

# DOMESTIC VIOLENCE IN GHANA: AN INITIAL STEP<sup>†</sup>

*Rosemary Ofeibea Ofei-Aboagye\**

This Article focuses on and attempts to expose the anxiety of abused women in Ghana. This project is ambitious in that it names, isolates, and defines domestic violence within Ghanaian culture.<sup>1</sup>

This Article is divided into three sections. The first section focuses on the need to do research on domestic violence in Ghana. The second section addresses the "invisible" nature of domestic violence in Ghana and some of the possible reasons for this invisibility. The third section looks at the ways in which domestic violence could be examined and addressed in Ghana. While there is no clear-cut definition of domestic violence in Ghana, it is important to identify the fact that the phenomenon exists.

## I. THE NEED FOR RESEARCH AND SOME INITIAL EFFORTS

This segment of the Article focuses on the void in the documentation and research of the problem of domestic violence in Ghana. The challenging concepts that I identify and discuss in the Article result from the very rudimentary nature of research on domestic violence in Ghana. There are no studies on this problem nor has any publication addressed it. This

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\* Director, Education Equity Program, Faculty of Law, Queen's University at Kingston, Ontario; Doctoral Candidate of Jurisprudence, Osgoode Hall Law School, Toronto, Canada.

<sup>1</sup> What I loosely describe as "Ghanaian culture" is actually a mosaic of many different tribal customs and beliefs. It would be a disservice to encourage readers to assume that there is a hegemony. Where I use a single description, I have been influenced by the mores and practices of the Akan tribe, because it is the largest tribe among the peoples of Ghana and is the tribe from which I come.

The word *Akan* refers both to a group of intimately related languages found in West Africa and to the people who speak them. This ethnic group lives predominantly in Ghana and in parts of adjoining Côte d'Ivoire. In Ghana they inhabit most of the southern and middle belts and account for about half the national population of 14 million. Best known among the Akan subgroups are the Ashantis. Closely cognate are the Denkyiras, Akims, Akuapims, Fantes, Kwahus, Wassas, Brongs, and the Nzimas, among others.

Kwasi Wiredu, *An Akan Perspective on Human Rights*, in *Human Rights in Africa*, 243 (Abdullahi Ahmed An-Na'im and Frances M. Deng eds., 1990).

lack of attention has made writing this Article a challenge. Moreover, I have had to rely on alternative sources of evidence<sup>2</sup> to buttress my assertion that domestic violence, by whatever name, in fact exists in Ghana. The absence of research findings indicate that research on women and the status of law must become an urgent priority in Ghana.

Significant inroads into the identification and resolution of domestic violence disputes elsewhere increase the need to identify and resolve issues of domestic violence in Ghana. Canadian Supreme Court Justice Bertha Wilson's watershed decision in *R. v. Lavallee* contained a detailed discussion of the plight of battered women.<sup>3</sup> Justice Wilson also discussed public scepticism about the claims of domestic violence.

The average member of the public (or of the jury) can be forgiven for asking: Why would a woman put up with this kind of treatment? Why would she continue to live with such a man? How could she love a partner who beat her to the point of requiring hospitalization? . . . Where is her self-respect? Why does she not cut loose and make a new life for herself? Such is the reaction of the average person confronted with the so-called "battered wife syndrome."<sup>4</sup>

The case concerns the application of the Defence of Person (self-defence) provision of Canada's Criminal Code<sup>5</sup> to an abused woman who killed her batterer by shooting him in the back as he was leaving their bedroom after threatening her life. Charged with murder, Lavallee sought at her trial to use expert testimony to show that as a battered woman she believed that there was imminent danger to her life and that her actions were taken in self-defence. The trial judge admitted evidence of what was described as "battered woman's syndrome" and the jury acquitted Lavallee.<sup>6</sup> The Manitoba Court of Appeal, however, held that such evidence should not have been admitted and ordered a new trial.<sup>7</sup> The refusal to allow expert testimony became the major ground for appeal to the Supreme Court of Canada. In affirming the decision of the trial judge,

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<sup>2</sup> By "alternative," I refer primarily to the use of folklore and folksongs. The Ghanaian culture is rich in the use of metaphors and proverbs which describe life-situations. Our culture has mostly been passed on from generation to generation through oral tradition, including stories and songs.

<sup>3</sup> 1 S.C.R. 852 (1990).

<sup>4</sup> *Id.* at 871--72.

<sup>5</sup> R.S.C. ch. C-46, §34 (1985).

<sup>6</sup> Lavallee, 1 S.C.R. at 852.

<sup>7</sup> *R. v. Lavallee*, 44 Can. Crim. Cases (3d) 113 (Manitoba Court of Appeal, 1989).

Justice Wilson then incorporated battered women's syndrome into Canada's previously codified definition of self-defence.

The possible applications of the *Lavallee* decision to the Ghanaian situation are numerous and thought-provoking. Angelique Lavallee's successful use of self-defence based on her experience as a battered woman indicated at a minimum that battered women exist. Finally, abused women were being recognised as such.

This recognition of "battered woman" (indeed, of the existence of domestic violence) is rare in Ghana. Even I have known women who clearly fit the definition of "battered woman," yet I had never thought of them as such. Certainly Ghanaian law has *never* recognised them as such.

However, is the examination of battered women a possible (and plausible) area of research in Ghana? The largest problem in (not) talking about domestic violence is its non-problem status. Ghanaians *wish* it out of existence and deliberately downplay its visibility. This denial stems from women's (and some men's) pain in recounting the violence and the victim's embarrassment in being a "bad" wife, according to her husband's standards — for being slothful, lazy, and argumentative. For many, deviance from a husband's expectations is an acceptable reason for punishing a recalcitrant wife. A woman's vulnerability comes from being exposed as a "bad wife" as well as from the fact that there is no place for her to turn: society believes that this is the way that things are and will always be.

Moreover, defining domestic violence is further complicated by the difficulty in identifying the actors. Domestic violence may include many different kinds of activities and victims, including the abuse of children, the elderly, cohabitants and so on. For simplicity's sake, I have limited the scope of this Article to physical abuse of women by their male partners. For the most part, and unless otherwise stated, these are women who are married to their abusers under the customary law or the marriage ordinance.

The following discussion is based on the responses of fifty women clients of the Legal Aid Clinic of the International Federation of Women Lawyers in Ghana (Federación Internacional de Abogadas or FIDA) to an informal survey on domestic violence. The idea of administering a questionnaire to Ghanaian women who had been assaulted by their husbands stemmed from my need for some evidence to support my contention that domestic violence is a serious problem in Ghana.

