedom and defying the orders of their shrine priests.

NEGOTIATION

We next met with fetish shrine priests, elders, and local leaders to negotiate the release of those in bondage. Success of these talks depended on many factors, including knowledge of the background of the priest and his elders, and the ability to identify and lobby those that held real power in the shrine, such as the chiefs and opinion leaders respected by the priests and elders.

Once again, the complementary roles of the NGO, the traditional leaders, and myself played an important part in the persuasion process. CHRAJ’s role was to explain to the fetish priests that the practice violated several provisions of the Constitution, and that the law would descend on them if they did not voluntarily end the practice. The traditional leaders put forward a variety of arguments, including, for example, that custom was not static, but dynamic and able to change with the times. They could point to the changing history of cultural traditions, demonstrating that cultural practices in the past have changed without incurring the wrath of the gods. There had been, for instance, a practice of human sacrifice whenever a chief died, as it was believed that a chief could not be buried alone. The legitimacy of the traditional leaders in making these arguments was crucial, since only they could claim the wisdom to judge the responses of the gods to transformations in customary practices. Our success in convincing some shrines to change their practice

At about 12 years, after my first menstruation, the priest requested to sleep with me but I was afraid and ran away. He threatened me several times. After my second menstruation, he called me one evening and sent me to his room to get him something. When I entered the room, he trapped me and raped me. I had pains and sores in my vagina. I ran away from the shrine and reported this to my parents. They consoled me and treated me with herbs. My mother was very angry but was afraid to complain for fear of the gods.

I soon realized that I was pregnant. There was no medical care till I was ready to deliver. I went to my parents who could not afford hospital fees so they sought the assistance of a Traditional Birth Attendant who delivered me of a baby boy. After three months my parents urged me to go back to the shrine. They always sent me back quickly to prevent fines of the priest or the wrath of the gods. I returned to the shrine to take care of the baby alone without any support from the priest.

Yawa Meworlase

also became useful in the negotiations, as we could show that these shrines had not suffered the anger of the gods.

Finally, the priests were informed that at the liberation ceremony they would be given cows with which to start a new life. When, in July of 1996, the Dada Piem shrine of Big Ada agreed to be the first to free its women, a handsome economic package of 10 heifers and one bull was given to the shrine priest and elders. ING made sure that both print and electronic media covered the emancipation ceremony. As expected, other shrine practitioners were motivated to free their Trokosi women.

The negotiation process was thus aimed at simultaneously responding to the multiple motivations that supported the Trokosi institution.

INTERNATIONAL ADVOCACY

While efforts were taking place within Ghana to emancipate the Trokosi girls and outlaw the practice, ING also began an international advocacy program. Part of its strategy was to invite all major television stations to highlight the plight of the Trokosi girls. Notable among the stations airing the story across the globe were CBS, the BBC, CNN, and MNET. In addition, ING sponsored a number of Trokosi women to attend international conferences to tell their own stories.

By sending petitions and action letters, international human rights organizations also placed pressure on the government of Ghana to enact a law criminalizing the Trokosi practice, and to enforce the international human rights instruments it had ratified.

⁶ The Commission adopts this approach with other customary practices as well. With the issue of women banished from their communities or lynched because they are suspected of being witches, prior to starting public education and consultations we compiled a report to determine how best to combat the practice.



LIBERATION CEREMONIES

The importance of emancipation rituals cannot be over-emphasized. These were arranged to be highly visible, well-publicized, and well-attended. They gave confidence to both families and victims, who heard the public pledge, vow, and prayers of the fetish priest, setting them free forever. It also allowed the general public to see the shrine priests commit themselves to abandoning the practice, which in turn showed the priests themselves that their future activities would be monitored, and that they would be sanctioned if they returned to the practice.

REHABILITATION

With the emancipation of the first Trokosi women in July 1996, ING initiated a process for addressing the psychosocial, emotional, and vocational needs of the emancipated Trokosi women. ING provided psychological counseling, as well as resettlement and follow-up support, to the women and their children for up to two years. In addition to a resettlement refugee center for those not accepted back by their families, ING provided seed capital, micro-finance credit, and vocational training for starting a new life; sexual and reproductive health education; and assistance helping children enter school.

