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(Indentured Servitude) in Ghana: An Outlawed Culturo-  
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## **Inquiry into the Continued Practice of Trokosi (Indentured Servitude) in Ghana: An Outlawed Culturo-Religious Practice.**

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### **Abstract**

**Purpose:** Ghana was the first country in the world to ratify the United Nations Convention on the Rights of the Child, and signatory to many anti-slavery international treaties. Clearly therefore, the practice of ‘Trokosi’ where young virgin girls are sent to serve fetish priests as deity slaves in shrines in atonement for alleged sins of family members, violates the laws of Ghana. In particular, Section 314 (A) (1) (b) of the 1998 Ghana’s Criminal Code Act, outlaws the practice, imposing severe punishment on offenders. This study investigates the lapses that have to do with the non-enforcement of the law.

**Methodology:** The study adopted a mixed design research approach that gathered data both qualitatively and quantitatively, using structured questionnaire instruments, in-depth interview guides, observation, and group discussions. The targeted population included shrine priests, ritual slaves and their relatives, community leaders and members, law enforcement agencies, government officials, security experts, legal practitioners, judges and non-governmental organizations from communities in the Volta Region of Ghana where the trokosi practice exists. Seventy-five (75) respondents with requisite knowledge in the study area and locations, were randomly and purposively sampled. Data which was textually, tabularly and graphically presented, was analyzed using Statistical Package Social Sciences (SPSS-21) software, within the interpretivist-constructivist paradigm.

**Findings:** Findings were the following: the enforcement of the law is inadequately effective; enforcement agencies many times fail to take action for cultural-related reasons; and out of fear, relatives and the public tend not to report cases of violation.

**Unique contribution to theory, practice and policy (recommendations):** The study recommends the following: a call for the recommitment of Ghanaian authorities to the fight against ritual enslavement; strict enforcement of the law where defaulting shrine priests are prosecuted and punished to serve as a deterrence; and public awareness education and campaigns should be intensified.

**Key Words:** *Continued existence, Ghana, inquiring, outlawed, religious practice and ‘Trokosi’.*

## Introduction

Many intra-state conflicts across the globe came on the back of injustices that emanated mostly from human rights aberrations. In defining human rights, the onetime Secretary-General of the United Nations (UN), Kofi Annan Stated that, they are rights because that is what reason requires and conscience demands, and are part of us and cannot be true without the other (UNICEF, 2004). Black's Law Dictionary also defines Human Rights as "the freedoms, immunities, and benefits that, according to modern values (especially at an international level), all humans should have and should be able to claim as a matter of right in the society in which they live". The conflict-driven slave trade in the wake of the 16<sup>th</sup> century, is one clear example of a human rights aberration that brought untold suffering to black slaves across the globe, notably the United States of America and Caribbean countries. However, this ungodly inhuman engagement first came to be abolished on March 9, 1927 on the back of the 1926 Slavery Convention, spearheaded by the League of Nations (Bales, 2000). Indeed, several other anti-slavery international treaties and human rights conventions notably; the Convention to Suppress the Slave Trade and Slavery and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, and the Universal Declaration of Human Rights (UDHR) of 1948 were signed and ratified by the comity of states that finally estopped the practice across the globe.

Notwithstanding the fact that slavery was outlawed by international law and subsequently by most domestic laws of nations, modern forms of slavery such as debt bondage, forced prostitution, forced labor, child slavery, servile marriages, amongst others, continued (Greene, 2009). These modern and subtle forms of slavery as suggested by Children Bureau (2016), have found their ways into most societies in the world, even in so-called developed countries, where even countries

The continued modern practices of slavery despite being outlawed by both international and municipal laws, have often come on the backs of cultural preservation and religious extremism, onetime described by Musa (2011) as the conflict between women and children rights and religious freedom. This goes contrary to the provisions of Article 1 of the UN Charter that urges member-states to cooperate as they solve problems facing the international community within the context of fundamental human rights promotion. But as observed, many UN member-states and non-UN states alike, have always hidden behind the cloak of custom, traditions, culture and religion to defy provisions of international human rights conventions. To that end, it has become difficult to reconcile this dichotomy as religion has often being used to justify non-compliance. In protecting such religious practices, some governments have declined to prosecute and punish citizens who indulge in practices that are in contention with international human rights standards (Larson, 1996). Perhaps, wrongly interpreted within the notion that culture and human rights appear inseparable, therefore, culture in the form of religion cannot contradict human rights of which it forms an integral part. Yet your guess is as right as mine to the effect that, it is wrong and illegal for one to use culture or religion as a conduit to deny the dignity of an individual, more so on the basis of sex. The bottom-line, however, is that just as it is repugnant to use culture or religion as a shield to protect practices that violate human rights based on sex, it is equally wrong to use human rights to subjugate or oppress communities regarding their ways of life and their cultural practices.

The conflict between women and children rights and religious freedom, has manifested itself in the cultural-religious setting of many African countries for over 7 centuries; taking the form of ritual enslavement with particular reference to four West African states namely; Benin, Ghana, Nigeria and Togo. In these countries, the practice is variously referred to as Trokosi, voodooosi, fiashidi and worryokwe, where hundreds of teenaged girls are offered to shrine priests to atone wrongs supposedly done gods and spirits by relatives and are subjected to servitude and sexual slavery for undetermined periods (Children Bureau, 2016).

Just like any other, Trokosi which is the Ghanaian version, violates both international law and the municipal laws of Ghana (Botchway, 2008). From the outset, however, there have been a series of protests to its practice in Ghana. First, the practice has faced opposition since colonial times when the colonial government investigated the practice at the Atigo shrine in the early 1920s, asking shrine slaves to return to their homes if they so wished (National Archives, 1920). Second, Pastor Mark Wisdom challenged the practice in 1980s, drawing national attention to the practice and later founded FESLIM and wrote a book that pricked national conscience. Third, in the 1990s Vincent Azumah a Ghanaian Journalist, through his public condemnation sparked nationwide debate on the practice. Fourth, the International Federation of Women Lawyers (FIDA), organized investigation into shrines practices in 1992. And in response, the PNDC government led by J. J. Rawlings defended the practice calling it the African Heritage and a cause for national pride. Fifth, the Ghana National Commission on Children brought attention to the issue in 1993. Sixth, between 1994 and 1995, Lawyer Anita Heymann Ababio (2000) researched into the practice and made recommendations which eventually became a Law Reform Commission Report to the government. Finally, in 1998 using the 1998 Law Reform Commission Report, a law was passed criminalizing ritual or customary servitude in Ghana. Be that as it may, Trokosi is still minimally practiced in parts of the Volta Region of Ghana. This paper investigates the reasons for its continued practice in spite of the fact that the practice is outlawed by both the 1992 Ghana Constitution and the amended Criminal Code Act of 1998. It is in four main parts: Part I reviews some basic literature on the Trokosi practice in Ghana; Part II highlights the legal ramifications of the practice; Part III examines the role played by state agencies and non-governmental organization towards the eradication of the Trokosi practice in Ghana; while Part IV analyses the results of the survey that took close to two years to conduct.

### **Part I: The Religious Tenets of ‘Trokosi’ in Ghana**

The term Trokosi comes from two Ewe words, ‘tro’ meaning deity or fetish and ‘kosi’ meaning female slave. The religio-cultural practice is primarily observed in the Volta Region by the Ewe ethnic group, with a minority part of the Ada ethnic group in both Greater Accra and Eastern Regions, also in observance. Before the practice was outlawed in Ghana in 1998 per a legislative instrument, there were reportedly about 278 trokosi shrines in the Volta, Eastern and Greater Accra Regions. Out of this number, Volta Region alone had over 270 located within notably, North Tongu, Ketu, Akatsi, Adaklu, and Keta (Ghana National Commission on Culture, 2008). These shrines by then held over 5000 girls in the usually remotely inaccessible and least developed places (Turlings, 2003). Moreover, it is also reported that before 1998, there were over 16,000 children who were born to the trokosi slaves (Greene, 2009).

