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THE SUPERSTITION THAT ENSLAVES VIRGIN GIRLS IN GHANA: AN EXPLORATION OF THE ORIGINS, EVOLUTION, AND PRACTICE OF *TROKOSI*

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ABSTRACT

Trokosi is a religious practice in some parts of West Africa where young virgin girls are sent to fetish shrines to become sex slaves as part of rituals meant to prevent a communal calamity supposedly provoked by the transgressions of members of the girls' family. This study offers additional insight into the concept, origins, evolution, and practice of *trokosi*, highlighting the cultural, socio-economic, and legal contexts of this practice in Ghana. This goal is achieved by reviewing pertinent literature and interviewing 10 participants: academics; activists; traditional leaders; and ordinary community members. The study establishes that *trokosi*, which is viewed by adherents as a religious practice and crime prevention mechanism, is a severe violation of girls' fundamental rights. It is the epitome of sexual violence against young females and the worst form of child enslavement, discrimination, oppression, and physical and psychological torture in the south-eastern part of Ghana. It notes that even though the practice has been outlawed, it still thrives due largely to illiteracy, ineffective enforcement mechanisms, and lack of political will on the part of the government. It suggests that the ills of the *trokosi* system can be suppressed not through legislative actions alone but through a multipronged approach.

KEYWORDS

Ghana, virginity, *trokosi*, fetish shrine, religious beliefs, superstition, ritual servitude, virgin girl

SUPERSTITION IS A CULTURALLY universal phenomenon that has existed since time immemorial. Various experts and academics have suggested that whenever superstitious beliefs and practices are measured, the majority of people in society profess belief in at least some superstitious beliefs (Griffiths et al., 2019; Irwin, 1993; Sobal & Eamons, 1982). Interestingly, many superstitious beliefs and practices prevalent in African communities are virgin or virginity related. Virginity, as Addison (2010, p. 71) rightly notes, "is a concept fogged and obscured by superstition, folklore, [and] false science." It has been humanity's obsession for thousands of years, which is still noticeable in many contemporary African societies. The notion of virginity is highly valued in many cultures, as it is associated with sacredness and purity (Valenti, 2009). Unfortunately, however, society's preoccupation with virginity has resulted in the emergence of several virgin-related superstitions that trigger some of the most violent crimes against young females in Africa. One such virginity-related superstition the present study focuses on is ritual servitude, also known as *trokosi* in Ghana.

Ritual or customary servitude (known in Ghana as *trokosi*) is a religious practice in some parts of West Africa where young virgin girls are sent to fetish shrines to atone for the supposed crimes of their family members. Such girls are enslaved and sexually abused under the pretence of preventing or stopping a communal disaster purportedly caused by the crimes of the girls' family members. The *trokosi* practice was first drawn into the national spotlight in the 1980s but received significant national attention and provoked a public outcry in Ghana during the mid-1990s. Since then, several researchers, academics, and activists have written about various aspects of the *trokosi* system. Surprisingly, however, a critical examination of the practice's origins, evolution, and cultural and historical meaning is lacking in the extant literature. The relevant existing literature does not address all the key aspects of the practice or sufficiently explores the extent of the plight of victims of the *trokosi* system. To fill the literature gap and complement the existing research, the present study thoroughly examines *trokosi*'s concept, origins, practice, and historical development, highlighting the socio-cultural, economic, and legal contexts of this religious practice in Ghana. It also establishes the magnitude of *trokosi*-related cruelty, particularly sexual violence, against young females in the country's southeastern part.

To facilitate an understanding of the *trokosi* discourse, the second section of this study offers a succinct description of two key concepts: the concept of virginity from the African perspective and the concept of *trokosi*. The third section explores the origins and historical development of the *trokosi* system and offers a concise feminist analysis of this dehumanising practice. This is important because it unearths the cultural and historical meaning of *trokosi* and facilitates a better appreciation of the following discussion. Section four discusses the supposed relevance of *trokosi* serving as a social and crime control mechanism and promoting morality. Section five describes the present form of the *trokosi* practice, showing how new virgin girls are initiated into the world of sexual abuse and bondage. Drawing on the findings of several empirical studies, media reports, and interviewees' views, section six ascertains the extent of the plight of *trokosi* girls in contemporary Ghana. Section seven identifies and discusses relevant anti-*trokosi* legislation and case law, highlighting the extent to which they have been ineffective in discouraging the practice. In section eight, the key factors contributing to the persistence of the *trokosi* practice are identified and briefly discussed. This is followed by a conclusion that recaps the key points and offers some recommendations.

METHODS

The defined aims are achieved by reviewing the relevant extant literature and interviews. It must be stressed that a literature review was the main approach employed in this study. However, to gain additional insights into the *trokosi* phenomenon, semi-structured interviews were conducted with two categories/groups of people: (1) experts and activists (three males and two females), including two academics with expertise in the *trokosi* system, two traditional leaders from *trokosi*-practising communities, and one children's rights activist); and (2) ordinary people from *trokosi*-practising communities (three females and two males). Thus, the views of the 10 participants helped to flesh out the findings obtained from the literature review.

The interviewees from the first group were selected using the purposeful sampling technique. This approach was relevant as the study required participants with reasonable knowledge and understanding of the *trokosi* system. Thus, participants were selected based on their acclaimed expertise/knowledge in the *trokosi* system. The interviews with this group of participants bordered largely on the origins and

evolution of *trokosi*, the magnitude of trokosi-related violence, factors sustaining the practice, and the legal implications. The random sampling method was utilised to select participants from the second group for interviews. This technique was also necessary as it sought to know the views of ordinary members of *trokosi*-practising communities on the *trokosi* belief and its relevance in contemporary Ghanaian society. Only university graduates—persons who had attained at least a first degree—were selected. It is worth stressing that due to the study's broad scope and the need to make the discussion simple and concise by avoiding repetitions, the participants' views are incorporated into or interspersed with the literature review (or the outcome of the literature review). This approach is particularly useful for presenting a credible account of the origins and evolution of *trokosi*.

AN EXPOSITION OF THE CONCEPT OF VIRGINITY AND *TROKOSI*

THE CONCEPT OF VIRGINITY

Virginity as a sexual construct can be applied to both females and males. However, in this study, it has been considered reasonable and appropriate to concentrate on only female virginity, as almost all virgin-related superstitions, including *trokosi*, and concomitant child maltreatments in Africa, are better appreciated within the context of a female subject (Bilyeu, 1999; Leclerc-Madlala, 2002). The term “virginity” or “virgin” could be interpreted or understood from various perspectives—biological, historical, religious, psychosexual, behavioural, and cultural (Addison, 2010). This makes it a surprisingly difficult concept to define (Addison, 2010). For the purposes of this study, virginity is defined strictly as abstention from sexual intercourse. A virgin is thus a person, usually a female, who has never had sexual or penile-vaginal intercourse before (Addison, 2010).

In many African societies, female virginity ideals have historically been linked to cultural notions of respect, dignity, honour, and pride (Bhana, 2016; Nhlekisana, 2017; Richards, 1956; Rooyen & Hartell, 2010). Therefore, various rites and ceremonies (rites of passage) are performed in various African communities to honour adolescents who abstain from pre-marital sexual intercourse. However, one commentator has argued that the extreme obsession with virgins/virginity only strengthens superstitions that assign magical powers to virginity, causing people to severely abuse young girls believed to be virgins (Hossain, 2010). Indeed, being a declared young female virgin in certain superstition-ridden communities in Africa comes with its own dangers, as shall be demonstrated in this study.