FIDA's Legal Aid Clinic seemed likely to provide access to women who had been victims of domestic violence. FIDA is an international group of which Ghana is a member. Among its projects in Ghana is the Legal Aid Clinic for women with domestic or marital problems.

In May 1991, I discussed the possibility of administering such a questionnaire with Ms. Doe Tsikata, a colleague in Ghana. Both Ms.

Tsikata and Ms. Sheila Gyimah were working at FIDA's Legal Aid Clinic between May and August 1991. They assured me that there were many women coming to the Clinic with marital problems, and that it would not be difficult to do an informal survey of some of these women to identify whether they were victims of their husbands' violence and to further ascertain their views on domestic violence, including what it entails and whether or not it is a problem.

The respondents were, at the time of their interviews, clients of the Legal Aid Clinic of FIDA. The questionnaires were administered to the women when they came to the Clinic for their first (previously scheduled) appointment between the months of May and August 1991. Women were selected solely on the basis of their willingness to answer questions on domestic violence. It was explained to them that the interview had nothing to do with their individual cases; instead, its purpose was to support a study of domestic violence in Ghana.

The women were assured of anonymity in answer to their fears that the questionnaire would expose their private domestic affairs. The interviewers assured the respondents that they understood that domestic violence was not a topic about which women could express their viewpoints openly. In spite of these assurances, out of approximately 200 domestic violence clients, only fifty women agreed to be interviewed. All the others refused on the basis that they did not wish to have any answers recorded "against them." Those who did agree to do the interviews felt they had "nothing to lose" if their views were recorded.

The respondents came from many different backgrounds. They did not belong to a particular income bracket, did not have a common educational background, nor did they belong to one particular tribe. What these women did have in common was the fact that they all consulted FIDA about marital problems. This, in itself, is quite unusual as women are discouraged from discussing their domestic affairs with anyone other than family members. Yet all these women had suffered some form of abuse at the hands of their partners, to the point at which they felt that they had to seek recourse from the Legal Aid Clinic of FIDA. All the respondents were encouraged to air all their views and to relive their experiences through the questions asked.<sup>8</sup>

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<sup>8</sup> There were a number of illiterate women among the sample group. For this reason, about a third of the respondents had oral interviews. Wherever possible, the Ghanaian dialect with which the respondent was most familiar was spoken. Transcription and, where necessary, translation were done by the two lawyers who assisted me.

I make no claim to sophistication in the design of the questionnaire. I simply intended to elicit and present some women's experiences of, views of, and reactions to domestic violence.

Based on my interviews with fifty Ghanaian women, I realize that women in my country are beaten by their husbands every day. Incredibly, neither the men nor their wives seem to question the categorization of beating as discipline and thus acceptable. This provides food for thought — what about the hurting women? Where is the *justice* for them — not only for North American women but for their Ghanaian (and African) counterparts as well? For *all* women?

## II. THE INVISIBLE NATURE OF DOMESTIC VIOLENCE IN GHANA

Of course, as long as the women who hurt remain invisible, their problems are likely to continue. However, I have found that women will talk about domestic violence if sufficiently persuaded that their accounts of violence will remain anonymous.

### A. Women's Experiences and Reactions

Contours of domestic violence can be gleaned from excerpts of interviews held with battered women in Ghana.

He would beat me whenever he was drunk . . . . When I confronted him with evidence of his sleeping with another woman . . . . When I asked him for chop-money . . . . When I refused to have sex . . . . There was no particular reason . . . . Because I was pregnant . . . . He accused me of sleeping with another man . . . . Because my cooking was not to his taste . . . . He said I was rude in public . . . . I had insulted his mother . . . . I spent too much money . . . . He links giving me maintenance money with whether or not I have sex with him. He's violent with the children. . . . He even attempts to sleep with our daughters . . . . We should know people for a long time before we marry them.

He refuses to accept his faults so that mediation and counselling were out of the question. Anytime my sisters suggested that I complain about his behaviour, he grew wild and the treatment I would receive at home was so bad that I can't even talk about it now. Anytime I tried to talk to him I would get a beating worse than the one I was complaining about. I finally fled the matrimonial home after I had been driven nearly insane.<sup>9</sup>

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<sup>9</sup> Anonymous, Responses to Legal Aid Clinic of FIDA questionnaire (on file with author).

But one woman who accepts that beating is a part of married life had this comment to make: "It happens to a lot of people. If your husband gets annoyed, don't respond to him. Just leave him and go out. If you reply, he might beat you. So, do not give him the opportunity to beat you."<sup>10</sup>

This is the situation in Ghana. It seems that most women will not talk openly about their experiences at the hands of abusive partners, nor do they acknowledge the existence of domestic violence, as such, in their lives or in their communities. Such secrecy could result from the tradition of women's remaining at home and their inability to live independent lives. Whatever the reasons, an analysis of existing evidence about domestic violence remains vital.

When asked, "What do you understand by domestic violence?" all the women responded that it included a husband beating his wife. Thirty-two of them saw domestic violence only as a husband beating his wife;<sup>11</sup> the rest added the variations of a wife beating her husband and parents beating their children.

When asked, "In your culture/tribe, is it usual/accepted for a woman to be beaten by her husband?" only five women out of the fifty answered yes. The remaining forty-five women stated that it was not the norm of their tribe. However, this response was not supported by their answers to the question, "When does it transcend the norm and become a violent action . . . , assuming that it is the usual thing for a woman to accept some disciplining at the hands of her husband?"

The answers reflected the existence of a norm — a view that some beating<sup>12</sup> is acceptable, even expected, to keep the woman in line. But when "[h]e injures her . . . . She is hurt or experiences any pain . . . . He beats her to leave a scar or deformity . . . . He leaves her with a fracture . . . . He beats her publicly . . . . The beating is more than three slaps or he beats her three or four times,"<sup>13</sup> then it transcends the norm. One woman said that "a slap or two to discipline a wife is acceptable."<sup>14</sup> Only two women emphatically stated that "any beating" at all transcends the norm.<sup>15</sup> The discrepancy between the stated disapproval and the tacit

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<sup>10</sup> *Id.*

<sup>11</sup> Significantly, these women used the word "beating" interchangeably with "disciplining."

<sup>12</sup> "Beating" was seen as any form of hitting. Slapping with the hands or with a weapon such as a belt, a cane, or shoes were all examples of beatings. In some cases, women admitted to being whipped or "booted," which is common slang in Ghana for kicking.

<sup>13</sup> *Supra* note 9.