The origins of the practice which dates back to seven centuries ago, is an aspect of a religious tradition which has been corrupted over the years and reduced into a rather heinous form of the original sense (Quashigah, 1998). According to Quashigah (1999), unlike the current practice where young girls are sent to the shrines to atone the misdeeds of relatives, in its original conception, young girls were sent to shrines not because their relatives had committed sins and they needed to atone for the transgressions, but for the same reasons other girls entered covenants. The transgressions took the forms of breach of societal and customary laws such as stealing or engagement in improper sexual relations at places considered sacred or taboo areas; and offenses against the gods (Agyei, 2000; Kiley, 1996). However, originally girls were only randomly selected and killed to appease angry gods and in some circumstances to ensure success in war campaigns (Quashigah, 1999). In other instances, they were even sent off to the other world to accompany deceased kings and chieftains. The appeasement of the gods also took the form of animal sacrifices, money and liquor offers. To that extent, Trokosi was a creature of elitism that women voluntarily chose to belong, then known as 'Fiasidi'. The 'marriageable king's initiatives' in the words of Quashigah (1998), became the mothers of the elite men and women of the society who were the kings, philosophers, seers and people of virtue. In conclusion, Quashigah (1999) said the current practice is in its debased form where shrine priests have come to demand young virgin girls as servants for the gods. And to that end, a system that was once in 'search for truth and knowledge' has eventually become one of oppression. In corroborating this assertion, Botchway (2008) says that in its present abused form, the Trokosi practice is rather representative of debauchery, immorality and denigration of womanhood at large. He argues that victims only serve the pleasures and needs of priests at no cost, while they are denied basic needs of life such as food, medical care, social amenities and education.

With the current practice, shrine priests who stand proxy for the gods, in their compromised stage, hold girls as slaves for the gods (Boaten, 2001; Greene, 2009). It is believed that once offences go unpunished, the entire community would be wreaked with calamities and vengeance. As such, as soon as signs of diseases, death tolls, misfortunes and bad luck befall a particular clan, virgin girls are lined up to atone the sins of family or clan members, so as to circumvent future occurrences (CNN, 1997). As required by the tradition, victims must be virgins and be proven to be such since a deception from the family will attract the wrath of the gods. Sadly enough, the authenticity of such claims are hardly verifiable and unfounded.

From age 8 and sometimes even much younger, the 'trokosi' stays till she has attained the age of 15 to atone the sins she has not committed. Sometimes this form of servitude goes on for life and upon the death of the victim, she is replaced by another family member since lifelong servitude could not even settle the debt owed the gods by the family (Abaxer, 2007). At death, the family of the deceased are expected to pay for the burial, and if she is survived by any children, pay for their education, medical bills and provide their basic needs (Krasniewski, 2009). As a matter of fact, the shrine priest is the only one empowered to decide when and how the victim should atone for the sin and when the slave is deemed free. The virgin girls tend to serve the shrine priests, elders and owners of the shrines as shrine slaves without remuneration of any kind and without their consent, except in a few circumstances where the consent of the family or clan is sort. And in the situation where the girl escapes, she is immediately replaced by the family, and

one could find a servitude girl who is the third or fourth in line that is suffering and paying for the same alleged misdeed that may be as minor as the loss of a trivial property.

These girls who sometimes will be paying off a two-century-old crime, wear ropes around their necks and white or blue cloths on their upper bodies in the most undignified manner, for their easy identification (Botchway, 2008). As properties of the gods and by extension the fetish priests, they render services such as the tilling of fields, perform housekeeping chores, cook for the priests and their guests, clean and keep the shrines, perform unconsented sexual services, forced into hard labor, amongst others. In the event where children are born out of the rape engagements, the children are equally declared as properties of the gods. What is more, their owners do nothing in return for the profits they accrue from their victims, as the girl's family are responsible for her feeding and medical care. The ritual slaves are most times abandoned when the going gets tough for their families. Very unlike other wives in Ghana who are catered for by their husbands, the wives of the gods and by proxy the shrine priests, do not have any rights, do not own property and dare not leave at their will but remain in their pain perpetually as sex slaves (Botchway, 2008).

These outcasts so to speak, become social pariahs that face total rejection within their neighborhoods and sometimes by their own families, since touching or dealing with them is believed to evoke and bring curses on such ones (Agyei, 2000). Even where they are released, the trokosi woman comes out unskilled and without any hope of getting a suitor, returns to the services of the gods for the rest of her lifetime. This unforgivable human right aberration still persists in the 21<sup>st</sup> Century despite being outlawed in Ghana, a country that was the first country to ratify a major child's right legal document as the United Nations Convention on the Rights of the Child (CRC).

## **Part II: Legal Ramifications of the Trokosi Practice: Domestic and International Dimensions**

Trokosi as a religio-cultural practice violates the rights of its victims within the remits of both international and municipal laws of nations and in this case, Ghana. For these reasons, there are always consequences to be borne by violators of the law being as it is, Trokosi shrine priests. On a number of occasions, the enforcement of these obligations by states is crucified on the altar of religio-cultural freedom debates, to the effect that they form an integral part of fundamental human rights. This part of the paper examines provisions of many international legal instruments as well as Ghanaian laws that frown at all forms of slavery including foremost, Trokosi.

### **II. 1: Trokosi Practice and Human Rights-based International Conventions and Declarations**

#### **African Charter on the Rights and Welfare of the Child**

African Charter on the Rights and Welfare of the Child was adopted by the African Union in 1990 as an African Children's Charter in Banjul, with the aim of balancing human rights and culture. It directs member-states to eliminate customs and practices that are detrimental to children. In particular, member-states are to abolish customs and practices that are prejudicial to the health or life of children, and also where they are discriminatory to the child in respect of their sex or other statuses. Such other rights outlined in the Charter in favor of Children include the following: protection against child abuse and torture, protection against harmful social and cultural practices (Article 21 of the Charter); as well as protection against sexual exploitation (Article 27 of the

Charter). The practice of Trokosi clearly violates provisions of the Charter in as long as its practice is harmful to the welfare, dignity, and the development of victimized girls, and also sex-biased since only girls are offered to the gods for the atonement of wrongs. Noble as the provisions are, obligations on member-states to abide by them are non-binding in nature, at best members are only encouraged to do so (Article 1(3)). Hence, even though the practice of Trokosi is inconsistent with Charter provisions, it falls short of protecting victims, in that the Charter is not directly enforceable in domestic courts of ratifying states.

### **Universal Declaration of Human Rights (UDHR), 1948**

UDHR was adopted by the United Nations General Assembly on December 10, 1948. The international agreement outlines basic principles on fundamental rights and freedoms to be enjoyed by all humanity, irrespective of race, sex, religion, language, political affiliation or social status (Article 1). To that end, everyone has the right to life, liberty, security, dignity; and thereby should not be subjected to torture, enslavement, or dehumanizing treatment of any sort. Clearly again, Trokosi violates Declaration provisions as victims are stripped of their dignity and liberty, are tortured, sexually abused and above all enslaved. The Declaration may have served as a rallying point for several human rights instruments, nonetheless, it is a statement that lacks legal enforceability.

### **The Convention to Suppress the Slave Trade and Slavery and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery**

The first of these slave-abolition related Conventions was initiated in 1926 under the auspices of the League of Nations. The 1926 Convention defines slavery as the “the status or condition of a person over whom any or all of the powers attaching to the right of ownership is exercised.” Within that context, appropriate measures were to be taken by contracting parties to prevent, suppress and abolish slavery of all forms. The UN subsequently adopted the Convention to Suppress Slavery in 1953; further augmenting the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery in 1956. All these initiations were in the bit to eliminate slavery of all forms globally, therefore obliging states to abolish institutions and practices that promote debt bondage, serfdom, forced marriages, child trafficking and enslavement. The Convention indulges state parties which are unable to settle slavery-related disputes to refer such disputes to the International Court of Justice (ICJ). Ghana is signatory to all the Conventions, but here again, Trokosi as practiced in Ghana, violates the provisions as its practice involves serfdom, torture, exploitation of children and enslavement (Greene, 2009). Even though after unsuccessful negotiation with Ghana to eliminate the menace, state parties have failed to refer Ghana to the ICJ to resolve the conflict between the application of the Convention and the practice of Trokosi. Perhaps explained within the context of the principle of non-interference in the domestic affairs of Ghana. This hugely has the undertones of lack of political will by party states.