THE CONCEPT OF RITUAL/CUSTOMARY SERVITUDE (*TROKOSI*) IN GHANA

Ritual servitude/enslavement is a practice in some parts of Ghana, Togo, Benin, and Nigeria, where young girls, usually virgins, are sent to traditional religious shrines (also known as fetish shrines) to serve as slaves and wives of the gods (Ababio, 1996-2000; Ameh, 2001, 2004; Ben-Ari, 2001; Bilyeu, 1999; Botchway, 2008; Codd, 2013). This practice, as Bilyeu (1999), Botchway (2008), Codd (2013), Rouster (2005, 2008), and other academics note, is based on two main superstitious beliefs: (1) that certain crimes committed by individuals do not only anger the gods but also bring misfortunes to the offenders' families or the entire community, and the only way of

appeasing the gods and averting the calamity is to give a virgin girl to the shrine as a kind of “living sacrifice;” and (2) that certain fortunes or pleasant occurrences in people’s lives, families, or the community (such as childbirth, wealth, healing, rainfall, bountiful harvest, etc.) are engineered by the gods, and one most acceptable way of thanking or paying them for the benevolent services/gesture is to send a young girl to the shrine to serve them (the gods/deities) (Akyeampong, 2001a; Ameh, 2013; Rouster, 2005). The former notion is at the heart of a belief system called *trokosi*, and the latter forms part of a practice called *fiasidi* (Greene, 1996, 2009; Akyeampong, 2001a, 2001b; Ameh, 2001, 2011). However, it must be mentioned that these terms (*trokosi* and *fiasidi*) have erroneously been used interchangeably by various academics, researchers, and activists.

Trokosi (also known as *wayokwe*) is a practice among the Ewe and Dangme ethnic groups, where a young virgin girl, usually below the age of 10 years (or at times, above 10 but below 15 years), is given to a fetish shrine by her family to atone for the crimes or misdeeds (such as stealing, improper sexual relations, or murder) of a family member—living or deceased (Ameh, 2001; Bilyeu, 1999; Botchway, 2008; Rouster, 2005). It must be mentioned that the term “*trokosi*” is usually used to refer to both the practice itself and the shrine slave (the virgin girl compelled to serve the gods in a fetish shrine). The Ewe people, like many ethnic groups in Africa, have always held the notion that there is no smoke without fire; thus, every occurrence has a cause. For this reason, whenever there is a run of bad luck, disease, or a series of unexplained deaths in a family or the community, efforts are made to establish the cause and to find a remedy (Ameh, 2011, 2013; Abotchie, 1997; Bilyeu, 1999; Greene, 2009). As some of the interviewees explained, the process of discerning the cause of misfortunes is usually conducted by fetish priests either voluntarily or following a request from the afflicted individual, family, or elders of the affected community. If it is determined that the calamities are a punishment from the gods for the misdeeds of a person or group of individuals, then sacrifices or offerings are made to avert the misfortunes and prevent similar events in the future (see Bilyeu, 1999; Kiley, 1996; Rouster, 2005).

Abotchie (1997), Ameh (2001, 2004), and Short (1995) explain that in many cases when a crime is committed and the offender is not known, the offended or aggrieved party personally approaches a traditional priest to look for the perpetrators and to implore the gods to punish them and/or their families. The search for the wrongdoer is done through the invocation of the gods. One traditional leader in an interview explained that if shortly after the search process and invocation of the deities, mishaps such as frequent deaths or the outbreak of diseases begin to occur in a particular family within the community, then the general conclusion will be that the culprit hails from the plagued family and that the gods are responding to the invocation to punish the wrongdoer. The priest could confirm this following consultation with him by the tormented family (Ameh, 2001, 2004; Short, 1995). The process of appeasing the gods by sending a virgin girl to the shrine then begins.

THE ORIGINS AND EVOLUTION OF THE *TROKOSI* BELIEF SYSTEM

It must be reiterated that various forms of ritual/customary servitude exist in various West African countries. For this reason, the origins and evolution of ritual servitude are discussed here only within the context of the Ewe group in Ghana. The *trokosi* practice is concentrated and observed primarily in the country’s southeastern part. It is found largely among the Ewe and Dangbe ethnic groups, but the Dangbes call it *wayokwe* (Ababio, 1996-2000; Bilyeu, 1999). The term *trokosi* is derived from two

Ewe words: “*tro*”, meaning god and “*kosi*”, which means virgin, slave, or wife. Hence, *trokosi* is variously translated as wife of the gods, slave of the gods, or a person consecrated to the gods (Ameh, 2001; Bilyeu, 1999; Musa, 2011). The academics and traditional leaders confirmed this etymology.

Academics and adherents have provided divergent accounts regarding the origins and historical development of the *trokosi* system. However, there seems to be a consensus that the *trokosi* system evolved from and is grounded on three main traditional notions: (1) that the gods and ancestors have a close relationship with and participate directly in the affairs of humankind and have the urge to punish wrongdoing; (2) that justice and punishment are communal—a person with no connection to a crime may be punished to spare others, and when an individual’s offence goes unpunished, vengeance may be wreaked upon the entire community; and (3) that traditional/fetish priests are the representatives of the gods (including ancestral spirits) and mediators between the people and the gods/deities; hence, their authority can hardly be challenged (Abotchie, 1997; Ameh, 2001; Bilyeu, 1999; Brooker, 1996; Botchway, 2008; French, 1997a, 1997b; Greene, 1996).

Many of the interviewees agree with Ameh (2001), French (1997a, 1997b), and Musa (2011) that the *trokosi* religious system dates as far back as the 17th century or beyond. Some academics have suggested that the practice originated as a war ritual in the 1600s and consisted of offering virgins to the war gods in exchange for victory and a safe homecoming of warriors (Aird, 1999; Gadri, 2010; Martinez, 2011). The problem with this hypothesis is that it fails to sufficiently demonstrate how this war ritual evolved into the *trokosi* religious system. This puzzle is somehow addressed by Bilyeu (1999), who clarifies that the *trokosi* practice began as part of an age-old religious tradition of making offerings like cattle, money, and liquor not only to ensure success in war but also to appease angry gods whose wrath was believed to have been triggered by the transgressions of members of the community. However, the practice changed with time from offering animals and other objects to offering virgin girls. This change was inspired by the priests’ belief that only the offering of virgins (a symbol of purity and sacredness) could appease the gods (Bailey, 1997; Bilyeu, 1999; Kiley, 1996). Some have suggested that the change may also have been economically based. They explain that families started offering their daughters to be killed as sacrifices for the gods because a girl was “cheaper” than a cow (Bilyeu, 1999; Botchway, 2008).

In the olden days, the view that virgin girls were sacrificed to pacify angry gods was corroborated and stressed by one traditional leader interviewed. He backed Bilyeu’s (1999) assertion that, over time, the priests decided not to kill the girls but to keep them mainly to work on the shrines’ land, do the priests’ housekeeping, and serve as sexual partners. Owusu-Ansah (2003) has theorised that within Ewe communities, the number of children a man had determined his status; therefore, another possible reason for the fetish priests’ decision to keep the virgin girls was to elevate their (the fetish priests) status within the community by impregnating many of the *trokosi* slaves.

Some academics suggest that the change from the original form of the practice (where animals and other objects were offered or sacrificed) to the current system (where virgins are kept in shrines as slaves) was somehow influenced by events in Ghana (formerly the Gold Coast) after 1807 (Akyeampong, 2001a; Greene, 2009). Greene (2009), for instance, submits that attempts to enforce the 1807 abolition of the Transatlantic slave trade, which was very prevalent among the Ewe group inhabiting the southeastern part of modern-day Ghana, affected the local economy and the

wealth of local leaders who were very influential in the trade. *Trokosi* was therefore transformed and used as a substitute. Thus, the *trokosi* practice became a profitable business for traditional priests and elders in local communities, as relatives of victims from affluent families could pay huge sums of money to secure the girls' release or prevent them from being sent to shrines as slaves.

Some academics have argued that the practice of priests keeping young girls in shrines as slaves and families paying considerable sums to secure the freedom of these *trokosi* girls created a market that was indistinguishable from the one witnessed during the Transatlantic slave trade (Akyeampong, 2001a; Botchway, 2008; Greene, 2009). However, one traditional leader interviewed held a contrary opinion. He opined that the *trokosi* practice does not have and has never had any connection with the Transatlantic slave trade. Indeed, the view that the *trokosi* practice has been profitable for ages has hardly been contested. However, the question as to whether the Transatlantic slave trade inspired its present form has not been sufficiently addressed by the existing literature. It is, however, probable that the traditional leader's insistence that there is no connection between the Transatlantic slave trade and *trokosi* was an attempt to discredit the general view that the practice is a contemporary form of enslavement.