SECOND NATIONAL WORKSHOP

In 1998, after the liberation of over 1,000 Trokosi women, the time was right to organize the second national workshop on the Trokosi system in Ghana. We sought to create a forum in which to report back

to stakeholders and partners on our progress in dismantling the Trokosi system, and share ideas on how to achieve even greater success. It was also a way to educate the public on the strategies adopted to emancipate and rehabilitate liberated Trokosi victims. This workshop created additional momentum for our efforts, and parliament was urged to expedite the bill criminalizing the practice.

Example: The negotiation process with the Atigo and Ba shrines

The Atigo and Ba shrines are located in Battor, a village in the North Tongu district of the Volta Region. Atigo and Ba are very powerful deities of the Battor people. During the colonial rulership in Ghana, then the Gold Coast, a village native lobbied the British Governor to abolish the Trokosi practice, which in his observation made slaves of the young virgins sent to the priests. The governor initially showed interest, but had to withdraw after a few investigations because the local people believed he was interfering in their religion.

Our negotiations with the priests and elders of the shrines were not easy. They were preceded by community durbars, followed by seminars and workshops. Mama Asieku, Queen Mother and paramount “Chief” of the traditional area, played a significant role with her sub-chiefs in convincing the priests and shrine owners to stop the practice of taking virgins into the shrine. The meetings and negotiations took the following steps:

Motivation

upholding the practice

A solution for families to their family tragedy; atonement for a crime

Inertia of long-standing tradition; community support for practice

Fear of incurring the wrath of the gods

Economic benefit of slaves to shrine

Sexual services to priests

Stubborn resistance by shrine priests

Belief that girls have no future and will be shunned by the community

Difficulty ensuring shrine adherence to the agreement to abolish the practice

Solution or argument

- Discussion of alternative rituals.
- Emphasis on legal remedies, rule of law.

- Integrated community and national education campaign to weaken popular acceptance of Trokosi practice.

- Discussion of historical/cultural precedents—situations in which practices have been changed.
- Liberation rituals to appease the gods.
- Focus on other shrines that have ended the practice without suffering such wrath.

- Economic package (cows, etc.).
- Emphasis on community and national shame over the inhumane practice; possible criminal prosecution.

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- Pressure from other respected community leaders; embarrassment factor; persuasion of shrine elders and landowners.
- Threat of prosecution.

- Vocational training, rehabilitation, counseling, community education.
- Liberation ceremonies publicly ending slave status, making a break with the past.

- Liberation ceremonies publicly witnessing the fetish priests’ agreement to abolish the practice, and providing spiritual sanction if they return to the practice.
- Legal documents publicly signed by the fetish priests and shrine elders, the Commissioner from CHRAJ, and ING.

Before talking to others in the village, ING sought permission from the chief, sending two bottles of Schnapps. The purpose of the proposed meeting was explained, and a date and time were fixed. This was important, because the date had to coincide with a non-farming day set aside for rest and for veneration of the gods of the land. The chief in turn sent his linguist to inform the elders and priests.

The chief oversaw arrangements for the meeting's venue, usually at his palace or in the village square, and in the shade of a large tree the chairs were arranged in a horseshoe shape. When ING staff arrived for the meeting, they went around shaking hands with the hosts from right to left using the right palm. This was followed by presentation of water by the host, and an exchange of greetings between hosts and guests. ING then presented drinks to the host, which were shared among all present.

The host chief asked ING to state the purpose of the visit. ING staff explained, "We are here this morning to deliberate on an important issue that concerns young girls and women in this village. All over the world, it has been found that women are disadvantaged in one way or another. In Africa in particular, there are several traditional practices that infringe on the rights of our children and women. These include widowhood rites, female genital cutting, and others. Here in this village, we also have a peculiar practice, which is Trokosi/Fiashidi/Woryokwe. We are here to deliberate on how best we can transform this practice to prevent young girls from being used to pay for the crimes of their relatives...."