### **The United Nations Convention on the Rights of the Child (CRC)**

The CRC took effect in September 1990 where currently about 200 countries are party to, including Ghana which was the first country in the world to ratify the document. The Convention captures four thematic areas namely; ‘best interest of the child’, recognition of the child’s ‘evolving

capacitates and development', the principle of non-discrimination, and the respect for the child's human dignity (Articles 2, 12, 13 14, 15 16, and 17). On the main, two basic rights are identifiable in the Convention--protection from harm and provision of special care. In terms of protection from harm, children are to be accorded protection from torture, sexual abuse, neglect, economic exploitation, cruel treatment, abduction, trafficking and separation from parents, *inter alia* (Alderson, 2008). Special care on the other hand, includes right of child to adequate standard of living, health care, nutrition and education (Articles 4, 5, 11, 18, 19). In addition to these, the CRC has other provisions that makes it the most extensive international instrument on the rights of the child (Children Bureau, 2016). Be that as it may, the Convention does not provide effective enforcement measures, though it imposes binding obligations on state parties. Sadly again, Trokosi violates the CRC as it separates girls and young women from their families against their will, maltreat victims, economically exploit children and sexually abuse them; whereas they are denied education and other necessities that inure to their development. A CRC periodic Report on Ghana noted that marriages for both males and females below 18 as well as forced marriages was a criminal act and happened in Ghana (Botchway, 2008). The worry of the Convention as far as Ghana is concerned is not about the legislation but the issue of implementation. However, because the CRC has no enforcement mechanism, Ghana cannot be held accountable for the much touted Trokosi practice.

### **Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)**

CEDAW was adopted by the UN General Assembly in 1979. CEDAW acknowledges the dignity of the human person, stating that the existence of discrimination against women of which Trokosi does, violates the principles of equality of rights and respect for human dignity (emphasis is mine). Article 1 of CEDAW defines discrimination as any distinction, exclusion or restriction made on the basis of sex in respect of political, social, economic, cultural, civil standing or any other field. Against the backdrop of the persistence of discrimination against women across every part of the globe, the Convention requires state parties to take appropriate measures including legislation, so as to advance the course of women in terms of development and the promotion of fundamental freedoms and basic human rights on the platform of equality. Article 2 requires state parties on which Committee Reports are issued on their activities following periodic monitoring sessions, to do the following: embody the principle of equality of sex in their respective national constitutions and other appropriate legislations; adopt appropriate legislative and other measures including sanctions and prohibition of all discriminations against women; establish legal protection of the rights of women *via* legal institutions; eliminate discrimination against women; modify, abolish or repeal exiting laws and customary practices that are discriminatory against women. The Trokosi practice violates CEDAW as only girls are sent to shrines to atone the wrongs of family members, usually committed by men, as well as violates the right of women to choose their own spouses as provided under Article 16.

### **II.2: Ghana's Domestic Laws and Trokosi**

The continuous practice of trokosi in Ghana violates primarily the 1992 Fourth Republican Ghana Constitution and the Criminal Code Act (1998). Notwithstanding the fact that these two legal instruments criminalize Trokosi, its eradication has become a nightmare blamable on government and the law enforcement agencies in large part. Whereas opponents of trokosi argue that the



practice is a form of sexual slavery (Quashigah, 1998), supporters of the practice insist it is not a form of sexual slavery and does not violate human rights principles, but one that values religious freedom (Bilyeu). This part of the paper briefly examines the 1992 Constitution and the amended Criminal Code Act of 1998 vis-à-vis the continued practice of Trokosi.

### **The 1992 Fourth Republican Ghana Constitution**

The 1992 Constitution is the most extensive legal document that seeks to protect the fundamental rights and freedoms of Ghanaians in a range of rights including:

- (i) Fundamental/Natural rights such as right to life, liberty, dignity, inviolability of persons from torture and slavery, and religious freedom, *inter alia* (Articles 12 -21);
- (ii) Political rights such as the right of citizens to participate fully in all political activities and the right to vote and be voted for, *inter alia* (Article 42);
- (iii) Economic rights such as right to work under safe, satisfactory and healthy conditions, *inter alia* (Article 24);
- (iv) Social rights such as right to free basic education, freedom of association, right to own property, *inter alia* (Articles 22 and 25);
- (v) Legal rights such as equality before the law, right to counsel, right of appeal, *inter alia* (Articles 14, 17, 19, and 33);
- (vi) Cultural rights such as freedom to practice any religion of one's choice and promote any culture of one's choice so long as the practices are not dehumanizing or injurious to the wellbeing of a person, *inter alia* (Article 26);
- (vii) and group rights including women, children, disabled and minority rights (Articles 27, 28 and 29) (Benson & Ngaaso, 2021).

In effect and in relation to Trokosi, the Constitution of Ghana provides the following: respect for human dignity, protection from slavery, protection from forced labor and the promotion of children's basic rights (Bilyeu, 1999). To these ends, slavery is illegal in the country as no person shall be held in slavery or servitude or made to perform forced labor. Clearly, Trokosi contravenes provisions of the Constitution in particular Articles 15, 16 as Trokosis slaves are subjected to slavery, servitude, and forced labor by shrine priests. As well, their dignity is violated by their capturers as they are forcefully taken away from their parents and sexually abused and eventually turned into 'child-bearing machines.' Under constitutional provisions, anyone who believes his or her rights have been breached by state bodies, private entities or individuals have the right under the constitution to seek redress in the court of law. Regrettably enough, Bilyeu (1999) suggests that in as much as the Ghanaian government agrees that Trokosi practice violates constitutional rights, it tolerates the practice out of respect for religious freedom.

### **Criminal Code Act of 1998**

Prior to 1998, individuals and many Non-governmental Organizations (NGOs) in Ghana protested against Trokosi practice in Ghana, sometimes taking the form of street protests. The result was government's enactment of the Criminal Code Act of 1998 in June 1998. The Code amended the

1960 Criminal Code, making it a crime to engage in ritualized forced labor (Quashigah, 1998). Section 314(A) (1)(b) of the 1998 Criminal Code states as follows:

“Anyone who 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 labor related to a customary ritual, commits an offence and shall be liable on conviction to imprisonment for a term not less than three years.”

Section 314 (A)(2) extends the criminal liability beyond just shrine priests but also parents of girls, persons who must have gone into agreement with the gods through their priests, spectators at the initiation of slaves, and mediators who supervised negotiations between child’s relatives and the priests. Furthermore, the amended Code recognizes indecent assault and rape cases as criminal offences, elements that are present in the violations of Trokosi girls by their owners. Section 314 of the 1998 Criminal Code Act hold those who practice slavery as second degree felony. Upon conviction, the offender could serve a minimum three-year prison sentence.

One would have expected that 33 years after the enactment of the law, trokosi system would have been eliminated, but that is far from the case as a few girls, are still held in shrines as ritual slaves. Perhaps for reasons that, under the current Criminal Code, almost anyone in the known of a girl’s enslavement is subject to criminal liability and are therefore deterred from reporting cases to the appropriate authorities for action (Musa, 2011). Besides, government officials are reluctant to fish out and prosecute offenders because the practice is widely seen as a part of religious beliefs, as such, any action against the priests is tantamount to religious interference that violates religious freedom as spelt out under the 1992 Constitution.

Be that as it may, following the passage of the law in 1998, many enlightened shrine priests have agreed to stop the practice and are cooperating very well with law enforcing authorities. Others have even agreed to receive animal sacrifices in lieu of virgin girls for atonement of clan and individual sins and crimes. A few adamant ones though, still indulge in the crime attributing their intransigence to the fear of the gods unleashing calamities and curses upon them personally and on the community at large, should they abandon the practice.

### **Part III: Role of State agencies and non-governmental organizations in the eradication of Trokosi practice in Ghana.**

#### **Government and State agencies**

Government of Ghana following the outlawing of Trokosi practice has in cooperation with the civil society abolished most Trokosi shrines and compensated the affected priests. Many shrine priests have so far, used part of the money compensated them to appease their gods to avert calamities as they claim. This is being achieved mostly through negotiations with shrine priests and owner, other than through law enforcement, as government carefully balances religious freedom with the rights of ritual slaves. The Commission for Human Rights and Administrative Justice (CHRAJ) and the Ministry of Gender, Children and Social Protection, have been instrumental in this effort. Over all, it is estimated that over 80 percent of ritual slaves have been

liberated from shrines, with a chunk of them receiving skills training and supported to start new lives as they are reintegrated into the society.