Addressing the pressing issue as to why innocent persons had to be punished for the crimes of others, an interviewee (a traditional leader) noted that offenders were punished, and it was only when they ran away, or they died before their crimes were exposed that their relatives were made to atone. This assertion is consistent with that of Ababio (1996-2000), who argues that in some instances, criminals were even "given away to crocodiles and [the rest of] their remains used to perform rituals." However, "[i]n most cases, offenders run away because of the harsh penalty. In their place, a virgin female from ... [the perpetrators'] family had to serve a reparation to the gods for the offence" (p. 315). The belief was that if this was not done, the angry gods could wipe an entire family out. Thus, the priests and elders, as one interviewee (an academic) submitted, might have assumed that people would be discouraged from committing crimes if they knew that an innocent little girl in their family (who could be their beloved daughter or niece or granddaughter) would be made to suffer for their (the perpetrators') transgressions.

The view that innocent people were/are punished only when the actual perpetrator flees or dies before their misdeeds are uncovered, does not seem convincing and tenable enough. This is because there have been several instances, as shall be demonstrated later in this study, where the priests demanded young females belonging to the families of supposed criminals even though the alleged transgressors themselves were alive and in plain sight. In some cases, the girls were sent to the shrines by the very persons who purportedly committed the crime, usually fathers and uncles, to atone for their (the perpetrators') misdeeds. The lingering question as to why girls, not boys, were/are sent to fetish shrines to atone for the sins of criminals or serve as slaves will be addressed in the subsequent sub-section.

Interestingly, some academics and commentators such as Dartey-Kumodzie (1995, 2001) and Quashigah (1998, 1999) have significantly divergent views about the origins of *trokosi*. They contend that the practice is an aspect of a beautiful religious tradition which, lamentably, has, over the years, become corrupted and reduced into a rather heinous form of the original practice. Quashigah, for instance, seems to admit that virgin girls in shrines, under the *trokosi* system, were always sourced or selected from families of criminals (Quashigah, 1998, 1999). However, he insists that "[i]n its original conception, the young girls were sent there [(to the shrines)], not

because any of their relatives had committed transgressions, but for the same reasons other girls entered convents” (Quashigah, 1999, p. 603). He further asserts that “the original idea was not the creation of a slave class out of these girls but a respectable class of women who would be the pride of the society” (Quashigah, 1998, p. 195).

Dartey-Kumodzie (1995, 2001) and Quashigah (1998, 1999) explain that the *trokosi* system was designed to create a class of elite or privileged traditional women. These women were to be initiated and to undergo special training as the future wives of kings and elites. Consequently, they were to become the mothers of the elite people of the society—the kings, the philosophers, the seers, and other men and women of virtue. Thus, the priesthood demanded young virgin girls not as slaves to be mistreated but as special people to play special roles in society once they were adults (Quashigah, 1998, 1999). Quashigah (1999) further suggests that the deviation from the original purpose of the practice occurred due to the urging of corrupt and selfish custodians of customs and traditions and religious leaders to manipulate the institution to satisfy modern economic and social needs.

It could, however, be argued that drawing a parallel between novices in convents and young virgins at fetish shrines is misplaced. Young girls in convents voluntarily went/go there for training to become nuns, and they had/have the freedom to discontinue the training at any time. However, there is no indication that the same is the case with the *trokosi* system. Besides, Quashigah (1999) does not explain why only relatives of “criminals” were selected and sent to shrines for such a purportedly noble training, treatment, and mission. Such a practice would have been an important incentive for the commission of crime, resulting in the escalation of wrongdoings. This is because more people would have committed crimes knowing that doing so would lead to some members of their families becoming the wives of kings and, ultimately, the mothers of royals.

It is apparent that Quashigah (1998, 1999) and other academics are either confusing *trokosi* with *fiasidi*, two seemingly identical but quite different religious practices with distinct originations, features, and historical developments (see Akyeampong, 2001a, 2001b; Ameh, 2001, 2013; Greene, 1996), or mistakenly using the two practices interchangeably as some other academics and commentators do. *Fiasidis*, as Greene (1996) and Ameh (2001, 2004, 2013) explain, are initiates of the *Nyigbla* and *Yewe* (two of the most powerful gods of the Anlo people) religious orders in the Anlo-Ewe society, who are voluntarily given by their families or freely choose to serve in the shrines (Greene, 1996; Ameh, 2001, 2013). Since leadership in Anlo society is spiritual, *fiasidi* was conceived as a training school for a special breed of women, who would then marry eminent men and bring forth noble children—a kind of spiritual eugenics (Akyeampong, 2001a). As one chief, Togbui Addo VIII, submits,

fiasidi was an institution for training women, to be marriageable to the noble in society. You know everything that involved schooling revolved around the shrine, so that there is some fear *Fiasidi* is actually coined from three Ewe words: *fia* means ‘king’; *asi* means ‘wife’; and *di* is just the verb ‘to marry’. So if you say *fiasidi*, it simply means ‘a woman who is fit for a king to marry’. It was an honor to marry a *fiasidi* (cited in Akyeampong, 2001a, p. 15)

According to Akyeampong (2001a), the *fiasidi* practice became institutionalised and grew in Anlo society around the nineteenth century. It has been suggested that, unlike *trokosi*, one did not have to be the family member of a criminal to become a *fiasidi*. They were exclusively perceived as the “wives of the gods” or “queens fit for a

king” and, therefore, were treated with respect by all members of the community, including the priests themselves (Akyeampong, 2001a; Ameh, 2013). Experts maintain that many of the families who sent their daughters, usually virgin girls, to serve in the shrines as *fiasidis*, did so as a way of thanking the gods for services and favours believed to have been rendered them by the gods in their times of need and difficulty. These services include aiding a barren or infertile individual to get children, healing a sick person, or settling a dispute (Dovlo & Adzoyi, 1995; Greene, 1996, 2009; Akyeampong, 2001a; Ameh, 2013). Many girls and women also voluntarily opted to serve as *fiasidis* because of the benefits that accrued from doing so—prestige, the opportunity to establish close ties with the most powerful political and religious families or clans at the time, and various socio-economic benefits (Greene, 1996; Ameh, 2013). It is evident from these accounts that *fiasidi*, unlike *trokosi*, started as and borders on a voluntary service or training.

However, it has been indicated by some researchers that both the *trokosi* and the *fiasidi* had no control over their sexuality and labour and were held at shrines against their will through family intimidation and the fear of supernatural sanctions (Akyeampong, 2001a). However, this claim has been disputed by the leadership of the Anlo society and other apologists who paint an almost immaculate picture of *fiasidi*, insisting that women, under the system, were/are treated humanely and not as slaves (see Ameh, 2001; Greene, 1996). Whatever the case, there is no question that, like the *trokosi* system, considerable aspects of the *fiasidi* practice violate the fundamental rights of girls (Dovlo & Adzoyi, 1995; Dovlo & Kufogbe, 1997; Nukunya & Kwafu, 1998). However, it is not helpful to confuse the nature and evolution of one with the other. As Ameh (2001) rightly points out, “[c]omparing *fiasidis* and *trokosis* may well be comparing apples and oranges because of the subtle differences between the two [beliefs and] practices” (p. 268).

WHY IS IT ALWAYS GIRLS? A FEMINIST ANALYSIS

The principle of collective responsibility is an important feature of most African cultures; hence, communal values often precede personal or individual values. Unfortunately, however, the individual rights of girls and females are, in most cases, “sacrificed for the benefit of the whole society” (Ameh, 2017, p. 29). However, the lingering question is: why is it always girls? Thus, one puzzling aspect of the *trokosi* system that needs diligent probing is that only girls (and not boys) were/are sent to fetish shrines to atone for the purported sins/crimes of family members or made to suffer the ills of this dehumanising practice. Various propositions have been put forward to explain this phenomenon. One explanation provided by some of the extant literature for the preference of girl slaves is that young females “are less likely to be as defiant and rebellious as boys may be, and therefore are less likely to escape. Female slaves also have a higher tendency to obey the priests’ orders” (Martinez, 2011, p. 28). Besides, girls are easily controlled in many African societies and their productive and reproductive labour is an important source of support for the shrine priests (Greene, 2009; Martinez, 2011).

