



CULTURAL RIGHTS VERSUS HUMAN RIGHTS: A CRITICAL SURVEY OF *TROKOSI* TRADITION IN *WIFE OF THE GODS*

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ABSTRACT

It is a general belief that slavery no longer exists, but astonishingly it is very much present even today. Throughout the world there are still many different types of harmful traditional practices that violate the human rights. One such present day slavery as portrayed by Kwei Quartey in *Wife of the Gods* is *Trokosi* practice in Africa. This *Trokosi* system turns virgin girls into slaves of the gods to atone for crimes committed by their family members. People are made to believe that priests are gods and that they possess divine power. So people are fearful that the gods will punish them if they question their customs and practices. Theoretically, universal human rights take precedence over cultural rights. But in practice, the actual enforcement of human rights laws is often conceptualised. Primarily, universal human rights promote cultural rights; however, the latter ends when it violates the human rights of others. In this article therefore, I intend to address the following questions: Should universal human rights be rejected on the basis of cultural rights in reference to the *Trokosi* system? What are the implications for human rights struggles? And what tactics Kwei Quartey employ in *Wife of the Gods* to liberate the victims of the *Trokosi* practice?

Key Words: Cultural rights; human rights; *Trokosi*; slavery; human bondage; witchcraft; women's rights; Ghana

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It is widely believed that slavery no longer exists in the contemporary world, but surprisingly it is still very common. There exist today forms of human bondage such as forced labour, servile marriage, debt bondage, child labour, forced prostitution, etc. Most countries have outlawed slavery, yet it continues to exist in many countries and seems to be most concentrated in the Middle East, Asia, and Africa. One example of modern slavery is found in Africa, which Kwei Quartey in her work *Wife of the Gods* expose to the world. Accordingly, tens of thousands of pre-teen and teenaged girls are being kept as unpaid servants and

sex slaves by West African voodoo priests to pay for the sins of their families against traditional gods and spirits.

Human rights and culture cannot be separated from each other. However, there is a distinction to be made between accommodating cultural customs and using culture as a pretext to deny the integrity and dignity of individuals on the basis of sex. Culture should not be used as "a shield to protect practices that violate women's human rights," nor should human rights be used "as a sword, a weapon of subjugation, colonialism and

moral imperialism, to oppress other communities and ways of life.”

Kwei Quartey

Kwei Quartey is a crime fiction writer and physician living at present in Pasadena, California. His mother is an African American and his father is a Ghanaian. Both of them are lecturers in the University of Ghana. Kwei Quartey is a Ghanaian name and the full version of his name is Jones Quartey. He went to the medical school at Howard University in Washington; D.C. He started practicing medicine in California with Health Care Partners in 1990. He wished to become a writer at his young age but he has become a writer after becoming a doctor. He now writes early in the morning and then continues his work as a doctor. He says that both the professions are Symbiotic.

The works by Kwei Quartey comprises of *Wife of the Gods*, *Children of the Street*, *Death at the Voyager Hotel* and *Murder at Cape Three Points*. The *Wife of the Gods* is the first novel of Quartey. This is a crime fiction. It is set in Ghana which is under so many scientific developments. The novel begins with the Prologue in which the protagonist Darko Dawson has a dream about his missing mother Beatrice. This novel is divided into forty-eight chapters. The first chapter itself begins with the death of the girl medicine student Gladys when she has come to give awareness to the women under a type of slavery system called *Trokosi*. He has also hinted on the superstitions of the illiterate poor Africans. As the title of the novel suggests, this novel is about the *Trokosi* practice by which men use women for their needs as their slaves. Though the slavery system is banned in Africa such systems still exists.

Cultural Rights and Practices

Africa is well-known for its rituals, superstitions and other cultural practices. The *Trokosi* culture is one of the ancient superstitious practice followed even today in Africa. This is a practice in which the young virgins are forced into the shrine to be the wives of the priests. This is done as a retribution for the sins committed by one of their family members. Most often the sins are performed by the male person. The priest of the shrine is regarded as god and the young virgins are

not only their wives but also their slaves. These virgins are to satisfy the needs of the priest, especially their physical pleasures.