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

acceptance of some form of violence may relate to the framing of the question. The women were asked if *beating* was the norm; if they had been asked if *disciplining* was the norm more might have replied yes. Most of the women surveyed accept some level of beating as discipline. All the women considered the *excessive* beating of a woman by her husband to be a deplorable action. The reasons were varied:

A man should not use his strength to 'cheat' a woman. . . . It is wrong . . . . He may injure her . . . . She is not a slave . . . . In the event of misunderstandings they should have discussions . . . . She is his partner and not his child . . . . The beating can result in death . . . . It does not show respect for the woman . . . . God made women the weaker vessels . . . . It has an adverse effect on the children . . . . It is not fair.<sup>16</sup>

All of the respondents had been struck by their partners during the course of their marriages.<sup>17</sup> Only four women called the beating an isolated incident, while five of them had endured more than ten years of beating. Most women had lost count of the number of times they had been beaten.

For a variety of reasons, none of the women had left her abusive marriage:

I felt shy at my 'failure' to keep my husband happy . . . . I would not be able to keep the children in the comfort to which they were accustomed . . . . So long as the danger to my health was not so bad I felt that I could manage . . . . My family would not support me if I left . . . . I did not want my children to have different fathers . . . . I had no money to sue him in court . . . . We have to be obedient to our husbands . . . . I know of no organization that could advise and support me if I left.<sup>18</sup>

All the women who had been beaten believed that the beatings were serious enough to warrant some outside action. However, they responded that they had never really thought about serious action, typically because they felt that it was just not the way things were done and that it could be worse.<sup>19</sup>

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<sup>16</sup> Id.

<sup>17</sup> Three of them had not gone through the traditional marriage even though they were living with their abusers. For all purposes they were treated as married women and had been beaten or "disciplined" several times.

<sup>18</sup> Supra note 9.

<sup>19</sup> These are the condensed answers of the women. The individual responses are more graphic and revealing.

The question becomes what action these women can take against domestic abuse. Generally, the women had little or no information as to what they could do or whether, indeed, they had the "right" to do anything. Each woman had reported the incidents at some point to relatives. Ten had chosen to report the abuse to their priests. Nine women had reported their husbands to the chief of the village where he came from, but they all said that it did not help much. Out of fifty women, only four perceived reporting the violence to the police to be an option.<sup>20</sup> Two had reported the incidents to their husbands' superiors at work. Two had sought the assistance of the Department of Social Welfare, but neither received a meaningful response. Interestingly, none attempted to report it to their doctors, typically because they felt shy. All of the women felt that they could now seek advice from FIDA lawyers as to possible legal redress.

While no woman had left her abuser, each felt that she had endured enough pain and humiliation to come out of her silence, report the abuse, and possibly leave the relationship.

When asked why they *now* felt they could break their silence, all of the women expressed fears that their health was in danger from the abuse likely to result from continued silence. More than half felt that the repeated abuse to them was detrimental to the atmosphere in which their children were growing up. One woman felt "she was going insane."<sup>21</sup>

Finally, when asked if they would consider mediation or counselling to repair their marriages, most of them found that such a step would be useless since they felt they would be blamed for the breakdown in the relationship by their partners and both families. Though most of them wanted the violence to stop, they were not aware of their alternatives. Except for three who planned to leave their marriages, the women had never considered leaving their partners to be an option.

The only firm conclusion that we can draw from such a limited study is that domestic violence exists in Ghana. There remains, as yet, no sense of how to deal with it.

Another conclusion is that categorization is a problem in the following way: the decision to call abuse "beating" as opposed to "discipline" will to some degree determine the responses. If battered Ghanaian women are asked whether the terms "domestic violence" or "wife battering" define their experiences with their husbands, they would probably deny it. If asked, on the other hand, whether these same experiences qualify as discipline at the hands of their husbands, the women would probably agree

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<sup>20</sup> Yet I believe that with the proper training, the police can be a vital element in solving the problem of domestic violence.

<sup>21</sup> *Supra* note 9.



— possibly telling their stories, although still anxious that they were washing their dirty linen in public.

## **B. The Challenge**

The difficulty in speaking about the domestic violence faced by African women is the risk of importing Western values that conflict with traditional African culture. Many Africans perceive Western feminist analysis as anathema to the culture in that it questions the status quo and ripples the smooth surface of tradition. Similarly, any attempt to address domestic violence seems like an invasion of “foreign” values into deeply rooted tradition.

Despite any conflict between feminist reform and Ghanaian culture, there remains the need to address the conditioned helplessness which seems to pervade the spirits of most Ghanaian women regardless of their differing levels of education or social status. As Justice Anne Jigge (the first female judge of the Court of Appeal of Ghana) states:

[W]omen have accepted the inferior status imposed on them as an inescapable fact of life. Wives are proud to be treated as appendages of their husbands. A wife will bask in the glory of her husband's achievements without giving a thought to her own capabilities and native wisdom. Even where the creative urge is strong and she is aware of her own potential she is inhibited within herself and suppresses what is crying to be let out for fear of being regarded as out of the ordinary.<sup>22</sup>

Similarly, Lucy Arthur speaks of the need for the African woman to speak out more boldly than tradition has previously allowed. “[W]e realised too that woman herself should be awakened from her long sleep. We did not lose sight of the fact that centuries of discrimination and deep-rooted prejudice have had [an effect] on the women themselves.”<sup>23</sup>

I believe that both of these statements are true. If Ghanaian women generally believe that they are mere appendages of their husbands, and if this attitude results from social conditioning through centuries of prejudice, then both must be changed. These attitudes create not only the oppression of women but also the belief that this oppression is natural and inescapable.

Marilyn Frye compares the oppression of women to the structure of a

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<sup>22</sup> Hon. Anne Jigge, Talk Given at the World Council of Churches' Fifth Plenary Presentation on “Women in a Changing World,” 1975, in L.F. Arthur, *African Regional Conference of the International Federation of Women Lawyers (FIDA)*, 8 Rev. of Ghana L. 140, 142 (1976).

<sup>23</sup> Arthur, *supra* note 22, at 149.

bird cage.<sup>24</sup> She notes that if one closely examines the wires individually and in sequence, one will not be able to figure out why the bird cannot escape. If, however, one stands back and views the cage as a whole, it becomes perfectly obvious that the bird is surrounded by a network of systematically related barriers. No one wire in itself would hinder the bird's flight, but by their interwoven relations, the wires become as confining as the solid walls of a dungeon.<sup>25</sup>

This graphic description applies just as powerfully to the situation of a Ghanaian woman. "Cage wires" include the factors of ostracism by her family, economic hardships if she seeks independence, fear of further abuse if she attempts to leave, loss of custody, and importantly, the "learned helplessness"<sup>26</sup> which an abused woman is likely to feel. Perhaps taken individually, each factor might not bar escape. Taken as a whole, however, the cage becomes a prison from which escape seems impossible.