There was a prolonged murmur from the crowd, swearing, and threatening statements. Through his interpreter, the chief calmed his people, telling them to exercise restraint. At the end of the addresses by the guests, the chief asked for the opinions of the audience. There was a variety of responses:

- "We thank you very much for your talk. But we are cautioning you to keep away from our cultural practice that has been handed over to us since time immemorial...."
- "We don't go to people's homes and snatch their virgin girls to the shrine!"
- "Go and tell people to stop committing crimes and the practice will stop."
- "Don't come and destroy our religion as the white man did to us."
- "If you want to meddle in the affairs of the gods, you will not live your full life on earth."
- "We are human beings. Go away from us. We will consult our gods and convey to you their decision."

The initial meeting ended with some confusion and anger. But a date was set for an additional meeting, and another after that. Eventually these meetings began to address concrete issues, such as requests

from the priests for financial assistance to enable them to consult with the gods (this included ritual items like animals and drinks, or support for traveling to the home of the deity in neighboring Togo or Benin).

After such consultations, the priests reported that the gods had refused to agree to liberation, or that they would think about it for a month or a year. The priests also, however, asked practical questions, such as "When we liberate the women, who will work on our farms and feed us? Who will wake us and sweep, fill the pots with water, wash our clothes and cook for us? Do you want us to die of hunger? The cattle you give us cannot replace women—are we going to have sex with cattle? And during our rituals and festivals, who will bring food and ritual items to the shrine to sacrifice to the gods?"

Eventually a consensus was reached, followed by a written resolution agreeing to liberate the women.

Outcomes

LIBERATION

The most important outcome of our work has clearly been the successful liberation of over 3,500 women and girls from 427 different shrines, and the formal cessation of the practice in all of these communities. This success has built ongoing momentum, and we continue to convince more shrines to change their behavior. At the initial stages of the modernization project, negotiations were done one shrine at a time. Later, as more priests decided to give up the practice in view of the steadily increasing awareness of the problem, we began to conduct negotiations in groups.

UNSUCCESSFUL NEGOTIATIONS

Some shrine owners do resist the sensitization meetings. According to Wisdom Mensah, they boycott meetings, or leave in heated argument and anger. Others attend one meeting but refuse to continue the process. We work on these cases until the owners yield or express an absolute refusal.

At the Dasuma shrine at Ada, the priest and elders participated in many ING educational programs, but the priest refused to perform the rituals to liberate the women. In the Afife shrine, priests and elders entered into an agreement and set a liberation date. On that day, as the crowd gathered to await the arrival of ING staff and other guests, an opposition group arrived and threatened to attack. The liberation was canceled, and re-negotiation has thus far yielded no results. Trokosis remain in these shrines.

So far, not a single shrine has ended the practice of its own volition without ING persuasion and support. Many shrines that have made no contact with ING continue to engage in the practice.



Prohibition of customary servitude

Insertion of section 314A amending the Criminal Code Act 29. The new section states:

1. 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 servitude or 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.

In this section 'to be concerned in' means

- a) to send to, take to, consent to the taking to or receive at any place any person for the performance of the customary ritual; or
- b) to enter into any agreement whether written or oral to subject any of the parties to the agreement or any other person to the performance of the customary ritual; or
- c) to be present at any activity connected with or related to the performance of the customary ritual

LEGISLATION AND LEGAL EDUCATION

One of the benefits of collaborating with several civil society organizations in advocating to end the Trokosi system has been the multiplier effect of their combined pressure on the government. The work of the national and international civil society groups resulted in an amendment to the Criminal Code Act in 1998. Direct pressure from individual ex-Trokosi girls was also important. Juliana Dorgbadzi presented a strong case in Parliament and other local and international forums, and also wrote to ex-President Jerry Rawlings to ask him to pass a law criminalizing the Trokosi system. Mercy Senahe, another ex-Trokosi, traveled to the UK to speak at the British Parliament, and

also to The Hague and South Africa to speak at the World Court of Justice.

The passage of this legislation helped strengthen public education campaigns against the practice, adding to our earlier legal arguments based on international human rights instruments and the Constitution of Ghana. We continued to organize public workshops and seminars. Every Trokosi community was reached with education on the law, as were District Assembly members, police, and government leaders in the districts of Ketu, Akatsi, North Tongu, South Tongu, and Dangme East.

Most Trokosi shrines in the Akatsi district resolved to end the Trokosi practice as a result of the legal advocacy conducted after the law was passed. Over 1,500 women have been liberated after the passage of the law, an indication that the law has served a useful purpose, even without prosecutions.