Two interviewees, a traditional leader and an academic, also suggested another seemingly tangible but unconvincing reason for subjecting only females to the *trokosi* practice. They argued that within the Ewe community, as in many African societies, virginity is associated only with the females. Besides, a female’s virginity can

supposedly be verified through virginity testing,¹ whereas a male's virginity cannot. Therefore, it would be unreasonable and unsafe to send boys to the shrines when virgins are needed to atone for their family members' sins to pacify angry gods. The following series of interrogative statements from the traditional leader is noteworthy:

You, tell me! how do you determine/verify the virginity of a male? Would you risk sending a male person to serve the gods in the shrine if they [(the gods)] ask for a virgin? What if the boy is not a virgin as you might have thought or been made to believe? Don't you think the gods will get even angrier if the boy is not a virgin? You have to understand that a virgin can only be a woman (whose virginity can be established), not a man (Interview with the author, 20/11/2020).

It has further been argued that since the *trokosi* slaves are meant to be the wives or sexual partners of the gods, they necessarily must be females—males are not acceptable because the deities abhor and do not engage in homosexuality (Howusu, 2015). In a study that sought to explore the extent of the plight of *trokosi* girls in Ghana, Howusu (2015, p. 49) confirms that “[o]ne reason given by the respondents about why girls are the preferred objects of atonement is that the girls are considered as wives of the deity and are normally married by the chief priests,” and since the gods (usually associated with the males), represented on earth by the priests, detest same-sex marriage, only females/girls could be sent to the shrines.

However, many academics and activists identify the principle of patrilineal descent (which is a common practice/system in African societies) and patriarchy as the major factors responsible for the widespread marginalisation of and discrimination against females and for the preference of girls under the *trokosi* system (Ameh, 2017; Howusu, 2015; Wiking, 2009). Like most ethnic groups in Ghana, the Ewes and *trokosi*-practising communities follow/practice the patrilineal inheritance system. Under this system, people trace kinship or descent through the male line, and inheritance or succession is largely the preserve of male family members. This system makes boys/males more important than girls/females (Ameh, 2017; Howusu, 2015). However, many experts maintain that the marginalisation and predicaments of African females are only partially caused by the value placed on the principle of patrilineal descent in African societies and that patriarchy seems a more forceful explanation of the African woman's situation (Adinkrah, 2015; Ameh, 2017).

Patriarchy is a system that promotes male dominance over females, where masculinity is typically more highly valued than femininity. Patriarchal societies or cultures emphasise male superiority or dominance over females and the former's control over the latter's (female) sexuality (Ameh, 2017; Howusu, 2015; Wiking, 2009). Several academics and activists maintain that Ghanaian females generally occupy an inferior or a lower social status compared with their male counterparts in virtually every aspect of social life (Adinkrah, 2015; Ameh, 2017; Bawa, 2019; Gyekye, 2003;

¹ Virginity test is an inspection of the female genitalia conducted, usually during a rite of passage ceremony, to establish whether a girl has had vaginal intercourse. In many African societies, it is an abomination for a girl to have sexual intercourse before partaking in the rite of passage that marks a change in status from childhood to adulthood. Among the Krobo people of Ghana, such girls (girls who engage in vaginal sex before performing the puberty rite) may be banished from the community.

Spence, 2017). They thus view the *trokosi* system as a form of gender discrimination and inequality which are commonplace within most patriarchal communities. According to this school, female overrepresentation among *trokosi* slaves and victims of other harmful beliefs and practices (such as witchcraft and female genital mutilation) in Ghana is traceable to deeply held misogynistic attitudes and beliefs, which are the effects of patriarchal arrangements and ideology embedded in the Ghanaian community (Adinkrah, 2015; Bawa, 2019; Gyekye, 2003; Howusu, 2015).

Some have argued that in patriarchal societies, such as those in Ghana, females were/are viewed as mere objects or properties possessed by males (Collins, 2000; Howusu, 2015), and the idea was and still “is that a woman, not a man, is someone you can afford to lose” (Wiking, 2009, p. 26). This perception/notion about females/femininity perhaps paved the way or made it easy for families to offer their daughters instead of animals to be sacrificed to the gods during the early stages of the *trokosi* practice. In patriarchal societies, males tend to use power and domination to reduce others (particularly females and children) to properties or inferior entities “in order to exploit them economically, physically, politically and sexually” (Howusu, 2015, p. 32). The fertility and sexuality of marginalised females are often exploited in such societies (Akpabli-Honu, 2014); hence, girls, under the *trokosi* system, may have been and still “be regarded as objects of pleasure” (Howusu, 2015, p. 49; see also Collins, 2000).

Bawa (2019) argues that foreign or received religions, particularly Christianity, have also played and continue to play a significant part “in entrenching patriarchal notions of gender and inequality,” insisting that Christianity “played a crucial role in entrenching women’s subordination” in sub-Saharan Africa during the colonial period (pp. 54-55). This view is shared by Rwafa (2016), who laments how factors such as biblical notions of the creation of man and the place of women in society have strengthened the age-old patriarchal systems of local culture and encouraged or justified, even if indirectly, the oppression of females in African communities. Bawa (2019) observes that “challenging conservative interpretation of the Bible is fundamental to dismantling oppressive gender norms” (p. 64). Women and activists are thus encouraged to take advantage of every opportunity to challenge and dismantle or discourage oppressive structures, irrespective of their origins (Rwafa, 2016; Bawa, 2019).

It must be emphasised that the arguments being advanced here do not suggest that the *trokosi* system/practice would have been justifiable or reasonable if boys were also sent to shrines to atone for others’ sins/crimes. As one *trokosi* girl rightly mentioned in Howusu’s (2015) study:

It is difficult to understand why we [innocent children] should be used as sacrificial lambs when the offenders are freely walking on the street. If this mode of punishment is really effective, then rape, defilement and adultery should have been a thing of the past. (2015, p. 36)

The subsequent sections of this study demonstrate that the *trokosi* system is unfair and unjustifiable irrespective of whether it is practised on girls or boys.

TROKOSI AS A SOCIAL AND CRIME CONTROL MECHANISM

Like the Akans and several other groups in Africa, the Ewe people perceive the world as consisting of the living and the dead, natural and supernatural (Abotchie, 1997; Ameh, 2013; Quashigah, 1999). As Abotchie (1997, pp. 10–11) opines,

Southern Ewe cosmology ... is constructed upon a belief in a pantheon of omnipresent and omniscient, benevolent, supernatural forces regarded as the source of justice and fairplay, and who holds the power of life and death over man.

As the epitome of virtue, these benevolent forces oversee a code of morals. To stay in harmony with the supernatural beings who hold the key to life and death, one must strictly observe the moral codes they prescribed and presided over. The strict observance of these moral codes ensures peace and the availability and enjoyment of all life's good physical and material things (Abotchie, 1997).

A breach of the moral codes is tantamount to an offence against supernatural powers and may lead to curses and afflictions, which include tragic deaths, accidents, mysterious diseases, famine, and other disasters (Greene, 1996; Ameh, 2013). Thus, such offences, as one traditional leader explained, “result in the gods withholding the good things of life from not only the individual offender, but also society in general” (Interview 20/11/2020). This idea has been emphasised by Abotchie (1997, p. 18), who points out that “the awe-inspiring belief is held that the supernatural forces, sometimes, for reasons best known to them, choose to spare the wrongdoer and instead strike an innocent member of his lineage” or the entire community. Justifying why it is necessary for people to atone for crimes committed centuries ago by their family members, one interviewee (a traditional leader) made the following statement:

The gods do not forget, and time does not and cannot erase sin; only atonement can. You have to understand that once sin or a crime that angers the gods has been committed, atonement would be required in order to pacify the gods, and restore the state of harmony with them, so they do not withhold the good things of life from us. This is why it is extremely important for sinners (offenders) to be detected at all cost, and for sin to be atoned for, either by the sinners themselves or someone related to them (Interview with the author, 20/11/2020)

Punishing offenders or their family members not only appeases the gods and restores the state of harmony and good life but also serves as a deterrent to would-be offenders (Ameh, 2013). In brief, the cardinal objective of *trokosi* is to serve as a crime prevention and social control mechanism. Many apologists of the *trokosi* system argue that the practice should be preserved because it serves a moral purpose—and its moral objective “is the pursuit of truth, righteous living, and deterrence from crime” (Ameh, 2011, p. 142).