Despite the power of Frye's analogy, the average Ghanaian woman probably does not see herself as a bird in a cage. First, she is not aware of confinement. She would interpret what Frye describes as "a network of systematically related barriers"<sup>27</sup> as a way of life — *the* way of life. Second, she may see the individual strands (the factors discouraging her from leaving her abuser) as merely the hazards to be expected in a marriage. Hence the initial barrier to reform is that the people to be freed do not perceive themselves to be in bondage.

Although there is no one answer to this dilemma, changing the social order which teaches a woman that she is incapable of even small decisions and confines her to waiting for her husband to lead the way in all that she does, must be our primary focus. To this end, we must examine the

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<sup>24</sup> Marilyn Frye, *The Politics of Reality: Essays in Feminist Theory* 4--5 (1983). Frye, using the analogy to depict oppression of women in the United States, says:

The experience of oppressed people is that the living of one's life is confined and shaped by forces and barriers which are not accidental or occasional and hence avoidable, but are systematically related to each other in such a way as to catch one between and among them and penalize motion in any direction. It is the experience of being caged in: all avenues, in every direction, are blocked or booby trapped.

<sup>25</sup> *Id.*

<sup>26</sup> First coined by Dr. Charles Seligman and subsequently developed by Lenore Walker, "learned helplessness" describes a common mental condition of abused women. The woman adopts a negative self-image. She has doubts about her own ability to be successful on her own and she is frightened by the thought of difficulties of financial support and low prospects for employment. See Lenore E. Walker, *How Battering Happens and How to Stop It*, in *Battered Women* 59--78 (Donna M. Moore ed., 1979).

<sup>27</sup> Frye, *supra* note 24, at 5.

customs and folklore which reinforce the idea that wife beating is acceptable.<sup>28</sup>

### **C. Images of Ghanaian Women—The Role of Tradition and Folklore**

By examining entrenched social practices, Takyiwaa Manuh identifies the reasons why it is difficult to resolve questions about gender roles in Ghana.<sup>29</sup> Tradition is the single most important reason why Ghanaian women accept the fact that there is an obvious disparity between their lifestyles and that of their male counterparts, and consequently have not been able to lift the shackles of inequality. Manuh observes that all ethnic groups within Ghana believe, to some extent, that a woman is in need of protection and is under the authority and control of someone, usually a male, throughout her life.

For this reason, very few Ghanaian women have been able to enter the professions or even to acquire more than a basic education. In fact, even when Ghanaian women have achieved distinction in the professions, they seem to have internalized the idea that they have been “permitted” to do so, and that their first duty remains staying at home and raising a family. Manuh argues that:

Ghanaian women are traditionally regarded as producers, both of human beings and of goods and services. Women are valued highly in society because of their reproductive functions. The more wives a man has, the more hands he has to help him in his work and the more children he is likely to have to assist him. Women are therefore regarded to be an asset to be acquired through an exchange of valuables.<sup>30</sup>

Most Ghanaian women have not questioned this assumption. Thus, even if women are said to have achieved formal equality, it is only on paper and does not relate to the harsh realities of daily life.

The primary concern of most Ghanaian women is employment, particularly in rural areas and in poor areas of urban centres.<sup>31</sup> These

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<sup>28</sup> One way to expose domestic violence is to frame it within the context of broader social conditioning, particularly the childhood folklore that is so great a part of the Ghanaian culture.

<sup>29</sup> Takyiwaa Manuh, *Law and the Status of Women in Ghana* 5 (1984).

<sup>30</sup> *Id.*

<sup>31</sup> See, e.g., World Conference to “Appraise the Achievements of the UN Decade for Women: Equality, Development and Peace,” held in Nairobi in July 1985.

women are too preoccupied with feeding themselves and their children to worry about social assumptions of female value.

Ironically, many people continue to believe the myth that women have a lot of wealth and power. Asante-Darko and van der Geest observe that there seems to be an ambiguity in husband and wife relationships in Ghana.

On the one hand, women are to a large degree, independent of their husbands. Economic assets and incomes remain strictly separated, almost half of the women in rural areas live apart from their husbands, the matrilineal principle marks the husband as a kind of outsider vis-à-vis his wife and children, and women as often as men initiate divorce. On the other hand, a — perhaps slightly superficial — observer notices the considerable subservience and respect on the part of the wife to the husband.<sup>32</sup>

They build further on this argument by saying:

Female subservience . . . should not be taken literally. An increasing number of authors, who have observed women's subordination to men in various societies over the whole world, take the view that *so-called* women's subordination is often a facade hiding a large degree of equality between the sexes. They view it as a power game, in which women buy off a large quantity of practical power in exchange for allowing men public respect and status.<sup>33</sup>

The possible interpretations of this observation are both interesting and threatening. Given that an "increasing number of authors" conclude that women's subordination to men is a "facade" and that the reality is an equality of power between the sexes, one wonders about the gender of these authors. Furthermore, it is as dangerous as it is misogynistic to interpret the patterns of women's behaviour as a power game in which women pretend to be servile and subordinate in order to give the men a semblance of power. Such an argument insults the many Ghanaian women whose painful reality includes being beaten by their husbands.

Manuh, on the other hand, emphatically refutes notions of female power and wealth in Ghana.

In reality, power and independence are possessed by only a tiny percentage of women, and even these women suffer from the traditional prejudices and beliefs. The majority of Ghanaian

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<sup>32</sup> Nimrod Asante-Darko and Sjaak van der Geest, *Male Chauvinism: Men and Women in Ghanaian Highlife*, in *Female and Male in West Africa* 242, 246 (Christine Oppong ed., 1983).

<sup>33</sup> *Id.*

women live in the rural areas and are engaged in farming and other activities which bring few economic rewards and give little or no power.<sup>34</sup>

Traditional Ghanaian folklore includes stories which most children are told just before they go to bed, often by their grandmother (or Nana). These stories cover a wide range of issues about our ways of life. Children assimilate the lessons of these stories and understand them to be illustrations of how people in the culture should act. Although there are no stories which label beating "domestic violence," there are stories about a man beating his wife to maintain "law and order." The *Anansesem*<sup>35</sup> folk tales illustrate this pattern.