REGIONAL IMPACT: FIRST WEST AFRICAN WORKSHOP ON FEMALE RITUAL SERVITUDE

After passage of the law criminalizing Trokosi and other servitude practices in Ghana, field reports indicated that some Trokosi priests close to the Togo border were contemplating moving their shrines into Togo. Those who had emancipated their Trokosi

women were also showing signs of opening new shrines in neighboring countries. This was not a surprise; at the second national workshop on the Trokosi system, participants had been concerned about the Trokosi going underground and resurfacing elsewhere. That workshop had recommended that civil society and human rights organizations, including relevant government agencies of Togo and Benin, be brought together to deal with the issue.

In Accra in February of 2001, ING organized the first West African sub-regional workshop on female ritual servitude. Global Ministries (USA) and Anti-Slavery International (UK) provided sponsorship. There were 70 participants representing government agencies, Parliamentarians, civil society organizations, human rights groups, and Trokosi shrine priests from Benin, Togo and Ghana, resulting in a regional network of organizations working to end the practice.

Lessons for other contexts

I believe this tactic can be used in any society in which you are struggling to change deeply entrenched beliefs and behavior. Your message needs to come from someone respected by the people. We applied the tactic to different audiences: practitioners and victims, local government officials, chiefs and queen mothers, and the police. I suspect we would have achieved greater success had we recruited more community leaders into the process.

The tactic's effectiveness will depend on the political environment, the level of resistance by the people and community leaders, the level of freedom to propagate ideas, the amount of safety for those involved in seeking change, and the charisma and communication skills of those implementing the tactic. In addition, there are key lessons from our experience that we believe will help you use the tactic in a variety of circumstances.

RESEARCH: THE "WHY" BEHIND THE PRACTICE

In approaching an abusive customary practice, you must understand why the culture has developed it. Customary practices do not exist without reason. What needs does the practice serve? What problem is it attempting to remedy? Some customary practices were created for historic reasons that no longer exist, while others fulfill current needs or respond to real fears or concerns. These motivations must be understood, because if a practice is to be changed, there must be an alternative method of responding to the causes that lie beneath it. Otherwise it is likely to resurface even after a successful campaign.

THE IMPORTANCE OF NGOS WITH LOCAL LINKS AND COMMITMENT

From the perspective of a constitutional human rights commission, it was crucial to work with a local NGO. Because their members come from the area and speak the same language, they receive a better reception



Women's group / Workshop—Commissioner Emile Short, center

from the community and can more easily negotiate and talk with community members. Thus, it was our most important link to the local leadership in each community. Local NGOs' long-term commitment to these communities enable them to help the campaign not only with contacts, research, and negotiation, but also with the necessary follow-up and rehabilitation.

THE MESSAGE AND THE MESSENGER

The essence of the communication strategy is to recognize that people are very sensitive not only to what your message is, but to how it is communicated, and, perhaps most importantly, to who is transmitting it.

It was crucial, for instance, that the queen mothers and other traditionally respected leaders be the ones voicing the need to change the practice, and making the argument that this would be acceptable to their culture. They could point out that traditions were dynamic, and that the wrath of the gods would not be incurred. The same arguments from someone considered an outsider could have been construed by the people as an attack on their entire culture, shutting the door to all negotiations.

Local people could also respect that I, as a high public official, had both the authority and the obligation to convey the message about the importance of Ghana fulfilling its international human rights obligations, and to point out the legal implications of the practice and the potential for prosecution.

When it came to promising economic packages for giving up the practice, the involvement of the NGO was again important, because its relationship with the community created trust that its promises would be fulfilled. Despite the fact that we were all firmly opposed to the Trokosi practice, it was essential to avoid taking a moral high ground. We could not be too critical, because in the end we knew any change of mind had to be voluntary. Each of us, in voicing our part of these messages, needed the necessary communication skills to make an impact on the target group. This tactic used our complementary skills to great effect.

OPPOSITION FROM TRADITIONALISTS

One obstacle to ending such practices is that many influential people in the communities, including some intellectuals and traditionalists, contend that the practices are an integral part of their culture. They see any move toward change as cultural imperialism and an attempt to impose Christianity upon their traditional religion. We found that passage of the law against ritual servitude heightened sharply the traditionalists' opposition to the abandonment of the Trokosi system.