People in the *trokosi*-practising communities claim that the system is a traditional religious crime detection and control mechanism, which is more effective than the western-imported criminal justice system (see Abotchie, 1997; Aird, 1999). Another traditional leader emphasised this point in the following words:

I wouldn't lie to you, young man, before the so-called *trokosi* law was passed, crime was very rare in our communities. It was when this unnecessary law was passed that people began to commit all kinds of crime in our area. Don't get me wrong—I am not saying crime did not exist at all in our community; what I am saying is that the crime rate was very low. But now crimes, including very serious ones, are rampant in our society. Why do you think there has been a considerable increase in crime rates since the passing of that law? It's because the criminals are motivated by the knowledge that no member of their family will be made to atone for their sins [or transgressions] if they run away or die. (Interview with the author, 20/11/2020)

The claim that crime rates were low in *trokosi*-practising communities prior to passing the *trokosi* law (which will be looked at later) could not be verified with the relevant authorities in Ghana. However, there is no evidence that criminals will not commit crimes if they know that innocent young female members of their families would be made to atone for their misdeeds. Such a system may instead encourage the commission of a crime. The traditional leaders paid little or no attention to the human rights aspect of the *trokosi* practice. For them, if crime could be prevented through the enslavement and suffering of innocent children, then so be it.

THE CURRENT NATURE/FORM OF THE *TROKOSI* SYSTEM IN GHANA

INITIATION RITE

When a *trokosi* arrives at the shrine, a ceremony is performed during which the relatives officially offer the child as a “sacrificial” entity to the gods. The girl is then compelled to kneel in front of the priest and the village elders, who strip off her clothes whilst chanting. Upon the priest's acceptance of the girl as his *trokosi*, a two-week initiation rite begins (Musa, 2011). The ceremony, according to Musa (2011) and several interviewees, involves the pouring of libation, a ritual bath called *agbametsilele*, the ingestion of concoctions believed to make her (the initiand) a faithful and dedicated devotee and to prevent her from running away, and the shaving of her hair. The ceremony is concluded by letting her wear unique apparel and a necklace made from fibre strands which signify her new status and identify her as a *trokosi* to the rest of the world.

THE TASKS OF THE *TROKOSI*

In most, if not all shrines, one of the *trokosi's* main obligations is ostensibly to “marry” the gods, but the reality is that she “marries” a fetish priest who is the proxy for the gods (Bilyeu, 1999). The shrine slave must have sex with the priest after her first menstruation, and the priest continues to sexually abuse her whenever he wants (Brooker, 1996, 2011; Botchway, 2008; Codd, 2013; Gadri, 2010). The girls are made to believe that as a person who stands in place of the gods, the priest's genital organ has been dedicated to the gods of the shrine; therefore, having sex with the fetish priest is, in a sense, having sex with the gods; hence, a sacred act (Gadri, 2010). Girls who refuse sex with priests or shrine elders may receive severe punishments (Ameh, 2001; Bilyeu, 1999; Brooker, 1996). It is reported that shrine slaves often end up with an average of four children, fathered by the priest and elders, while in servitude (Ameh, 2001, 2011; Gadri, 2010; Quashigah, 1998, 1999). Many interviewees agree with Aird (1999), Bilyeu (1999) and Botchway (2008) that any children born to *trokosi* women are also viewed and treated as slaves or property of the priest. Other

duties of the *trokosi* are to work on the farm (this includes weeding with machetes and hand hoes), weave mats, fetch firewood and water, cook, sweep the compound, and care for livestock (Ameh, 2001; Bilyeu, 1999; Botchway, 2008; Brooker, 1996).

LENGTH OF SERVICE

The priest is the only person who can decide how long an alleged sin must be atoned for. According to some interviewees and a number of researchers such as Ameh (2001), Bilyeu (1999), Botchway (2008), Gadri (2010), and Greene (2009), the length of the *trokosi* girls' enslavement ranges from three years to life. Thus, there are two main service lengths: perpetual and temporary. Some traditional priests in various shrines maintain that once a crime angers the gods is committed, it must be atoned for eternally. Girls sent to such shrines are thus supposed to remain there until they die—they have no hope of ever being freed (unless perhaps well-meaning individuals and groups intervene by paying for their release). However, in some shrines and for some alleged crimes, the length of service is limited to a specific time period or a number of years (Gadri, 2010). Many other shrines may demand a substantial fee from the shrine slave or her family, and the victim may be released only after the fee is fully paid (Bilyeu, 1999; Botchway, 2008; Gadri, 2010). To priests in such shrines, *trokosi* serves as a hugely profitable business. However, as Gadri (2010) notes, the amount required to be paid to the priests for a *trokosi's* freedom is usually so huge that raising it becomes almost impossible for them or their families—a situation that condemns them (the *trokosi* slaves) to everlasting servitude.

If a *trokosi* girl runs away or dies without completing the required duration, she must be replaced by another virgin girl from the same family. For this reason, a *trokosi* girl could be the fourth or fifth girl in her family “atoning” for the same alleged crime of an ancestor (Aird, 1999; Brooker, 1996; GhanaWeb, 2018). According to some interviewees and various commentators such as Bilyeu (1999), the belief is that failure to replace a *trokosi* who runs away or dies without fully serving the time imposed by the priest will lead to the recurrence of calamities in the offender's family. This can go on for generations. It has also been observed that they become stigmatised and outcasts even if they are set free (Bilyeu, 1999). The current nature of the *trokosi* system and a description of the plight of the *trokosi* girls are expertly summarised by Botchway (2008) in the following words:

Imagine that you had a different childhood. You wake up on your eighth birthday and your family takes you to a remote village and leaves you with a strange man who does not take care of you financially or emotionally. Thus, your formal education stops at age eight. You are forced to clean and do daily chores for the man. When you reach puberty, one of your “chores” will be having sex with this man. You might be released in three years, 20 years, or you may never be released. If you die before you are released, your family may have to send another child. If you are eventually released, you will have lost your innocence, youth, and possibly your sanity. You may have lost contact with your family. To top everything, you will have nowhere to live and no employable skills. When you ask why you were sent to live with the man, you are told it is because of something that someone else, probably a male relative, did over 700 years ago! No one knows exactly what happened, but you are still being punished for it—at age eight (p. 369).

THE EXTENT OF THE PLIGHT OF *TROKOSI* GIRLS

The findings of all the empirical studies conducted on *trokosi* girls in fetish shrines demonstrate that the inmates are trapped in deplorable physical, mental, moral, and socio-economic conditions. The shrines, to use Quashigah's (1998, p. 199) words, "depict ... nothing but squalor, despondency, sexual exploitation, starvation and disease;" in short, the *trokosi* "is a type of slavery which dehumanises the victims to such level as is unimaginable." A study conducted by Ohrt (2011) confirms that life in shrines consists of hard labour, little or no food, and sexual assaults by priests. It has been reported that there are no schools or healthcare facilities in these shrines, which are usually located in remote, inaccessible, poorest, and least developed parts of the country (Bilyeu, 1999). *Trokosi* girls have no freedom, no rights, and no assets. As Brooker (1996, p. 12, 2011) notes, most *trokosi* girls are condemned to years, if not "a lifetime of hard labour, sexual servitude and perpetual childbearing at the service of the village priest". Ameh (2011) also observes that under the *trokosi* system, girls regarded as unruly or disobedient "are made to undergo all sorts of ill-treatment, including beating, and other corporal punishment such as kneeling on palm kernel or broken bottles" (p. 132). Such girls are also compelled to ingest ritual concoctions to make them corrigible (Ameh, 2011).