Ghanaian children's stories and traditional songs usually revolve around Ananse. He is the spider-man figure in Ghanaian mythology who has an overworked hapless wife (Yaa) and a brood of malformed children. Several stories depict Ananse as an inept, bumbling, greedy man — full of cunning with which he attempts to cheat the rest of the world. His pranks are often traced back to him, but he always manages to escape by the skin of his teeth, leaving his wife to take the blame. Despite his contriving nature, he is a formidable disciplinarian to his wife Yaa and their children, and they stand in awe of him. The underlying message must be that the man of the house, regardless of his social position or personal faults, has the untrammelled authority to control the household as he chooses.

Children often accept the underlying messages of such stories without question. Ghanaian children laugh at the amusing incidents that occur in Ananse's colourful existence, but do not question Yaa's role as his stoic and uncomplaining wife. In many stories, the family's seemingly endless poverty and hunger would have ended if Yaa's ideas had been accepted by Ananse.<sup>36</sup> Instead, Ananse's grand gestures always take precedence. When things go wrong, Yaa always takes a beating, for Ananse is quick with his fists and never accepts his faults.

Seated at the feet of Nana, we children learned that it was splendid to be as daring as Ananse since he always escaped in the nick of time. More to the point of this Article, we learned that wives should bow in submission to husbands, however clumsy those men were. Ananse was always right;

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<sup>34</sup> Manuh, *supra* note 29, at 3.

<sup>35</sup> *Anansesem* are the tales of Ananse, which literally means "spider" and, in the context of the stories, refers to a "spider-man."

<sup>36</sup> One of these ideas was to cultivate a farm of their own instead of plundering their neighbour's; another was to engage in some profitable business venture instead of living on the gifts given to them by sympathetic passers-by while Ananse pretended that all of his family were lepers and beggars.

we never questioned this premise. These stories conditioned both the boys and the girls. Yaa was a beaten woman, always in Ananse's shadow.

Ananse went to transact business in town, about three days' journey from his village. At that time, he was a wealthy cocoa owner and the crop had been gathered and the beans were being dried. It meant a huge sum of money if he saved all the beans. He left Yaa in charge of the beans to guard them with her life and to make sure that no water spilt on them since water would destroy the fermentation process.

His business went well in town so he bought himself a pair of dark glasses which made the world look stormy and mysterious. He went back home donning the glasses as he approached the homestead. As he got near the cocoa beans he realised that it was about to rain and he yelled for Yaa to take the beans in. She did so quickly yet he mercilessly beat her up. She picked herself off the ground as she had done many times before and waited to know the nature of her offence.

How could you leave the beans out when it is going to rain? My Lord, it is not going to rain. It is, it is; are you arguing with me? I'll teach you. At that point, his dark glasses slipped off his nose and he saw the sun was suddenly as bright as always.<sup>37</sup>

Traditional folk tales such as this one teach that a wife should be subservient even at the height of her husband's blunders. At the same time, it is a hilarious story. I remember how we laughed at Ananse's blunder while admiring his control over Yaa. Yaa's feelings simply were not an issue.

There were always songs and refrains encouraging this mastery of wives. In their study of Ghanaian folksongs, two male researchers observe that one theme emerges: only men can afford either to take a second partner in marriage or to have extramarital liaisons more or less openly.<sup>38</sup>

The same inequality is also found in highlife songs.<sup>39</sup> A number of these songs educate Ghanaians about marriage. However, they are also songs which, should they disturb the ideological facade of male superiority, might endanger the power relationship between wives and husbands. Even women prefer to keep the facade intact in order to safeguard their interests.

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<sup>37</sup> This tale of Ananse and the Dark Glasses is one I learned as a child.

<sup>38</sup> Asante-Darko and van der Geest, *supra* note 32, at 248.

<sup>39</sup> *Id.* Highlife is a blend of traditional Akan rhythms and melodies with European musical elements. It encompasses a variety of artistic expressions: music, dancing, story-telling, and theatre. The term reflects the life of high (Ghanaian) society in the towns. People in Ghana enjoy its rhythm, and if they do not like the music, the song will never become popular. The text is important as a medium of communication.

Asante-Darko and van der Geest record a report which exemplifies this self-protective tendency:

For the annual meeting of a Ghanaian women's organisation a (Twi) song was composed which said: "The belief of the past that men are superior to women gives way to a new era: men and women are equal." The women liked the song but did not want to sing it because, as they said, their husbands would stop giving them "chop money" if they heard the song.<sup>40</sup>

This report indicates the unwillingness of most Ghanaian women to step out of trends created by culture, yet this is what must be done. A culture which teaches male mastery and domination over women must be altered. The changes in Ghanaian culture that I envision can be compared in a way to the weaving of the traditional Ghanaian *kente*.<sup>41</sup> We must add to and subtract from the fabric of our society in order to create a masterpiece. I think we can accomplish this by undoing some of the cultural norms and replacing them with others, different but equally strong and beneficial.

This process is like trying to grow a strong plantain tree<sup>42</sup> — all the weak suckers are removed from around the mother and only the best left to flourish. The popular expression "uprooting the sucker" is a traditional saying which describes a person's stubborn attempt to uproot and change the firmly entrenched status quo.

Once again, the major difficulty is the often unreceptive attitude of Ghanaian women to the idea of reform, even though it might benefit them. I submit that domestic violence exists in all Ghanaian communities, whatever form it may take. It must be exposed, and Ghanaian women must be made aware of it. Further, it is wrong to dismiss the acts of searching for and addressing issues of domestic violence as the product of the overheated imagination of a few female malcontents. We could predict that men

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<sup>40</sup> Id.

<sup>41</sup> *Kente* is the traditional cloth of Ghana, originating with the powerful Ashanti Empire. Colourful strands of thread are woven over and across each other on a broadloom with a shuttle until a broadcloth has been created which is intricate and original in design. In a sense, this is the nature of the culture: different strands intertwining and crossing each other, strips of fabric that can be removed or added, to change the pattern until the quintessential piece is created. The *kente* cloth defies description entirely in the beauty of its weave. It is as much a tradition as the very essence of the people themselves, and its mystery and beauty are handed down from generation to generation, not through words but through a picturesque weave which speaks for itself.