According to the *Oocites* website, the *Trokosi* culture has come into Africa before four hundred years ago in particular places of Africa like Ghana, Togo and Benin which belongs to the tribe called Ewe. The children born of the priest are not cared and loved by the priests themselves. The wives of the priests are afraid of the priest as they punish them cruelly. People are made to believe that priests are gods and that they possess divine power. They are to be considered as representation of god himself. So people are fearful that the gods will kill them when they question their customs and practices. People never dared to speak up their opinions about these practices. It was only after the invasion of Christianity that some *Trokosis* speak up openly about their life, struggles and pains.

The novel *Wife of the Gods* focuses on the lives of the *Trokosi* women, their problems and their sufferings. According to it, when a virgin girl is given to the shrine, an elderly female “inspected her to make sure she is a virgin” (10). The novel explores about a fetish priest who is considered as the God almighty himself. He is Togbe Fafali Adzima. He is at the late fifties now. Efia, the *Trokosi* has come to the Bedome shrine eighteen years back. Being twelve she is too small even to understand what has made her to be in the shrine. Efia’s uncle Kudzo has beaten a man to death. Kudzo is put in jail for his crime. From that moment the family has had all the miseries and troubles:

Over the next several months, bad things began to happen to the family: crops failed because of drought, Efia’s mother had a stroke, and a cousin drowned in a river.... it appeared the gods were punishing the family for what he had done. This was the only reasonable explanation for the horrible series of events (9).

Hence, it is to make peace with god that Efia is put in the shrine. As Efia attains her puberty, the priest begins to have sex with her. By the young age of sixteen Efia has had her first child Ama. After giving birth to Ama she has had two miscarriages. Her second child, a boy died in infancy because of

malaria. The first wife of Togbe is Nunana. She has six children. Sometimes she calls herself as the “old bag of bones”(122). Togbe shouts at all his wives. He also has three other wives. These *Trokosi* wives follow all the instructions of this so called god. *Trokosis* are never allowed to go out of the shrine unless there is a need and permission from the god. But Nunana, being a senior gets a certain level of respect from him.

The cruelest thing of this *Trokosi* culture is that the priest having sexual relationship with his own daughter, which is not found in any cultures of the world. One day the priest in his drunkenness calls Ama inside his hut. It rains outside and the lantern turns out. Leaving the child inside Efia is tensed. Efia tries to seek into the hut. Ama comes out running in a bad condition that “her top was torn. Her skirt was tangled and pushed up and some of her thigh exposed” (290).

The *Trokosi* wives are considered as objects in the eyes of the fetish priests. They use them till they are aged and finally throw them out. They are unable to lead their lives alone sent out by the priest from the shrine. The society, even her own relatives neglect them if they are sent out of the shrine. They do not have enough money to lead their life also. In order to earn their living, they become prostitutes or go back to the shrine itself. They work in the shrine and have their bread there till they die. The inequality between men and women, and the selfish attitude of men is manifested in the words of Sarah Grimke:

Man has subjugated woman to his will, used her as means to promote his selfish gratification, to minister to his sensual pleasure, to be instrumental in promoting his comfort; but never has he desired to elevate her to that rank she was created to fill. He has done all he could do to debase and enslave her mind (Grimke, 83)

The young women who are forced into the shrine are physically and psychologically disturbed. They are under mental stress when they are brought to the shrine and left by their relatives alone into the new hellish atmosphere. They are compelled to do many works in the farms and the domestic activities. This gives them physical agony. When a *Trokosi* wife

tries to escape or does not follow the instructions of the priest she is beaten harshly by the priest. When the *Trokosi* attains puberty she is forced into sexual relationship. They earn much with their work. Yet, maximum of their earnings goes to the priests. All this makes them highly depressed. The priest does not also provide treatments for their physical ailment and their mental stress.

Under most circumstances, a priest will keep a *Trokosi* slave for more than ten years, but he may hold her for her entire life, depending in part upon the severity of the crime her relative committed. Should she die in captivity, the family must replace her with another virgin daughter or offer the priest a large sum of money, which is generally beyond most families’ economic capability. As penitence for particularly hideous crimes, such as homicide, some families must send generation after generation of virgin girls to the shrine. If the priest is tired of a *Trokosi* slave, he may release her from the shrine, but the family must replace her and the priest may demand her return at any time because she is a lifelong ‘slave of the gods.’ Any children born to *Trokosi* slaves are also slaves of the priest and are known as *Trokosiviwo*. When the priest dies, the priest next in line inherits his *Trokosi* slaves and children, so *Trokosi* becomes a tradition in perpetuity.