In a report published in 1996, Brooker describes the plight of a ten-year-old girl, Mewornovi Kokou, who was taken to a fetish shrine to perpetually atone for an ancestral crime—a "crime" committed so long ago that no one could remember what it was or who committed it. Bent on keeping the innocent girl in bondage, the priest explained, when confronted, that "[h]uman memory may be frail, but the gods do not forget." He threatened to curse and implore the gods to wipe out the family members if they withheld the girl (Brooker, 1996, 2011). In Brooker's report, a 23-year-old woman, Julie Dorbadzi, also recounted that she was only six years old when her family abandoned her at a shrine to atone for a theft her great-grandfather allegedly committed. There, she had been living and had grown up with five other *trokosis*. She was the fourth successive virgin sent by her family to atone for that same crime. Julie further revealed that the priest attempted to have sex with her when she was only seven years old, but she resisted until she was 12. She explained that she eventually gave in because she would have been beaten up if she had refused sex with the priest (Brooker, 1996, 2011).

In a 1997 report, French tells the story of a 12-year-old girl, Abla Kotor, who was also taken to a shrine by her family to atone for an alleged rape her father committed against his niece (Abla's own mother). Thus, it was claimed that Abla's father raped his young niece (Abla's mother), and that act resulted in Abla's birth. The poor girl was therefore atoning for the crime of her rapist father. The victim initially had little idea why she was sent to the shrine by her family. She was told that someone had done something bad in her family, so she had to live in the shrine. Her duties at the time of the investigation by the reporter mostly involved sweeping the courtyard of the fetish priest. However, obviously, her responsibilities were going to grow to include providing sex to the priest (French, 1997a, 1997b; see also Aird, 1999).

A CBS television broadcast in 1997 told the story of a woman, Mercy Senahe, who had been in servitude for over a decade and was the second in her family to be sent into slavery because her great-grandmother supposedly stole an earring many years ago. It was reported that the priest first forced himself on her when she was only 11 years old. Mercy ran away after years of servitude, but she could not assimilate back into society. This was because people (including her own relatives) ran away from her

due to her status as a *trokosi*. Worryingly, the priest who enslaved Mercy was a government official with the Ministry of Health and was a husband to ten *trokosi* women who together had borne him 60 children. She was latter rescued by an NGO (CBS, 1997; see also Botchway, 2008).

In an NBC television broadcast in 1998, a young girl, Juliette, was nearly sent to a fetish shrine to atone for her father's crime of stealing a tape recorder years ago. The priest had initially instructed the family to offer 20 cows, 10 crates of brandy together with Juliette to appease the gods. Later, the price of atonement was reduced to 15 cows, 2 crates of brandy and Juliette. In the end, the priest and elders, following further negotiations, reviewed their decision and said the family could keep Juliette for \$2,500, which was equivalent to, if not more than, five years of earnings for the girl's father. A human rights organisation which was contacted by the reporters paid the fee for Juliette's freedom (NBC, 1998).

In a study published in 2001, Nirit Ben-Ari recounts the story of Dora Galley, who spent seven years in a fetish shrine before she was freed through the help of an NGO in Ghana (Ben-Ari, 2001). According to Dora, she was compelled by the priest to work on the shrine's farmland from morning until evening without any food or payment. She is quoted as saying:

I had to cut down trees and uproot tree stumps to burn into charcoal to sell and make some money to take care of myself. I did not have the right to take crops from the farm unless the priest allowed me to. Occasionally my parents sent me some food, but that was kept in the priest's room and I had to request it any time I needed some. I was forced to have sex with the priest as one of the rituals in the shrine, but luckily, I did not get pregnant (cited in Botchway, 2008, p. 377).

Dora's experience is very similar to that of another victim, Brigitte Sossou Perenyi. In "My stolen childhood—investigating Ghana's practice of *trokosi*," a British Broadcasting Corporation (BBC) documentary broadcast on 14 May 2018, Brigitte, who became a victim of the *trokosi* system when she was only seven years, goes on a journey to comprehend why her family gave her away and to recount the terrible ordeal that she was compelled to endure (British Broadcasting Corporation, 2018). She recounts that she was made to believe that she would live with her uncle in the city. She journeyed from her home to the unknown destination on the back of a motorbike. However, instead of being taken to her uncle's house, she was left in a place she had never been before. The following words of Brigitte paint a quite distressing picture of the plight of *trokosi* girls in Ghana:

They took away my clothes and wrapped me in a purple cloth, they even took away my name. Each day I was working ... [from] 5 am I was sent to fetch water.....I had to carry a heavy bucket on my head, it was a hard physical work for a child. I swept the compound and worked long hours on the farm. I was not allowed to play or go to school, I was in total isolation. (cited in GhanaWeb 2018).

Following a 1997 news report on the *trokosi* system by CBS 60 Minutes, an American viewer, with the help of a US-based charity organisation, flew to Ghana to negotiate her release. She was taken to the US for the next 13 years (see British Broadcasting Corporation, 2018; GhanaWeb, 2018).

In a study that sought to explore the extent of human rights abuses under the *trokosi* system, Howuwu (2015) interacted with several *trokosi* girls, one of whom expressed the following sentiments and concerns:

Formal education is the means through which most people are living decent lives, but we are not fortunate to be part of it Our lives have been ruined because there is nothing one can do effectively these days without education Our health is equally at risk because most often we don't have access to good health care (p. 39).

If the *trokosi* manages to run away, the outside world refuses to embrace her for fear of incurring the wrath of the fetish priest and the gods.

Only male folks in the relevant communities may champion this appalling practice. Indeed, several academics, researchers, activists, and commentators have suggested that those in *trokosi*-practising communities who strongly believe that the system is part of their cultural and religious heritage and should be preserved are predominantly if not entirely men (Bastine, 2010; Bilyeu, 1999; Dzansi & Biga, 2014; Mensah & Godwyll, 2010). However, the current data suggests otherwise. Many of the interviewees insist that a significant number of females in the relevant communities also strongly support the practice and oppose attempts by the government to stop it. The following words of a female interviewee (a university graduate) from a *trokosi*-practising community are noteworthy:

It is only ignorant people who criticise and completely condemn the *trokosi* system. Before people go about criticising someone's cultural and religious practice, they should endeavour to know and understand the origins and purpose of the practice. I believe if you properly investigate into the historical developments of *trokosi*, you would realise that it has been and is still an important crime prevention and control mechanism.... I am not saying that I like the way some *trokosi* girls are treated in shrines, but we should also look at the positive side. I know crime can never be eradicated from society; but maybe crime rates would have been higher in our communities if the *trokosi* system was not in place (Interview with the author, 29/03/2021).

This comment by the university graduate and information gathered from other interviewees, perhaps, discredit the general view and perception that the *trokosi* belief system is held by and thrives among illiterates and/or males only. One may wonder why educated women would support a practice that dehumanises young females. Some have argued that many of the women who patronise or support the practice do so out of fear—fear of the gods whom the shrine priests represent. Even though this viewpoint is hardly contestable, one must not lose sight of the role the environment could play in strengthening people's beliefs, irrespective of how potentially harmful they (the beliefs) may be. According to McGuire (2008), their social context shapes culture, society, religion, and beliefs. Hence, the environment in which individuals are raised plays a considerable role in influencing their beliefs. Therefore, it is logical for people exposed to a belief or practice since childhood to defend it, no matter how harmful it may be (Wiking, 2009).

ANTI-TROKOSI LEGISLATION AND CASE LAW

As a country that has ratified all the child and female-friendly international and regional human rights instruments such as the International Bill of Human Rights, the

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 1967, the Convention on the Rights of the Child (CRC) 1989, the African Charter on the Rights and Welfare of the Child (ACRWC) 1990, and numerous others, Ghana is required to have policies and legislation that reflect the stipulations of the international human rights documents that it has ratified. To this end, several relevant new laws have been enacted, and amendments made to existing laws. However, the domestic legislation that directly and specifically addresses the *trokosi* problem is the instrument commonly known as the *trokosi* law, passed in 1998 following decades of incessant anti-*trokosi* campaigns by various human rights activists. Thus, the Criminal Offences (Amendment) Act 1998 (Act 554) amends the Criminal Code 1960 to increase the age of criminal and sexual responsibility, revise provisions regarding sexual offences and, more importantly, proscribe ritual/customary servitude (*trokosi*). Abolishing and criminalising ritual servitude, Section 314A 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.