CHRAJ is created under Article 216 of Chapter 18 of the 1992 Constitution, with its primary function of investigating complaints of violations of fundamental human rights and freedoms. CHRAJ which has powers of the High Court, is also mandated to remedy, correct and reverse human rights violations through negotiation, reporting, and the initiation of court proceedings to secure termination of offending action or conduct (Bilyeu, 1999). It also empowered to compel witnesses, require the production of evidence, seek court enforcement of its decisions and seek judicial remedies, making it the most effective agency to deal with Trokosi. However, hardly if at all, do people bring cases before it in respect of Trokosi. Still within its mandate, the Commission is empowered to educate the public on their freedoms and rights.

In its fight against Trokosi, CHRAJ is engaged in a lot of activities, some of which are collaborative to include: conducting awareness campaigns with traditional rulers and practitioners in conjunction with NGOs such as International Needs; worked for the release of thousands of Trokosi slaves; educate fetish priests on their criminal liability for continuing the practice; organizes workshops and seminars in communities where the practice persists with the aim of abolishing the practice; dialogue with those involved to end the practice; perform random checks at shrines with the police to prosecute the violators; send the education to communities and schools using drama performances and debates; perform liberation ceremonies or rituals preceding the release of trokosis who are given certificates; and publish literature about human rights and the abolition of the trokosi system, amongst others. On its part, the Ministry of Gender, Children and Social Protection, provides funding for liberated trokosis, organize skills training sessions for them and provide goats and other items to fetish priests to pacify their gods in lieu for the release of girls. No official reports exist today as to the number of prosecutions that have been initiated in the courts against violators or the number of arrests that have since 1998 been executed by the enforcing agencies such as the police on offenders of the law. It has been suggested by many researchers that since 1998, they have been no arrests and for that matter no prosecutions in the court of law (Botchway, 2008; Greene, 2009).

### **NGOs working to eliminate Trokosi**

A few NGOs while advocating against the practice, also go into agreements with shrine owners and the communities to liberate slaves. The first liberation ceremonies were held in the Lomo and Me shrines, and 3 other shrines in Dorfor in October 1996. In 1997 a ceremony was held in the Atogo shrine (Rouster, 2007). Currently, similar ceremonies are occasionally held in the few shrines that are not yet liberated. Other Organizations such as UNICEF, International Needs Network Ghana, the Swiss “Sentry Movement”, Trokosi Abolition Fellowship, the Anti-Slavery Society, and Every Child Ministries have made and are making frantic efforts to liberate more shrines.

So far, International Needs Network has liberated close to a thousand trokosis since 2000 from shrines including Adidome (Ben-Ari, 2001). Every Child Ministries together with International Needs Network liberated 465 trokosi from three shrines in the Agave area in January 2003; while FESLIM liberated 94 shrines slaves from Aklidokpo in January 2004, liberated 120 from Sovigbenor shrine in Aflao in December 2005, liberated 52 ‘yevesi’ servants of thunder god

from Kadza Yevesi shrine in Aflao in March 2010 (Rouster, 2007). Survivors for Change is a group of former trokosi victims who constantly speak out against the practice, offering counselling to colleagues and giving them psychological support.

International Needs Ghana, Fetish Slaves Liberation Movement (FESLIM) and Every Child Ministries, also help women reclaim their natural lives after escaping the trokosi bondage (Cline, 2003; Rouster, 2007). They are taught skills such as hairdressing skills, cloth designing and catering at vocational centers, and given equipment such as sewing machines and hairdressing machines to start with. Today, some of these NGOs are still in the business of liberating ritual slaves and empowering them. Christian NGOs and human rights organizations have also been working to end the practice.

#### **Part IV: Theoretical Framework that guided this study**

Two basic regimes underpin the study of rights-morality and law. Whereas moral rights exist independently of legal systems that include the rights to life, liberty and the pursuit of happiness, legal rights are creations of state through legal systems, that exist both to secure moral rights and set in place these rights that are legalistic, so to speak (Hardwick, 2012; Hayden, 2001; Liberto, 2014). Legal rights include the notion of equality before the law, right to sue and be sued in a court of competent jurisdiction, right to fair trial, and the right of an accused to legal representation in a court where he or she is presumed innocent until otherwise proven, *inter alia* (Benson & Ngaaso, 2021: 142).

Furthermore, several competing bases have been asserted for universal human rights, among which two main theories underpin the study of human rights namely; Interests Theory and Will Theory (Belic, 2016; Walen, 2019).). This study is premised on the latter theory. First, interest theory is imbedded in the notion that, where one has the right to do something it presupposes that it is in the interest or to the benefit of that person, and to that extent, someone else has a duty to provide that right (Bentham, 1987; Forsythe, 2017). Illustrating this within the context of this study, a trokosi slave girl has a right to her freedom which is in her interest and it is to her benefit to have that right which, the shrine priest or state and for that matter the government of Ghana are duty-bound to provide. For this reason, the shrine priest would be held to have violated the right of the trokosi girl where he has failed to discharge his duty that would have led to the provision of the freedom or liberty of the trokosi girl. The renowned philosopher, Jeremy Bentham is credited to have initiated the interest theory as far back as the 19<sup>th</sup> century (Bentham, 1987). The utilitarian that he was, Bentham was critical of the idea of moral rights even though at some point he conceded that the application of the interest theory, could also be useful within legal systems and for legal rights (Corrigan, 2020). He gave the analogy where someone has the right to do something 'x', against a second person, if that person had a legal duty to provide the first person with 'x' (Bentham, 1987).). That is to say, one has the right to vote if someone else is legally required to provide that person with the opportunity to vote, let his/her ballot count, and declare the winner of the contest so long as the process is not illegally compromised with fraud. Recent philosophers in advancing the interest theory also referred to as 'benefit theory', think that basic moral duties to respect other's basic interests such as right to life and the inviolability of a person's liberty, serves as the bedrock of moral rights (Douzinas, 2000; Walen, 2019). Modern advancers of this theory include Joseph Raz, who equated the concept thus:

*X has a right if and only if X can have rights, and other things being equal, an aspect of X's well-being (his interest) is a sufficient reason for holding some other person(s) to be under a duty” (O’Byrne, 2003; , Quealt, & Vossen, 2019).*

Within that context, even a pet dog could have both moral and legal interest-based rights, provided its interest are sufficient reasons for holding someone to be under a duty. However, the interest theory is not without problems, as it is impossible to specify a set of rights that are sufficient reasons for the generation of one’s rights (limiting interests), since the proliferation of interest-based rights (welfare rights, women’s rights, health-care rights, minority rights, child rights, animal rights, etcetera) are always on the ascendancy (Donnelly, 1989; Gilibert, 2018). Also, third-party interests may work to the disadvantage of one who promises to provide care to a friend’s son since he saddles himself with a duty of care, but creates rights for the friend whose son has an interest in the fulfilment of the person’s duty (Simpson, 2019).

Second, the Will Theory postulates that when one has a right to something, it follows that that person has control over other’s free will regarding that right; otherwise, they can do as it pleases them (Walen, 2019). To that end, person ‘A ’violates person ‘B’s’ right when ‘A’ acts contrary to the will of ‘B’ in regard to ‘B’s’ right’s object. The British legal scholar, Herbert L.A. Hart first propounded the Will Theory in the later part of the 20<sup>th</sup> century, who himself was inspired by Emmanuel Kant’s advocacy of human freedom and liberty (Belic, 2016). According to this theory, freedom which is a moral or natural right, is the most basic right; as all other moral or legal rights are specific protected freedoms (O’Byrne, 2003; Simpson, 2019). To clarify further, one’s right to his property say a house, includes his freedom to do as he wishes with the said property-sell, give it out as a gift, or even waive his right on the property; and until and unless another person ‘B’ has a right, he cannot interfere with person ‘A’s’ freedom (Quealt, & Vossen, 2019). Where ‘B’ uses the property of ‘A’ without a right, ‘A’ is free to allow him usage or choose to prevent the usage by claiming the protection of his right through legal means (Liberto, 2014). This study which gets inspiration under the Will Theory, corroborates this assertion in that, because servitude slave girls are denied their freedom by the shrine priests in the name of culture, they are shut from or denied of other rights be they fundamental, economic, social, political, legal or group rights (Benson & Ngaaso, 2021, Quealt, & Vossen, 2019). Invariably, the trokosi girl who is denied freedom has lost her health-care, liberty, educational, voting and family rights, amongst others.