<sup>42</sup> Plantain trees grow out of plantain suckers in tropical forests. There is usually a clump of suckers from which the strongest one will grow over and above the others to become the dominant tree. The plantain sucker is particularly difficult to uproot.

might draw these conclusions. The greater surprise comes from women who draw similarly negative conclusions; ironically, these same women are also victims of the rules of the society.<sup>43</sup>

Domestic violence can rob women of their very souls and reasons for being. It potentially reduces them to a nothingness and renders them useless in their societies. As long as these women remain in this position, they cannot function as self-willed individuals, full of confidence and working to their fullest capacities.<sup>44</sup>

### III. AN APPROACH TO THE PROBLEM OF DOMESTIC VIOLENCE

My aim is to draw attention to wife beating as one area of distress that requires rethinking and social change. While we cannot expect an instant solution, it is important that we begin to think about the need for social reform and substantive equality for Ghanaian women. Taking a look at efforts elsewhere will clarify the way we should approach domestic violence in Ghana.

In a study of housing for battered women in Canada, one author concludes that "woman battering is a crime and a social problem, not a private affair. Therefore all levels of government and society must share the responsibility to eliminate it."<sup>45</sup> Even in Canada, where efforts have been made to address domestic violence for the last fifteen to twenty years,<sup>46</sup> we still hear pressing appeals such as this one. Certainly in Ghana, where the issue has not even been addressed, there is an even greater need for such an appeal.

The following urgent questions come to mind: How can we identify and define the problems of wife beating in order to make them visible to Ghanaians generally? How can we bring the issue of domestic violence to the forefront of the social and political agenda? What social measures can

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<sup>43</sup> It is not unheard of for some women to see other women who question the inequality between the sexes as frustrated malcontents, especially in a country in which there has not been much active rethinking of women's issues to date. Kathleen A. Lahey describes the situation aptly. See Kathleen A. Lahey, . . . Until Women Themselves Have Told All That They Have to Tell . . . , 23 *Osgoode Hall L.J.* 519, 521 (1985).

<sup>44</sup> This is a prime motivation for rethinking the position of Ghanaian women by looking at the laws and legal processes relating to women in Ghanaian society, with a view towards evaluating how law can help women to improve their status.

<sup>45</sup> T. Don, *An Introduction to the Ontario Association of Interval and Transition Houses* 8 (1986).

<sup>46</sup> Anne McGillivray, *Battered Women: Definition, Models and Prosecutorial Policy*, 6 *Can. J. of Fam. L.* 15, 17 (1987).



we take to counter the problem? Additionally, how can we structure legislation which would eradicate it? Even if such legislation is passed, how can we ensure that its implementation will create peace for women?

## **A. Initial Solutions**

I argue that an emphasis on public education is vital to the task of focusing attention on the problem of domestic violence in Ghana; women's organisations can be instrumental in this effort. I submit that only through some form of public education which fosters awareness and social change can we eradicate domestic violence and at the same time upgrade the status of Ghanaian women generally. I consider to what extent organisations which work within communities can disseminate the message of freedom from domestic violence. Such a community-based approach is necessary to educate the Ghanaian woman about her self-worth as an independent human being.

These projects should embrace the needs of Ghanaian women without tearing apart the fabric of Ghana's rich tradition in order to successfully encourage the development of Ghanaian women and bring domestic violence out into the open. Moreover, there can be no meaningful solution to the problem of wife beating unless an entire community participates.

I base this belief on my knowledge that Ghanaians generally have a sense of their community's well-being. On the whole, society in Ghana is communal rather than individualistic; all members of a particular community stand ready for the most part to assist each other. I find it troublesome that the same community which takes a keen interest in a bereaved neighbour's plight may hesitate to intervene when a man is beating up his wife. Perhaps education can help the community to harness its energies towards alleviating the anguish of a battered wife.

Strengthening women's organisations in Ghana will facilitate the achievement of self-awareness, and therefore self-help.<sup>47</sup> Organisations established to meet the needs of women should be functional, technically competent and, most importantly, should reach rural women.

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<sup>47</sup> Incorporating women on an equal basis with men as decision-makers, administrators, and beneficiaries has been a recurrent theme of national and international meetings on development planning held in the past decade. Country delegations to the Nairobi conference on women repeatedly emphasized this goal. World Conference, *supra* note 31.

I submit that although these resolutions and action plans are essential, we have to start the proceedings closer to home. Therefore, I support community help that provides women with self-awareness at their own doorsteps.

## 1. NCWD

The Ghana National Council on Women and Development (NCWD) fits these criteria.<sup>48</sup> Most women in Ghana belong to a local voluntary organisation, either in their church or at their work place, be it a market, a factory, or an office. Thus, the NCWD tries to work through these organisations to reach women.<sup>49</sup>

The first major task of the NCWD was to create public awareness about the plight of Ghanaian women. In 1975, it launched an education programme which sought to eradicate prejudices through public lectures and discussions on radio and television in both English and the Ghanaian languages. One result of this programme was a healthy debate in schools and in newspapers about women's capabilities and their role in society.<sup>50</sup>

While the NCWD has never addressed domestic violence as a matter of primary consideration, it could provide one forum for the educational process by teaching that domestic violence should not be accepted within marriage in either rural or urban settings. Because women in Ghana would contribute more effectively to Ghana's development if they did not have to contend with the threat of domestic violence, the NCWD can also teach that domestic violence is a public development issue, within the province of national development organisations, and not a private matter as previously assumed. If domestic violence is a reason for the failure of women to reach their full productive potential, then its eradication is necessary for optimum economic development. In other words, to the extent that wife-beating detracts from women's self-confidence and assertion of their productivity, it detracts from the Ghanaian economy.

In other contexts the NCWD has understood the public and social consequences of seemingly private and individual matters. For instance, it has identified a need to change the attitudes of parents so that they will realise that, given the same opportunities, their daughters will do as well as

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<sup>48</sup> Following the celebration of International Women's Year in 1975, with its focus on the need to integrate women into national development at all levels, the government of Ghana established the NCWD to advise government on all issues affecting the full participation of women in national development. National Redemption Council Decree 322 (1975).

Strictly speaking, the organisations that I discuss are not community-based in the sense that they belong to any one community. However, these are the groups most likely to reach all women — urban and rural — in their own communities. Furthermore, they may be useful in fostering the creation of truly local organisations.

<sup>49</sup> Florence Abena Dolphyne, *The Ghana National Council on Women and Development: An Example in Concerted Action*, in *Sex Roles, Population and Development in West Africa* 214 (Christine Oppong ed., 1987).