Chief among the opponents was a group called the Afrikania mission, led by Mr. Kofi Ameve. Its mode of operation has been to counter every publication on the Trokosi issue, be it through the newspapers, radio, or television. As a result of the government's inability to enforce the law prohibiting customary servitude, Afrikania was able to persuade some of the shrines to legitimize the Trokosi practice. It might have been prudent at the beginning to identify potential groups that would oppose the movement, and solicit their support, but we did not anticipate such opposition. It is possible that if we had contacted them before the campaign started, they would have opposed it and we might not have achieved the success we did.

THE WRATH OF THE GODS

Fear of the "wrath of the gods" is a powerful force keeping many abusive practices alive. In the case of Trokosi, it explains why families turn to the priests when they have problems, and give up their daughters to the shrines. The priests' awareness of this fear may underlie their unwillingness to abandon the practice. Fear of the gods also inhibits the police from enforcing the law.

Our approach was to try to overcome these fears in a variety of ways. First, by intensive public education campaigns, we sought to convince the practitioners that customs change and that the gods can be pacified by the performance of the appropriate rituals. The fact that queen mothers and chiefs publicly questioned the practice was a critical first step.

In meetings, durbars, and negotiations, traditional leaders made historical arguments, proving that past



traditions had changed without calamitous consequences. By pointing to history in this way, they further established themselves as custodians of custom and traditional wisdom, strengthening the respect needed to provoke the community's questioning of the practice. And once we had a few successes under our belts, they had an additional argument: they could point to other shrines which had given up the practice as proof that such a change brought no calamity to the shrine or the practitioners.

The liberation ceremony was also crucial to overcoming the fear of the gods: the priests, the families, and the Trokosi slaves all needed a ritual to break clean of the past in a way that would not anger their gods. The ceremonies not only legitimized the liberation, but created a situation in which practitioners might fear the wrath of the gods if they returned to the practice.

CARROT AND STICK: THREAT OF ENFORCEMENT

To a certain extent, the combination of persuasion by traditional leaders, economic packages, and my role in articulating the law represents a carrot-and-stick approach. The "stick" dynamic, though, would be more effective if there were a few symbolic prosecutions under the new law. Unfortunately, there has yet to be a single prosecution, for several reasons.

First, we thought it was necessary to educate people about the existence and content of the law before advocating for criminal prosecution. The fetish priests and shrine owners live in remote areas and most of them would not be aware of the law. An educational program has now taken place.

Second, because of fear of alienating people and losing votes, there is no political will on the part of the government to enforce the law.

Third, those liable under the law include not only fetish priests and shrine owners but anyone—even family members—who takes someone to the shrine or takes part in any ritual associated with customary servitude. This aspect of the law makes prosecution more complicated.

Finally, most victims are unwilling to make a formal complaint. The level of indoctrination, brainwashing, and fear among the victims is very high.

Our tactic of education, community engagement, and persuasion is not always effective. I believe it would be an important step if we could achieve even a single symbolic prosecution, to send a message to the shrines which have stubbornly refused to change their practices.

DEMOCRACY AND CONFRONTING ABUSIVE TRADITIONAL PRACTICE

It may be prudent to consider the democratic climate in your country before embarking on this tactic. In our case, the transition to democracy was an important factor, allowing free and public discussion of human rights. The rights of freedom of speech and assembly are essential, and whether NGOs are tolerated and allowed to operate freely will make a difference.

If the political situation is repressive, one must also consider the relationship between forces of repression and traditional leaders who support abusive practices. For instance, if an undemocratic state has a close political or spiritual relationship with traditional priests (for example, in Haiti under "Papa Doc" Duvalier), it could be quite dangerous to embark on a campaign questioning traditional practices, and it would be difficult to find respected leaders to participate. In our case, we found that although the state was beholden to the votes of the target community, and unwilling to enable prosecutions, the existing levels of democratic functioning in the country allowed us to achieve significant success.

Conclusion

Freedom and justice are never handed out on a silver platter, but come about by persistence and perseverance. We knew from the beginning that it would take time to achieve results, but we believe that the use of role models and respected leaders can be a crucial step forward in addressing many human rights violations.

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