As earlier stated and for reasons of emphasis, the Will Theory which is also known as the ‘choice theory’ goes a step further of the ‘interests theory’, by allowing rights-holders the free choice to either insist or waive their rights (Liberto, 2014). To that end, relatives of trokosi slaves and the trokosi girls themselves will appear to be waiving their right to freedom, if they do not demand and insist upon their release. That is where the problem of the Will theoretical framework is located. Situating it within the trokosi practice, trokosi girls and their relatives hardly insist upon their right to freedom, even where the state which has a duty to protect them may have failed to urgently come to their aid. This lapse, however, has gone to affirm the relevance of the interest theoretical framework which insists on duty holders to provide the rights of right holders (Liao & Etinson, 2012). Other problems associated with the Will or Choice Theoretical Framework are the following: the theory does not embrace inalienable rights, since the right holder can waive their rights for reasons that the freedom protected by rights include the freedom to waive any right;

right-holders' cognitive capacity could be an impediment to their rights, for example infants and mentally deranged or incapacitated adults lack the capacity to either claim or waive their rights and therefore stand not to have rights; and animals do not have rights under this theory since they have no conception of the basic right of freedom and cannot therefore either claim or waive rights (Kao, 2011; Paine, 1985).

## **Part V: Research Objectives, Methodology and Discussion of the Results**

### **IV.1: Research Objectives/Purposes**

1. To illustrate what Trokosi is and what it is not;
2. To ascertain the level of enforceability of the law by Ghanaian law enforcement agencies;
3. To identify the factors mitigating against the effective enforcement of the Criminal Code Act of 1998, law 512; and
4. To examine the role played by state agencies and non-governmental organizations in the eradication of Trokosi practice in Ghana.

### **IV.2: Methodology**

If we knew what it was we were doing, it would not be called research, would it? A man should look for what is, and not for what he thinks should be. Information is not knowledge.

(Albert Einstein, in Einstein-quotes, n.d:n.p)

This research like any other was conducted using a specific methodology that described, explained and predicted the phenomenon under study, focusing on the systematic collection and analysis of data though within limitations (Dawson, 2002; Lodico, & Voegtler, 2010; Rajasekar, Philominaathan & Chinnathambi, 2013). To address the research objectives, this study used the mixed method approach otherwise termed triangulation in social science settings, to generate data both qualitatively and quantitatively, (Gorard & Taylor, 2004). This form of approach which involves the pristine use of both deductive (qualitative) and inductive (quantitative) logics, comes with the advantages of each design complementing the weaknesses of the other with its strengths (Creswell, 2014). It also enables the use of multiple data collection tools and methods so as to attain a comprehensive understanding of the phenomenon (Bashir & Qureshi, 2017; Maarouf, 2019). Indeed, mixed method research has come to be established as a third methodological approach since the past twenty (20) years, complementing the traditional qualitative and quantitative design approaches appropriately (Teddlie & Tashakkori, 2009). Whereas qualitative data which is generated from qualitative research is descriptive in nature, quantitative research, on the other hand, generates numerical data premised on the assumption that numbers describe a single reality (Lodico et al., 2010).

Structured questionnaire instruments were used on participants including former and current ritual slaves who were difficult to reach initially, while in-depth interview guides and observation instruments were applied to others who were readily available. In all seventy-five (75) respondents who had the requisite knowledge in the study area, were both randomly and purposively sampled

from five communities, as well as, identifiable places, offices and shops where actors who worked towards the elimination of the outlawed practice including rescued trokosis were located. For instance of the five ritual slave respondents, only one could be interviewed since the priests do not allow people coming into direct contact with them. As such the use of questionnaire became very necessary, thankfully the research assistants who hailed from those areas administered the questionnaires using the Ewe language. Again, the researchers could only reach out face-to-face with four of the fifteen former ritual slaves, hence the association leaders collaborated with the research assistants to administer questionnaires to the rest. This was after the leadership failed to arrange a group discussion for the researchers. However, group discussions were held involving community members. In all fifty-two (52) respondents representing 69.3 percent responded through questionnaires, while twenty-three (23) respondents representing 30.7 percent were interviewed. Respondents included shrine priests, ritual slaves, relatives of slaves, community members, traditional leaders, law enforcement agencies, government officials, security experts, legal practitioners, judges and non-governmental organizations (Saunders & Thornhill, 2012; Showkat & Parveen, 2017).

Throughout the data collection process, ethical codes of conduct were applied in order to solicit the cooperation and confidence of respondents, as well as ensuring the conduction of a high-quality research work (Habib, 2014; Stevens, 2013). The validity and reliability of the data were appropriately evaluated making sure the items in the instruments were reflective of the content and with precise consistency when used repeatedly (Ghauri & Gronhaug, 2005; Huck, 2007). For the analysis, quantitative data was entered in Microsoft Excel 2016 software and later exported to the Statistical Package Social Sciences (SPSS-21) (Taherdoost, 2016). Principle Component Analysis was conducted to summarize and re-orient variables to capture veritable information from original variables, while components which described motivations of respondents were selected using a scree plot and the interpretability of their factor loadings where loadings less than  $\pm 0.3$  were omitted as weak components (Stevens, 2013). Qualitative data was transcribed verbatim and coded using Nvivo 12 to generate themes and patterns. Finally, both inductive and deductive analysis were conducted for thematic content analysis (Anderson, 2007).

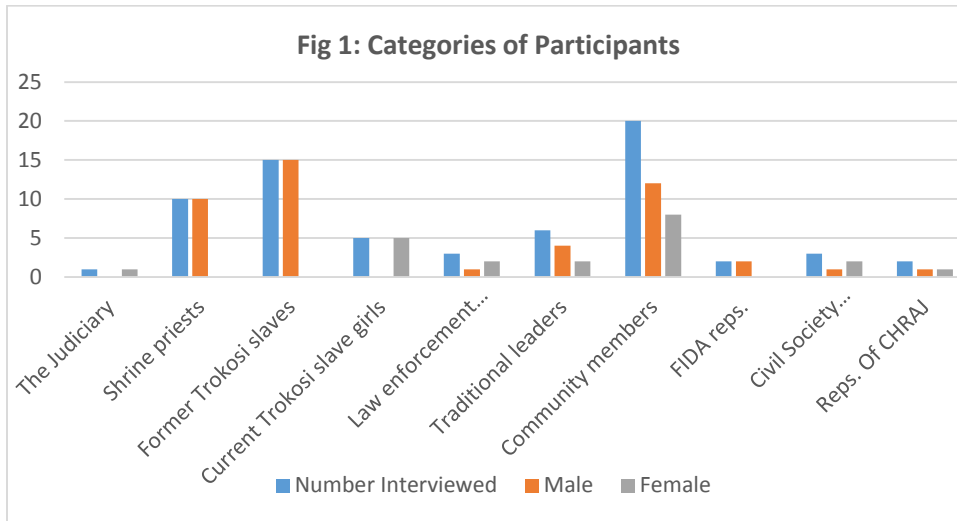
**Table 1** and Fig 1 below, show the occupational categories of the 75 respondents. The community members category have majority respondents of 20 (26.7%), while the Judiciary, UNICEF and Security expert categories have the least number of 1 person each (1.3% each). Also, Fig 2 below shows the gender of respondents where females form 56 percent of respondents while males form 44 percent. For the other categories see Table 2, Figs 3, 4 and 5 below.