Many human rights activists and NGOs have hailed the anti-*trokosi* law as a giant step in Ghana's efforts to protect girls from harmful superstitions and cultural and religious practices. As Ameh (2011) argues, even though the outcry against *trokosi* triggered the enactment of the law contained in Section 314A of the Criminal Code, the law prohibits *trokosi* and various other harmful traditional practices and beliefs in the country.

In *Atomo v. Tekpetey* [1980] GLR 738, the *trokosi* or *wayokwe* system was rightly declared unreasonable under common law and denounced by the High Court of Ghana. Under the *trokosi/wayokwe* system, all children born to a *trokosi* girl/woman, including those fathered by another man, during and after the lifetime of the fetish priest were forever deemed to be the children of the priest and not their biological father. Thus, such children had no right to inherit their biological fathers or to have any share of their estate if they died (Quashigah, 1998; Ababio, 2000; Ameh, 2011). In the *Atomo* case, the plaintiff's mother was given away in marriage to a fetish priest by her family when she (the mother) was a young virgin girl to prevent an alleged impending calamity under the *trokosi* system.

Following the fetish priest's death, the mother married another man with whom she had three children (all girls), including the plaintiff. The plaintiff's biological father also died, leaving behind substantial property. When the plaintiff was of age, she and her sisters made several attempts to have access to or a share of their biological father's estate. However, the paternal nephew of the deceased (the defendant), who served as the caretaker of the properties in question at the time, resisted. He argued that according to their beliefs and custom, the plaintiff's mother was a *trokosi* or *wayokwe*; hence the plaintiff and her sisters could not be considered children of his deceased uncle and are consequently not entitled to any of his estate. Ruling in the plaintiff's favour, Judge Apatu-Plange made the following statement:

It is plain then that this whole custom of *wayokwe* marriage is mixed up with beliefs in fetish being able to kill by some supernatural powers and this court

is unable to use this as a basis in holding that any such custom is reasonable. Indeed, there is something to be said for the proposition being put forward by this court that to deny a child the right to be recognised as the child of his or her natural father and to compel the natural father to disown and to disinherit him or her for what is after all not of their making seems to me to be out of step with modern reforms. It is my considered opinion therefore that the custom being relied on by the defendant to resist the claim of the plaintiff is unreasonable and repugnant to natural justice, equity and good conscience and cannot therefore be enforced in a court of law (*Atomo* at 739).

This decision effectively denounced and abolished, at least, that aspect of the *trokosi* system that denied children the right to inherit their biological fathers or have a share of their estate.

Following the passing of the *trokosi* law, the Commission on Human Rights and Administrative Justice (CHRAJ), in collaboration with some NGOs, managed to secure the release of hundreds of *trokosi* slaves many of whom were trained for new professions (Botchway, 2008). However, disturbingly, ritual servitude, as a BBC documentary and several researchers and interviewees stress, is still practised in the Volta Region of Ghana even though it has been outlawed. Reports indicate that thousands of young girls are still being held at or sent to shrines under the *trokosi* system against their will. According to a 2001 Human Rights Watch report, an estimated 3,500 girls and women were held at various shrines, and this figure did not include the slaves' children (Human Rights Watch, 2001). In a 2009 publication, Greene (2009) also notes that an estimated 3,500 or more girls were being held as slaves in various fetish shrines by traditional priests. In a study published in 2014, Akpabli-Honu identifies approximately 33 fetish shrines in a few communities in the southern part of the Volta Region. Alarmingly, about 24 shrines still received and kept girls as slaves (Akpabli-Honu, 2014). Some commentators say an estimated 3,000 or more *trokosi* girls currently remain enslaved in Ghana (see Asomah, 2015; Msuya, 2017).

FACTORS THAT CONTRIBUTE TO THE PERSISTENCE OF TROKOSI

There are specialised police units known as the Domestic Violence and Victim Support Unit (DOVVSU); as well as other institutions such as the CHRAJ; Ministry of Gender, Children and Social Protection (MGCSP); and the Department of Social Welfare (which operates under the MGCSP) that exist in Ghana to enforce compliance with the laws that protect the rights of vulnerable groups such as children and women. One thus wonders why the *trokosi* practice persists in the country even though it has been deemed a form of sexual slavery and accordingly outlawed. One interviewee, a highly educated Queen-mother (a female counterpart of a traditional chief or king) and an advocate of feminism suggested three main reasons why the practice thrives:

I believe that the *trokosi* system persists due largely to three factors: (1) many of the people in the practising communities are uneducated or less educated and therefore are easily influenced; (2) people believe and fear that the gods will punish them if they oppose the practice or challenge the priests; and (3) the local folks do not have confidence in the contemporary western imported justice system—in other words, the Ghanaian criminal justice system is inefficient and ineffective; so people are compelled to believe that the *trokosi* system is a better alternative (Interview with the author, 05/03/2021).

Some other key factors that the relevant existing literature and the individuals interviewed believe contribute to the prevalence of the banned *trokosi* practice are discussed below.

OPPOSITION FROM PRACTISING COMMUNITIES

Proponents of the *trokosi* system, some of whom are academics, maintain that the practice is neither a form of slavery nor a violation of human rights principles; instead, it is a valued exercise of religious freedom—it is a practice that is relevant and necessary (see Ameh, 2004, 2011; Bilyeu, 1999; Botchway, 2008). For the *trokosi* advocates, by outlawing the practice, the State has violated vital aspects of their fundamental human rights (see Aird, 1999; Ameh, 2004; Hawksley, 2001; Quashigah, 1999; Musa, 2011). Many interviewees agree with Hawksley (2001) and Musa (2011) that eradicating the *trokosi* practice is a complex issue because, although it began as a religious tradition, it has embedded itself within the Ghanaian culture. Many supporters/adherents of the practice thus promote this argument, claiming that any campaign against *trokosi* is a campaign against an important African culture and belief and a violation of fundamental religious rights (Ameh, 2004; Musa, 2011).

Indeed, religious and cultural freedom has been viewed as one of the primary rights that man has claimed. As Krishnaswami (1960: vii) mentions,

[t]he right to freedom of thought, conscience and religion is probably the most precious of all human rights, and the imperative need today is to make it a reality for every single individual regardless of the religion or belief that he professes.

Various international human rights documents such as the International Bill of Human Rights, the Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief 1981, Article 8 of the African Charter on Human and Peoples' Rights, and several other documents, guarantee freedom of religion, encourage respect for peoples' beliefs, and promote the protection and preservation of societies' cultural practices. Many of Ghana's laws reflect the provisions of these international and regional instruments. Article 26(1) of the 1992 constitution, for instance, grants every person the right to "practice, profess, maintain and promote any culture, language, tradition or religion." This stipulation is identical to that of Article 21(1) (b-c), which guarantees "freedom of thought, conscience and belief ... [and] freedom to practice any religion and to manifest such practice." These provisions demonstrate that the Constitution of Ghana "accords the people protection and lends support to the practice of customary and religious rites and values upon which they are founded" (Ameh, 2011, p. 140).

However, most international, regional and domestic human rights protection instruments provide that some rights be restricted in certain circumstances. Therefore, the religious freedom guaranteed by the Constitution, which is the fundamental law of the people of Ghana, is not absolute—it contains pro-restriction clauses. Article 12(2) stresses that the enjoyment of the fundamental human rights and freedoms contained in the Constitution is "subject to respect for the rights and freedoms of others and the public interest." To emphasise the non-absolute nature of religious and cultural freedoms, Article 26(2) strongly prohibits all practices and beliefs "which dehumanise or are injurious to the physical and mental well-being of a person." This provision is reiterated under Article 13(1) of the Children's Act 1998 (Act 560): "No

person shall subject a child to ... any [religious or] cultural practice which dehumanises or is injurious to the physical and mental well-being of a child.”