<sup>50</sup> *Id.*

their sons in school and will similarly benefit from higher education. Another goal of the NCWD is to create functional literacy programmes for women who need them. In addition, the NCWD has made recommendations to the government about issues affecting the education and training of girls, including the creation of programmes relevant to girls' needs and the diversification of vocational training programmes to include non-traditional courses. They have also held a series of seminars, consultations, and public discussions to identify the needs of Ghanaian women regarding training, income generation, employment, health, and family welfare.<sup>51</sup>

The illustration of some of the NCWD's other concerns may help to show how it could play an important part in domestic violence reform. Dolphyne sees some hope for women in the actions of the NCWD. She states that the cynicism which met the launching of the International Women's Year in Ghana soon gave way to sober reflection and understanding of issues highlighted by NCWD programmes.<sup>52</sup> Similar changes could happen with the issue of domestic violence if it were given comparable exposure and coverage.

## 2. FIDA

I submit that FIDA (Federación Internacional de Abogadas) could be an ideal organisation for the exposure of domestic violence in Ghana. Like their colleagues elsewhere, FIDA's Ghanaian members, both lawyers and judges, are highly educated and powerful women who can propose many measures to stop the oppression of women.

At the moment, FIDA devotes its efforts primarily towards assisting women in dealing with their legal problems. Addressing domestic violence specifically as a legal problem would bring it to the forefront of public opinion. Moreover, recognizing domestic violence as a legal matter would further women's sense of self-worth.

The educational campaign would have to be massive in order to change beliefs and practices held since time immemorial concerning the place of a woman and the right of a husband to assault her as he wishes. This has to be done without unduly upsetting the tradition, as we would uproot the plantain sucker<sup>53</sup> or change a strand in the *kente* fabric, altering the pattern without destroying the fabric.<sup>54</sup>

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<sup>51</sup> Id.

<sup>52</sup> Id.

<sup>53</sup> See supra note 42 and accompanying text.

<sup>54</sup> See supra note 41 and accompanying text.

Organisations like the NCWD and FIDA can educate Ghanaian communities on the harms of domestic violence. Similar efforts have been made by women<sup>55</sup> and women's movements elsewhere.<sup>56</sup> Doubtless, such early efforts led to the exposure of domestic violence in these countries. The same can be accomplished in Ghana. If organisations such as the NCWD and FIDA help to deal with the issue of domestic violence, they could generate an awareness which might break through the culture of silence that surrounds this deeply private crime against women.

## B. Long-Term Solutions

Once educational efforts have paved the way, long-term solutions to domestic violence can follow. These measures might include adopting legislation to help battered women as well as educating the police and the judiciary about domestic violence. I shall briefly discuss these courses of action.

### 1. Legislation

One of the greatest tensions within Ghanaian law has been between the retention of Ghanaian customary law and the incorporation of inherited British common law. The process of blending these two has led to some absurdities. Justice A.N.E. Amissah recounts how Lord Carnarvon, the British Secretary of State for the Colonies, told the House of Lords in 1874

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<sup>55</sup> For example, Frances Power Cobbe, a strong advocate of women's rights, focused on the need to secure justice and a voice for women:

Men, especially English men and Americans, are, as a rule, wonderfully generous to women. Thousands of them labour for their mothers, their wives, or their daughters all their lives long; and the higher minded are full of chivalrous indulgence for all women [but we may] count over with speechless indignation the hundreds of men who in our country yearly beat and trample their wretched wives to death. But with all their kindly feelings, their good intentions, their readiness to labour and sacrifice themselves for women, men give us most rarely that which we really want, not favour, but Justice.

Frances Power Cobbe, *The Duties of Women*, preface (1881).

<sup>56</sup> The Canadian women's movement sought to eliminate the oppression of women. The contemporary women's movement in Canada emerged in the 1970s out of women's groups established in the previous decade. From this movement came the struggle to protect women from domestic assault. One of its initial objectives was to expose and eradicate domestic violence. Progress may have been slow, but it was the direct efforts of women's unfailing courage and determination to expose this problem that set the ball rolling. By the early 1980s, the women's movement had won some governmental support in trying to bring public recognition to the hitherto private problem of wife battering. See McGillivray, *supra* note 46, at 15--45.

that it would be "a mistake, and almost an absurdity, to apply to negroes the English Law of bankruptcy" and that he anticipated "a great simplification of this and other branches of law on the Gold Coast."<sup>57</sup>

Even though the promised "great simplification" of the laws of England was applied to the Gold Coast, it is unclear how much of the cultural norm remains and prevents change. Furthermore, it is unclear how much of the customary law should remain.

This uncertainty has led to inadequacy in the realm of criminal law. For example, there is no specific legislation in the Criminal Code of Ghana to punish husbands for beating their wives.<sup>58</sup> While assault is covered by three different headings in Section 85(1) — Assault and Battery, Assault without Actual Battery, and Imprisonment — none of these is clearly designed to cover the crime of domestic violence. The legislative body in Ghana should consider creating and defining the crime of wife beating within the Ghanaian Criminal Code as well as introducing mandatory prosecution for assault.

In addition, I believe that there should eventually be clear provisions within the Matrimonial Causes Act of Ghana to make battering a clear ground for divorce, regardless of the victim's status, educational or otherwise. Again, the dilemma of how far to follow either common law or customary law has perhaps made any meaningful or comprehensive legislation difficult. There must be ways to scrutinize and rectify this discrepancy.

The NCWD has documented the absence of women from the country's decision-making bodies at all levels. Few women hold positions of seniority or authority in any of the medical, legal, or educational fields, or in the civil service.<sup>59</sup> Legislative bodies must have representation of both women and men if laws are to take into account the position and well-being of women. The present government of Ghana pledges its commitment to women.<sup>60</sup> Regardless, only enhanced participation of women in all levels of the decision-making process will ensure that more will be done to alleviate the hardships facing women.<sup>61</sup>

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<sup>57</sup> Justice A.N.E. Amisshah, *The Supreme Court, A Hundred Years Ago*, in *Essays in Ghanaian Law 2*, (W.C. Ekow Daniels and G.R. Woodman eds., 1976).

<sup>58</sup> See Criminal Code Act 29, Ghana (1960).

<sup>59</sup> Dolphyne, *supra* note 49, at 214.

<sup>60</sup> Indeed, the then Head of State of Ghana, Jerry John Rawlings, said in August 1982 (nearly a year after assuming office) that "there is no way there will be a successful social change in the country without the effective participation of Ghanaian women." *Daily Graphic*, Accra, Aug. 2, 1982, at 1.