**Table 1: Categories of Participants/Respondents**

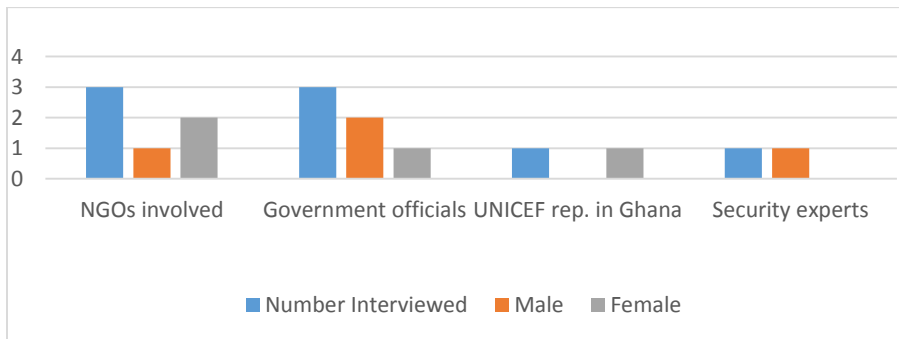
Category	Number interviewed	Gender	
		Male	Female
The Judiciary	1 (1.3%)	0	1
Shrine priests (former and current)	10 (13.3%)	10	0
Former Trokosi slaves	15 (20%)	0	15
Current trokosi slave girls	5 (6.7%)	0	5
Law enforcement agencies	3(4%)	1	2
Traditional leaders (Chiefs & queen mothers)	6(8%)	4	2
Community members	20(26.7%)	12	8
FIDA reps.	2(2.7%)	2	0
Reps. of CHRAJ	2(2.7%)	1	1
Civil Society Organizations reps.	3(4%)	1	2
NGOs involved	3(4%)	1	2
Government officials	3(4%)	2	1
UNICEF rep. in Ghana	1(1.3%)	0	1
Security experts	1(1.3%)	1	0
<b>Total</b>	<b>75 (100)</b>	<b>33(44 %)</b>	<b>42 (56%)</b>

**Source: Filed work, 2021**

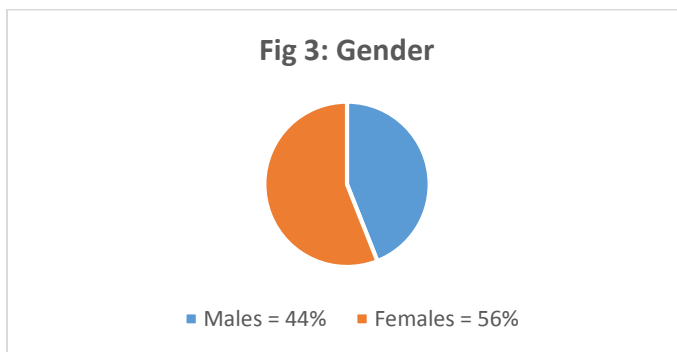




**Fig 1: Categories of Participants**



**Fig 2: Occupational Categories of Respondents**



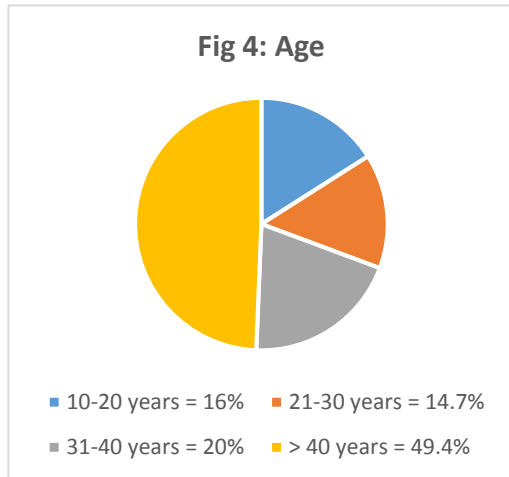
**Fig 3: Gender specification of respondents**

**Table 2** below indicates ages and age frequencies of the 75 participants which are classified into four categories as follows: 10-20 (16%), 21-30 (14.7 %), 31-40 (20%), and above 40 (49.3%) years. Majority of the respondents fall within the above 40 years category, while the least is within the 21-30 years category. The educational background of respondents are as follows: No formal 40 (53.3 %); basic education 5 (6.7 %); secondary education 6 (8 %); and tertiary education 24 (32%). As observed, those in the no formal education category are in the majority while those in the basic education division are in the minority. Finally, the religious affiliation of respondents is as follows: Traditional religion 28 (37.3%); Christianity 33 (44%); Islam 8(10.7 %); other religions 6(8%); and none 0(0%). The distribution is not suppressing as majority of Ghanaians are Christians.

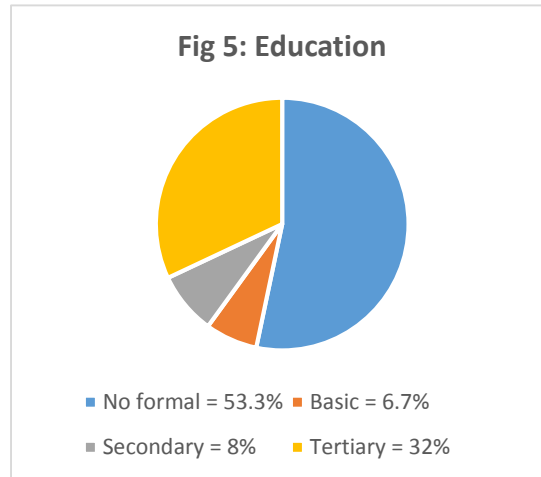
**Table 2: Socio-demographic characteristics of participants**

Age	Frequency (N=120)	Percentage
10-20	12	16.0
21-30	11	14.7
31-40	15	20.0
Above 40	37	49.3
<b>Total</b>	<b>75</b>	<b>100</b>
<b>Education</b>		
No formal	40	53.3
Basic	5	6.7
Secondary	6	8.0
Tertiary	24	32.0
<b>Total</b>	<b>75</b>	<b>100</b>
<b>Religious Affiliation</b>		
Traditional Religion	28	37.3
Christianity	33	44.0
Islam	8	10.7
Others	6	8.0
None	0	0
<b>Total</b>	<b>75</b>	<b>100</b>

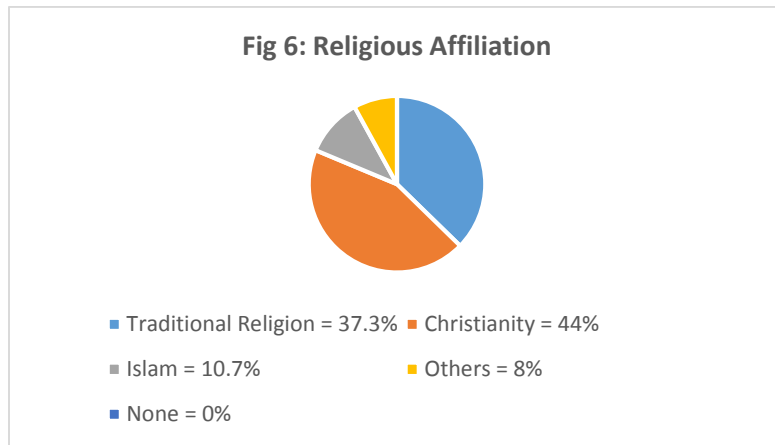
**Source: Fieldwork, 2021**



**Fig 4: Age**



**Fig 5: Education**



**Fig 6: Religious Affiliation**

**Source: Fieldwork, 2021**

### **IV.3: Discussion of Results**

In line with the research objectives, four (4) major questions were asked the respondents. This excludes follow-up questions. The results are discussed below:

#### **Question 1: What factors account for the continued persistence of the Trokosi practice even though it is outlawed?**

In finding answers as to why the Trokosi Slavery practice still thrives in Ghana amidst its violation of national and international laws, I put the question to all 75 respondents. Their responses were varied yet were beyond doubt that the persistence is premised on a number of factors namely;

culture, religious extremism, sexism, economic crisis, non-commitment of enforcing agencies to fight the menace, lack of political will to eradicate the practice, lack of resources to enforce the laws, ignorance of the law and payment of lip services to human rights (Cook, 1994). I have provided elaborate responses below. On the question of awareness of the existence of the law banning the Trokosi practice, it is intriguing to note that even some family members and community members were not aware the menace has since been outlawed by the state. It then dawned heavily on me that the people need much more awareness education, beginning from the shrines to every unit within the communities to include schools, churches, markets and work places. However, most of the priests, both current and in the past acknowledge they are aware of existence of the law that abolishes the practice. Only two of the current priests I interviewed denied knowledge of the law, and it seemed to me they were only feigning ignorance as their answers were unconvincing. On the main, minority of released trokosi girls only got to know about the law only after their release.