The second cruel practice present in the novel includes the traditional healings and the witchcraft. The traditional Africans are superstitious. There are many traditional superstitious practices even now prevalent in Africa. It is also very clear and evident that the innocent are cheated due to the exploitation done on them in the name of superstitious healing process.

The traditional healers in Africa link the physical illness with that of the spiritual. They think that every disease is the sign of some evil spirit or witchcraft. These healers are so cunning that they have exploited the innocent people. Intelligent people in Africa have lived their lives by cheating their fellow beings. This is the reason for the Westerners to colonise Africa. This notion is explicit through the words of Karen Elizabeth Flint in her *Healing Traditions: African Medicine, Cultural Exchange, and Competition in South Africa*:

African healers, or “witch doctors”, as they were often called because of their reputation for pointing out witches, came to serve as the archetype of African superstition within European discourse. Drawn with wild eyes and often accompanied by snakes, and a human skull full of frothing medicines healers represented for the European and American imagination all that was “tribal”, “superstitious” and “primitive” in Africa.

Fetish priests who favor *Trokosi* slavery view the practice as an effective means to keep people from breaking community norms. They perceive *Trokosi* slaves as links between the gods and the family, reminding family members to lead moral lives. According to the priests, the *Trokosi* slaves constitute role models, saving the entire family from punishment, and their example deters crime within communities. Some families are so dedicated to the *Trokosi* practice that they have sacrificed as many as five generations of daughters to the shrines. There are even instances in which the offense occurred so long ago no one remembers what it was, let alone who committed it.

The traditional systems of the Ghanaian like traditional healing and the *Trokosi* customs are thus portrayed in the novel. There are also many other superstitious beliefs in the novel. While analysing the culture of *Trokosi*, it is clear that it is a tricky way of oppressing women. Even some of the educated fools in the novel like Fiti believe all pretenses of the priest. Though the brutal practice is outlawed it still exists.

Human Rights Violations

In December 1948, the ratification of the Universal Declaration of Human Rights (Universal Declaration) became a reality. The central thrust of universal human rights is to protect human dignity and integrity from all manner of actions and practices - such as slavery, torture, oppression, tyranny, genocide - that are not only de-humanising, but also threatening to the survival and wellbeing of individuals, groups and humanity as a whole. Since its ratification, the universal human rights framework has provided the world with a powerful discourse and framework that legitimise struggles against violations of the fundamental human rights -

political and civil rights, economic, social and cultural rights. In spite of the existence of this powerful framework, human rights violations continue to be witnessed in many forms and are of varying intensity.

While there are many factors accounting for this phenomenon, one of the most pressing issues affecting the rights of women and girls, in developing countries in particular, is the demand for cultural rights that conflict with the ethos of the universal human rights. Women’s rights are often, violated on cultural grounds. One of the best examples for this and the study under concern of this paper is the *Trokosi* system as pictured in Quartey’s *Wife of the Gods*. This is a cultural and religious practice that is observed not only in Ghana, but also in Benin and Nigeria. It is a practice where the virgin girls are taken to shrines as slaves to serve the gods permanently as a form of ‘reparation for crimes’ committed by their family members. These victims are ‘generally overworked’, overly subjected to sexual intercourse, and ‘usually in poor health’ due to the absence of medical facilities at the shrines.

Generally, African countries have re-affirmed their recognition of, and commitment to, promoting and safeguarding human rights in Africa. Specifically, on the issue of harmful cultural practices, article 5 of the African Women’s Protocol states that “[s]tate parties shall prohibit and condemn all forms of harmful practices which negatively affect the human rights of women and which are contrary to recognised international standards”. Harmful practices, according to the Protocol, are defined as “all behaviour, attitudes and/or practices which negatively affect the fundamental rights of women and girls, such as their right to life, health, dignity, education and physical integrity”. Based on this definition, we can contend that the *Trokosi* practice is clearly one of such harmful practices; therefore its continued observance is in contravention of this provision.