In *Foli VIII and Others v. the Republic* [1968] GLR 769, the Appeal Court of Ghana reasoned that,

[a] custom could not be validated merely because it ... [is] an established and long-standing one within a particular locality when that custom ... [is] counter to statute and natural justice... and repugnant to good conscience.

The provisions mentioned above and judicial decisions discredit any argument that the anti-*trokosi* law violates the religious freedom of any group of people in Ghana. They demonstrate that under no circumstances should religion or beliefs be used to justify practices or acts that the international community believes violate human rights standards.

ECONOMIC INCENTIVE AND FEAR

As already noted, in some shrines, *trokosi* girls must pay off the priests and elders there to gain their freedom. Such payoffs, as Botchway (2008, p. 383) notes, “perpetuate the *Trokosi* practice by creating an economic incentive for the practice, while compensating the priests with unclean hands.” Besides, the families of the girls are required to support them with food, money and other material needs throughout their stay at the shrines. Such items are kept and largely used by the priests. The abolition of *trokosi* thus means that the priests and elders would lose the economic benefits that accrue from the practice.

Fear of incurring the wrath of the gods and the priests is also an important factor that induces parents to patronise the practice by sending their young daughters to shrines. One interviewee (a child’s rights activist), for instance, notes that parents in *trokosi*-practising communities, many of whom have no formal education, have been brainwashed into believing that disobeying a fetish priest’s instruction to offer a virgin girl to atone for a relative’s alleged crimes may have catastrophic repercussions. This view is consistent with Botchawy’s observation that,

[m]any parents do not want to send their children into ... [fetish shrines], but feel they have no option, as they believe that their family will be cursed [or wiped out] if they do not send a virgin girl” (Botchway, 2008, p. 390).

Thus, fear of the destructive power of fetish priests usually deters families from disobeying priests’ demands to give up their children to a life of slavery.

LACK OF EFFECTIVE ENFORCEMENT MECHANISMS

Indeed, the question of implementation has been a constant concern in almost all relevant research or investigations that have been conducted. There is no question that the existence of comprehensive and clear domestic legal instruments for the protection of the rights of the child is a very important and necessary first step in the fight against superstition-motivated violence against children. However, no matter how well formulated and comprehensive the legal framework might be, its objectives may never be realised without effective enforcement mechanisms. Unfortunately, the police in Ghana are very passive and untrustworthy when handling child abuse incidents known or reported to them and apprehending suspects. For instance, all the evidence shows that since the passing of the law criminalising the *trokosi* practice in 1998 and

calling for the release of girls from the shrines, none of the fetish priests and shrine elders who continue to enslave and sexually defile young girls under the *trokosi* system has been prosecuted. None has even been charged or arrested (Howusu, 2015).

Most of the interviewees indicated that one factor that accounts for the inaction of law enforcement authorities is fear of the potential misfortunes, including death, that the gods can inflict on humans through the priests. Thus, the belief in the destructive powers of fetish priests compels relevant law enforcement institutions to turn a blind eye to the blatant violations of the anti-*trokosi* law. Simply put, law enforcement officials are afraid to go into the shrines and rescue victims for fear of incurring the priest's and the gods' wrath. As one interviewee (an activist) noted,

security agencies responsible for enforcing compliance with the law tend to lack the courage to arrest the family members, priests and shrine owners who violate the law, as the system invokes supreme panic and fear in most local folks (Interview with the author, 11/03/2021).

Musa (2011) maintains that even in instances where the individual enforcement officer may not believe that the priest possesses supernatural powers, he or she may still be “reluctant to enforce the law against ritual servitude, fearing a popular backlash” (pp. 192–193). To make matters worse, many relevant law enforcement bodies lack the resources for effective operation.

LACK OF POLITICAL WILL ON THE PART OF THE GOVERNMENT

According to some interviewees, many governments in Africa are not willing to speak directly against and help uproot certain harmful cultural and religious practices for purely political reasons. Time and again, many governments have demonstrated a lack of commitment to enforcing compliance with the law that prohibits the *trokosi* practice for the simple reason that forcing the closure of those shrines would trigger the anger or displeasure of the communities that support the practice. This would consequently result in the governing political party losing votes in those communities during general elections. Some governments have also ignored the problem out of respect for the religious and cultural practices of the various ethnic groups in the country (Bilyeu, 1999; Musa, 2011). One former president of Ghana, the late Jerry John Rawlings—himself a Ewe, is quoted as saying that the *trokosi* system is an important part of Ghana's cultural heritage—a suggestion that he was unwilling to facilitate its abolition (Brooker, 1996).

The commitment of African leaders to uphold human rights has been more rhetorical than actual. Bilyeu (1999) and Musa (2011) argue that when a religious practice becomes instilled within a nation's cultural tradition, it becomes difficult and delicate for States to expressly recognise such practices as discriminatory or biased, especially if the practice has come to be viewed as the “natural” order of things. Some commentators thus assert that even though the Ghana government has succumbed to pressure from individual activists, as well as domestic and international organisations, to outlaw the *trokosi* practice, “it is unlikely that the government can be convinced to enforce the Criminal Code in the near future” (Musa, 2011, p. 194). It has also been argued that Ghana, like many African nations, has numerous national concerns, including an alarming poverty problem and a lack of vital resources. This has resulted in the *trokosi* crisis becoming a back-burner issue. The fact that *trokosi* shrines are largely located in remote and inaccessible places in Ghana, makes it even easier for government to ignore the issue in political debates. Some interviewees have

also alleged that some of Ghana's most powerful men, including politicians, personnel in various security agencies, and other people in positions of authority, are unwilling to support the arrest of traditional priests who still enslave girls because they themselves visit fetish shrines regularly to seek protection and other benefits or favours.

CONCLUSION

This article has sought to shed light on the *trokosi* religious belief and practice in Ghana and to establish the historical, cultural, religious, socio-economic, and legal contexts of this harmful superstitious belief. It notes that the cardinal objective of *trokosi* is to serve as a crime prevention and social control mechanism. However, even though the practice is age-old and valued in the practising communities, it violates the fundamental rights of girls in that it is discriminatory and oppressive, exposes children to physical and moral hazards, and prevents children from growing up with parents in a caring and peaceful environment contrary to Article 5 and 6 of the Children's Act 1998. Consequently, its abolition is justified. However, this study does not necessarily advocate the total abolition of the religions that observe the *trokosi* practice; it instead calls for the abolition of the barbaric practice of offering young girls to the shrines as *trokosis* to atone for the sins of others or "sacrificing" young females, rather than non-human entities (animals) to pacify angry gods. Indeed, compelling innocent young girls to atone or suffer for the transgressions (mostly imaginary crimes) of others is one of the vilest injustices. Thus, such a practice can never be justified and entertained in any civilised society.

As Bilyeu (1999) and Botchway (2008) argue, the *trokosi* system may encourage rather than discourage wrongdoings because the actual offenders know that they never have to be punished for their crimes or sins. Hence, the system promotes the very ills that apologists claim it is meant to prevent. As Botchway (2008, p. 373) questions, "[h]ow are criminals deterred when they can have a proxy serve their sentence?" Besides, there is zero evidence that this practice has prevented people in practising communities from committing a crime (Bilyeu, 1999; Botchway, 2008). Surprisingly, the government's apparent disinterest in enslaving girls under the guise of religion has so far been met with very little public criticism (Musa, 2011). However, the distressing reality is that unless the government places the issue of *trokosi* or child sexual slavery at the forefront of its agenda, hundreds if not thousands of Ghanaian girls may also become victims of *trokosi* in a few years to come.

Undeniably, *trokosi* is so deeply rooted in the cultural and religious lives of the practising communities that the legal system alone may not be able to stop it or modernise it. Successfully ending or reforming such a practice would require a multifaceted approach that would involve, among other things, economic improvement, the promotion of formal education, the intensification of nationwide awareness campaigns and programmes, and an efficient criminal justice system. Hopefully, this study will enhance national, regional, and international awareness of, and reignite interest in, the *trokosi* system and the severity of the mistreatment associated with the practice and encourage support for victims.

AUTHOR BIOGRAPHY

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