For fear of death, curses and wrath from the gods, citizens, government officials, stakeholders and enforcement agencies decline to challenge the powerful shrine priests over the outlawed outmoded barbaric religious practice. When the question as to why relatives and community members are reluctant to report cases to government officials for action was put, a traditional ruler answered, “Who among these ones even including the police, politicians and judges will want to gamble with their lives for the release of another person? For such people, turning a blind eye and the enforcement agencies turning a deaf ear, is the only way to avoid clashes with the deities. At the right time, all will pass.” When it was further queried as to what time was the right time if not now? He answered, “When the gods have decided to let go the practice, probably at a time you and I and this entire generation are not here.” For confirmation, I put the question to a police officer as to why they hardly have reports about cases from the public. His answer was simple, “Fear, fear.” Then I asked why the enforcement agencies are not proactive in arresting and prosecuting the offenders, since that will deter other priests from continuing the practice. He amazed me with his response, “Doctor, why should we risk our lives when even traditional rulers and perhaps the President of the Republic who is the Commander-In-Chief would not want to challenge decisions and powers of the priests and their gods. When they report we will take action, but when they don’t come, ehh we will sit and just wait.” After these responses, I was convinced as Wikings (2009) and Abaxer (2007) were, that fear is a major reason for the continued existence of the practice in Ghana, perhaps borne out of strongly-held traditional beliefs among Ghanaians that no mortal should ever challenge or question deities and spirits. However, the only judge respondent I had to interview had a different view. She has always been looking forward for a case on Trokosi to be brought before her, so she could hand down a very deterrent punishment to such offenders.

Cultural and religious arguments also account for the continued existence of trokosi in Ghana, where states including Ghana will rather protect their religious practices than prosecute violators of human rights (Botchway, 2008). This was confirmed by one respondent from the human rights organization who said, “Trokosi is so entrenched in the Ewe culture so much so that, all attempts at eradicating the practice is seen by the people as tantamount to eradicating the Ewe culture. And I think it is also partly because the politicians would not want to interfere with the culture and traditions of a people they will always go to seek votes from.” In my opinion, however, whenever

religious customs or cultural provisions conflict with the law and in this case human rights of trokosi slaves, the law should prevail and enforced to the letter.

Issues of poverty and ignorance of the law have contributed negatively to the persistence of the practice. A mother of a former trokosi slave alluded to the fact that, under their poor circumstances, there was nothing they could do but release their girl. One lawyer respondent was clear in her mind that, ignorance of the law hugely contributed to the current problem. To be sure, about 35 percent of respondents were unaware the practice is outlawed even after 23 years. This, the study linked with lack of formal education of the respondents in question, since most of those directly involved are uneducated.

There is another angle to this that has to do with government having too many issues to tackle, hence trokosi is not a priority on the table. An executive member of the arm of government emphatically said, “With current problems that the country is confronted with, the issue of Trokosi is very remote. Doctor, you will agree with me that, it will take a lot of resources to enforce the ban to the letter, but government has the pressing issue of supporting the health and educational sectors that are in dire need.”

Families of Trokosi girls are unwilling and sometimes even shy to take them back, following their branding as properties of the gods and the attendant stigma the society clothed them with. A former Trokosi slave confided in me that, she will have nothing to do with her parents and the family for disowning her. In her 10-year stay at the shrine, the family visited her only four times. This affirmed the assertion of Anyiheme (2001) who said it is worrisome to see families fleeing from their children who had just been released from homes of slavery for reasons of stigmatization. Also, some Trokosis have come to resign themselves to live the lives of servitudes, following the grooming they have been made to go through. One former trokosi confessed she had to run back to the shrine on more than five occasions before finally giving up on the place she considered as her only home and fate. For her, the only place that she belonged to was the shrine and any other place outside the shrine was strange and therefore inhabitable.

In concluding, I gathered that notwithstanding the many factors that account for the continuation of the practice, entrenched traditional beliefs is a major factor where no legislative prohibition alone can eradicate the menace, as the violators would rather die than give up the practice.

**Question 2: How does the practice of Trokosi impact on the society and how can the harms of Trokosi practice be curbed in Ghana?**

The responses from the ritual slaves in particular were fascinating. The practice impact negatively on their lives as they have being reduced to ‘third class’ citizens and for some of them, they have been reduced to the category of animals and even properties of the shrine priests. Many have lost their lives in the process, while those who are privileged to be alive have lost their future. A former trokosi slave told me it came to a time in their lives when they considered taking their own lives just to rest from the dehumanizing treatment meted to them. The only current trokosi girl I interviewed who was solemn-looking, weary-stricken, somber and subdued, made a remarkable statement that brought chills down my spine through an interpreter. She said, ‘Please daddy, get me out of here and I will forever remain grateful. As it is now, there is no meaning to my life. I

am made to make payments for a debt I do not owe. ' She ended up sobbing uncontrollably and all of us within the team were touched. Apparently, the 15-year old trokosi was paying a price for the grand-uncle who had raped a niece of his. She made another emotional conversion when I wanted to know if she was aware the practice has been outlawed since 1998 and that offenders are punishable to at least a three-year imprisonment. 'Deda' meaning daddy, 'I don't have the right to know since I am but just a slave whose only knowledge is this shrine and my duties as a slave.' A former ritual slave said to me, 'Just look at me and look at the other girls around-I would have loved to be like to be as they are, educated, having a good job, married to a good husband, have a family hmmm!' She ended up sobbing. This particular girl is the fifth inline and was paying for an unknown family sin for over a century. They chose not to give their answers in clear cut language with regards to their own life experiences. Other respondents gave their responses as: violation of human rights and the laws of the land, trokosi girls and women do miss the opportunity of education and its attendant benefits, trokosi practice puts a dirty spot on national psyche, and the practice negatively affects the socio-politico-economic development of the country.

On the question of what measures should be taken to avert this course, varied responses were gathered from mainly the questionnaires that were administered. First, public awareness education and campaigns by institutions such as the National Commission of Civic Education (NCCE), the Commission of Human Rights and Administrative Justice (CHRAJ), the Domestic Violence Unit of the Police Service and other non-governmental organizations, remains key in the effort to eradicate the menace Second, harms of the practice on victims, family values and the society at large, and the deviated corrupted nature of Trokosi as it exists today, should be highlighted in the awareness education sessions to priests in particular (Quashigah, 1999). In the past CHRAJ in collaboration with some NGOs have conducted awareness campaigns for traditional rulers, fetish priests and owners of shrines to bring the practice to an end. However, it seems to them, the enthusiasm once depicted by these organizations has waned and should be rejuvenated. Third, trokosi slaves and the association of the former ritual slaves, should be afforded the needed support and empowerment by government in the form of skill training, financing and logistics to reintegrate. Fourth, law enforcers should up their game by visiting shrines and mete out appropriate and deterring punishment to defaulting shrine priests who still indulge in the practice as established by law. For instance, the police together with other institutions, should conduct random checks at shrines to prosecute violators of the law. At the same time, the National House of Chiefs should take a strong stand against the practice and sanction traditional rulers who superintend over areas where the practice persists. Fifth, international attention and support should be craved for. Sixth, existing legislation must be implemented to the letter. The issue of human rights aberrations against child-girls should go beyond the elimination of Trokosi practice to include domestic violence and child trafficking. Last but not the least, the issue of poverty should be addressed since poverty pushes people to indulge in criminalities such as Trokosi.

In answer to a question as to how the practice can be eliminated, a revengeful former 35-year old trokosi woman who served 19 years in the shrine for the sins of a great-grandmother who stole earrings, she had this to say, "The only way out to eliminate trokosi is to visit shrine after shrine to castrate all shrine priests who still hold up girls there." Emefa who did not plead anonymity, narrated how she was taken in at the age of five and had become a child-bearing machine who has nine children with the priest. None of her children has basic education and she was only released

because younger and more attractive virgins were brought in. She was offered to the gods to bring fortune to the community. That was when I got to know that, not all victims are brought in as atonement for the wrongs of family members.