<sup>61</sup> Of course, it is important to remember that the mere presense of women on decision-making panels is not sufficient to ensure the safeguarding of women's interests

## 2. *The Police*

Unless the police are enlisted to enforce the laws on behalf of battered women, there can be no meaningful eradication of domestic violence. As we have seen, Ghanaian women do not currently view the police as a resource.<sup>62</sup> This stems in part from the women's own reluctance which, as I have argued, can be addressed through public education efforts.<sup>63</sup> However, to the extent that police indifference contributes to the problem, we can create awareness programs for the police. For instance, FIDA, in conjunction with the Police Service, could organise such programmes to educate police officers about the need to treat domestic violence as a public matter and could engage them in discourse about the dangers and unfairness of the traditional idea of physical "discipline" for wives. While undoubtedly difficult, these tasks are crucial. The next step should be the compulsory charging of spousal abuse offenses in Ghana. A project such as the London, Ontario Integrated Community Project<sup>64</sup> might be of immense help in Ghana. Ultimately, the Police Service Act of Ghana<sup>65</sup> could be a medium for channelling the services of the police into restraining and controlling domestic violence.

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because, in a male-dominated society, these women might be present as tokens rather than as full participants.

<sup>62</sup> See part II.A.

<sup>63</sup> See part III.A.

<sup>64</sup> In May 1981, the London, Ontario City Police Force, the University of Western Ontario and several community services came together to fight the problem of wife abuse. The participants in the project assumed that the community, with the leadership of criminal justice officers, could improve services to victims of family violence if people became aware of the nature of the problem and existing limitations.

The policies put in place encouraged and empowered officers to lay charges of assault in domestic situations.

[This effort] did not result from changes in legislation but was undertaken by the department in response to research which indicated that the victims wanted officers to lay charges and that the necessary grounds for laying the charges often existed. The Police perceived this policy as reflecting a change in attitudes about the seriousness of wife assault cases.

Carole Anne Burris and Peter Jaffe, *Wife Abuse as a Crime: The Impact of Police Laying Charges*, 25 *Can. J. of Criminology* 309 (1983).

This project is worth studying for its potential application to the Ghanaian situation.

<sup>65</sup> Police Service Act 350, Ghana (1970), governing the organisation and the administration of the Ghana Police Force.

### 3. The Judiciary

There are hardly any reported cases in the *Ghana Law Reports* on domestic violence. However, reported cases in divorce law indicate that some judges making decisions in divorce cases believe that a woman's social standing and education should determine whether assaults by her husband are cruel or not.<sup>66</sup> This is illustrated by statements in two cases.

In *Manu v. Manu*,<sup>67</sup> a European wife petitioned for a divorce for cruelty, complaining of, among other things, that she was being beaten by her Ghanaian husband. A deciding factor in the Chief Justice's ruling was his observation that "[t]he petitioner is a University graduate, and must be a person of considerable culture and intelligence. In our opinion, conduct of the kind complained of . . . having regard to her class and standing, amounted to intolerable mental cruelty."<sup>68</sup> The petitioner was then, in the opinion of the judge, subjected to the indignity of mental cruelty not befitting her status. His words seem to imply that such treatment might be more appropriate or less cruel to women who do not come within Manu's class and standing. In *Osei-Koom v. Osei-Koom*,<sup>69</sup> the court said: "Here are man and woman trained in the best traditions of English life and urbanity and their standard of culture, no doubt, is on a higher plane than that of a couple quartered in a remote Ghanaian village."<sup>70</sup>

In both cases, the battered wives got the divorces that they sought. The judges' comments indicate that there are certain women who, by virtue of their status, should not be beaten; by implication, other women may be beaten. The women who are protected by these opinions are the ones farthest from the traditional lifestyle. They are foreigners, literally or metaphorically, and are more able than most women to leave an abusive marriage. Neither case reflects the possibility that battered women from rural, traditional, or underprivileged backgrounds would find any support from the judiciary. This assumes they could even bring a case to court; many economic and social barriers would hamper their way.

These cases indicate that we are far from reaching the point where all Ghanaian women are seen as equal, all deserving the basic freedom from

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<sup>66</sup> It would seem from my personal experience that this viewpoint reflects the general opinion of Ghanaians as a whole — women included. The irony is that there is a passive acceptance that some women are different (better?) than others, that some women are human and some are not. The impact of racism, whether internalized or not, is beyond the scope of this Article.

<sup>67</sup> 1959 Ghana Law Reports 21.

<sup>68</sup> *Id.* at 22.

<sup>69</sup> 1967 Ghana Law Reports 274.

<sup>70</sup> *Id.* at 278.

domestic oppression, and not dichotomised by virtue of their position in Ghanaian society. When judges see people in terms of class and standing, it erodes any sense of an impartial referee dispensing justice and it detracts from the purpose of the law.

Here, as elsewhere, the judiciary must be educated to see Ghanaian women as equal to each other and entitled to equal protection of the laws. Even when courts reach the right outcome, if it is for the wrong reason, we gain little. I would recommend that FIDA, in conjunction with the Judicial Service of Ghana, take on the project of educating the judiciary about the horrors of domestic violence.

No woman should be excluded from legal protection from assault. This must be the premise of any policing of domestic violence for it to have any meaning.

#### **IV. CONCLUSION**

We must deal with the domestic violence that Ghanaian women face. The questions are many: What is the nature and incidence of domestic violence in Ghana? Why do the cases not get to the courts? What are the sociological and the psychological constraints? What are the attitudes of the authorities---judges, police, law-makers, and the extended family? What lessons can be learned from other jurisdictions which have taken the bold plunge to examine questions of domestic violence?

I hope that this Article can generate serious and widespread interest in the issues surrounding the scourge of domestic violence. Perhaps the discussion can also focus on the practicality of possible solutions, such as educating the public about the right to freedom from such abuse, upgrading the educational and employment level of women to help reduce their economic dependence on their husbands, enacting of provisions within the Ghanaian Criminal Code and the Matrimonial Causes Act to deter and punish wife battering and educating the police and the judiciary on the concept of domestic violence and its attendant remedies.

At the present time, the paucity of information on domestic violence in Ghana indicates how compelling the need is for research into this problem. This Article is based on information from interviews with Ghanaian women and examinations of divorce cases and explorations of the patterns of Ghanaian folklore. Obviously, much work still needs to be done. Merely making pronouncements about how heinous the crime of domestic violence is will not begin to solve the problem. Rather, we must engage in research, teach methods of self-help, and establish a system of communal education which can acknowledge and incorporate Ghanaian traditions. Only after these measures have been undertaken will we fully understand



the existence of domestic violence in Ghana and be able to demonstrate that it is wrong. Perhaps at that point we will be able to establish and enforce legislative, prosecutorial, and judicial controls.

Domestic violence in Ghana can no longer be accepted as an “occupational hazard” of marriage. Now is the time to begin addressing and eradicating it.