**Question 3: What interventions have both state and non-state organizations put in place to mitigate the pains of trokosi slaves?**

As presented by respondents mainly in the administered questionnaires, many interventions have come the way of both current and former trokosi slaves. First, government in collaboration with NGOs notably; International Needs Ghana, Fetish Slaves Liberation Movement (FESLIM) and Every Child Ministries, have compensated priests who have released ritual slaves ( Ben-Ari, 2001). To that end, the slaves mostly owe their freedom to government and these organizations who negotiated and paid for their release.

Second, many a former ritual slaves are being given skills training and supported to reintegrate into the society. It was revealed during the survey that, the Commission for Human Rights and Administrative Justice (CHRAJ) and the Ministry of Gender, Children and Social Protection have been instrumental in this effort. Also, the above mentioned NGOs have supported and still support these efforts as well. I had the privilege of visiting the shops of five former Trokosi slaves who had been trained and given equipment to work with as hairdressers and seamstresses. They now earn their living through the magnanimity of the NGOs and state agencies.

Third these state and non-state bodies also engage in outreach programs where the people are taking through awareness education sessions. This has accelerated the liberation processes and goes to affirm the assertions of Botchway (2008) and Greene (2009) to the effect that education is key in this whole process of liberating ritual slaves.

**Question 4: The Enforcement of the Criminal Code Act of 1998 by the law enforcement agencies is not that effective?**

Fifty-two (52) respondents representing 69.3 percent (represented in Fig 8) responded through questionnaires, and one of the major questions on the questionnaire sought to evaluate the level of effectiveness of the enforcement of the law that banned Trokosi. The results are shown in Table 3 below where 23 (44.2 %) respondents strongly agree the law enforcement is not that effective; 14 (27 %) agree; 2 (3.8 %) are not sure; 9(17.3 %) strongly disagree, suggesting the enforcement is effective; while 4 (7.7 %) disagree, suggesting the enforcement is somehow effective. This is also represented in Fig 6. Those who were granted the interview were 23 respondents representing 30.7 percent of the total number of 75 respondents. Of this number, 15 (65.2%) said the enforcement agencies are not enforcing the law as is expected, thus prolonging the outlawed cultural practice. Six (26.1 %) said the law enforcement agencies were doing quite well in that respect and cannot therefore be a reason why the unlawful practice is still going on. This group blamed the continued practice on the stubborn nature of the people and the strong regard that Ghanaians have for matters of culture and religion. Two (8.7 %) interviewees were indifferent. From the results it shows clearly that most Ghanaians believe the enforcement of Criminal Code Act of 1998 is not as effective as would bring a closure to the chapter of Trokosi practice in Ghana. This deduction comes from the fact that 68.2 percent of the total respondents believe the enforcement falls short of their expectation, affirming the assertion of Botchway (2008) that Ghanaian enforcement

agencies leave much to be desired as long as the enforcement of the Criminal Code Act of 1998 is concerned.

**Table 3: The enforcement of the Criminal Code of 1998 is not that effective**

Responses	Frequency	Percent.
Strongly agree	23	44.2
Agree	14	27.0
Strongly disagree	9	17.3
Disagree	4	7.7
Not sure	2	3.8
<b>Total</b>	<b>52</b>	<b>100</b>

Source: Filed work, 2021

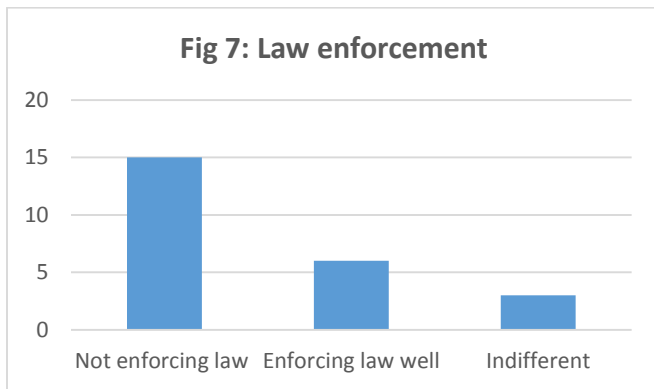


Fig 7: Law Enforcement

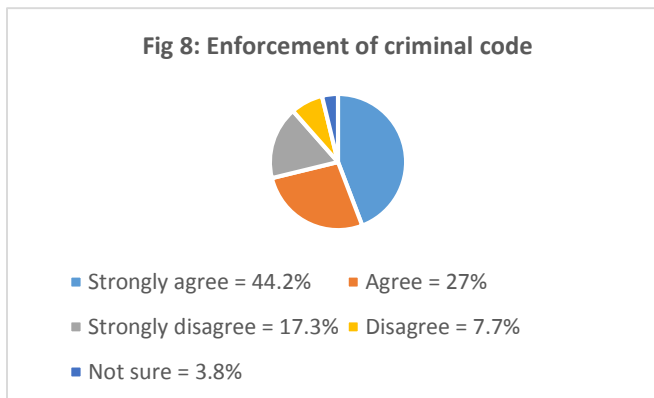


Fig 8: Enforcement of Criminal Code

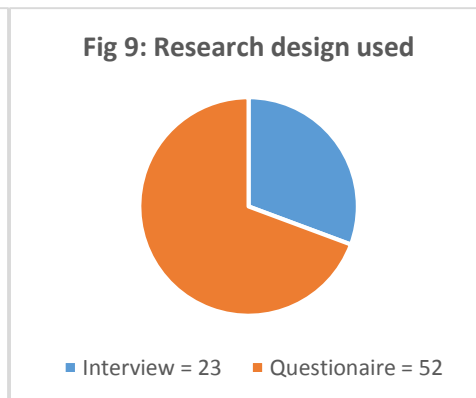


Fig 9: Research design used



## Conclusions and Recommendations

Sexual slavery and indenture servitude violates basic human rights and freedoms, as stipulated under international human rights Conventions and Ghana's national constitution and laws. Since 1998, Trokosi practice is outlawed in Ghana per the amended Criminal Code Act of 1998. Regrettably, however, even though its practice has diminished, the barbaric religious practice still persists till date, firmly premised on a number of factors as alluded to during the survey this study conducted. They include the following: cultural and religious extremism, non-commitment of enforcing agencies to fight the menace, lack of political will to eradicate the practice, lack of resources to enforce the laws, *inter alia*. Intriguingly, shrine priests who are in defiance of the law and ought to have been fished out and prosecuted, are rather left the hook by government and its law enforcing agencies as a balancing act between human rights and religious freedom. For government, the easier path is to negotiate with shrine priests and owners to release ritual slaves rather than fish out offenders and prosecute them. Somehow, this strategy of government has worked to a large extent as over 80 percent of shrines have been liberated as at 2008 alone (Greene, 2009). Today, conflicting surveys put the percentages between 90 and 95 percent. Be that as it may, it is still worth noting that, the outmoded outlawed practice has not been eradicated; thereby, incumbent upon government to have a relook on its *modus oparendi* in as far as the search for the termination of this distasteful religio-cultural practice is concerned. Against this backdrop, the study makes the following Recommendations:

- (1) State should seek and punish shrine priests who still keep ritual slaves. In other words, the law should be enforced to the letter.
- (2) States and for that matter the government of Ghana should uphold international human rights standards at all times, rather than engage in balancing acts that seem to give equal credence to religious freedom even where religion is used to break the backs of vulnerable Trokosi girls. As a matter of fact, cultural relativism must not hold in the face of universal humans rights as every individual by virtue of his/her humanity, is entitled to some basic rights including their freedom from slavery.
- (3) The UN in conjunction with international and local Non-Governmental Organizations and human rights organizations, should assist the government of Ghana on its efforts to eradicate Trokosi in Ghana, by funding training for victims, workshops and liberation maneuvers.
- (4) International conventions in respect of human rights provisions, must adopt appropriate enforcement mechanisms since these provisions are not backed with sufficient and effective implementation and enforcement mechanisms (Evatt, 1994).

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