Additionally, the African Children’s Charter recognises in its Preamble that the child, due to the needs of his physical and mental development requires particular care with regard to health, physical, mental, moral and social development, and

requires legal protection in conditions of freedom, dignity and security. The Charter further states that the child - any person under the age of 18 - shall have the right to education and health services based on articles 11 and 14 respectively, while articles 15 and 16 of the Charter articulate protection against child labour, on the one hand, and child abuse and torture, on the other. In particular, article 21 of the Charter proffers protection against harmful social and cultural practices.

Invariably, the continuous adherence to the *Trokosi* practice is in clear violation of these provisions. In fact, the African Charter accommodates positive African cultural values, morals, heritage, practices and customs that are not prejudicial to the health, life, and dignity of the African peoples, as articulated, for instance, in article 11(1) (c) of the African Children's Charter. Thus the *Trokosi* practice is inconsistent with the African Charter and any international norms on human rights which this Charter recognizes.

The adherents of African traditional religion argue that the *Trokosi* practice does not constitute any human rights violations. They maintain that universal human rights are 'foreign, imported values that contradict African traditional values'. They further contend that the *Trokosi* system is a key component of the African traditional religion and culture, which is endorsed by the Ghanaian Constitution - through the provision on the freedom of religion as enshrined in article 21(1). For this reason, any attack on the *Trokosi* is invariably an attack on freedom of religion and worship and, for that matter, is unconstitutional. However, they fail to recognise the rights of the victims of the *Trokosi* system as guaranteed by the same Constitution that they draw on to assert their right to freedom of religion. Article 12(2) of the 1992 Constitution of Ghana affirms the fundamental human rights and freedoms of every citizen. This provision demands that people must not exercise their rights and freedoms in a way that leads to the violation or infringement of the rights of others.

Thus, the *Trokosi* practice is certainly in contravention of the universal human rights of the victims and the Constitution of Ghana. The

Constitution of Ghana, the African Charter, and particularly the African Children's Charter, the African Women's Protocol and international human rights laws and conventions require that universal human rights should take precedence over cultural rights to preserve the *Trokosi* practice in this regard. This, however, does not take place automatically; otherwise the *Trokosi* system would long have been a thing of the past. This suggests the need for a stronger involvement of civil society to exert pressure on states and society at large to respect, protect and guarantee the fundamental human rights of the vulnerable.

Conclusion

Violating the woman rights is a global phenomenon that started years back. Almost all the countries of the world, despite their advancements, improvements scientifically, socially and economically suffer this gender discrimination. Gender Inequality remains one of the primary issues of violation of human rights. United Nations Children's Fund (UNICEF) describes about gender equality in an article "Promoting Gender Equality: An Equity-based Approach to Programming":

Women and men, and girls and boys, enjoy the same rights, resources, opportunities and protections. It does not require that girls and boys, or women and men, be the same, or that they be treated exactly alike.

The culture and traditions are man-made in many aspects, that is to say they are favourable for men and tormenting women. The *Trokosi* culture is also of the same kind of our Indian Devadasi system. Though the laws say that such slave system had been abolished, in Africa this system is tough to be abolished as it is behind the screen of culture and religion. The only solution for women to come away from all her troubles is her education.

Education for women is denied in most parts of Africa. Men are afraid of the fact that if women are educated they will ask for their own rights and they will not be submissive to them. However, the reality is that if a woman is given education she takes care of her family in the best possible manner she can. This does not develop her family alone, but indeed the complete society. The 1994 International Conference on Population and

Development (ICPD) has said, "Education is one of the most important means of empowering women with the knowledge, skills and self-confidence necessary to participate fully in the development process".

The black woman suffers racial problems and gender problems. The novel poses that some women are in transition from their traditional, gender oriented rules and laws, while the others are still in their age-old traditional practices. Culture is messed up with many other aspects like gender and colony. It is really hard to change a culture immediately. Culture changes, but it will take days to change.

Kwei Quartey feels bad about the cruel cultural practices and customs in Africa. His writing exposes that being an African American he is struck between the tradition and transition. As a doctor, he opposes the traditional healing practices in Africa. He does not wish to discard all the African practices. He wishes to take the good from both the cultures. Certainly, it is worth noting that the overall intent of the *Trokosi* practice is positive in the broader context of social and crime control in serving as a deterrent to future offenders that they stand the risk of sacrificing their beloved virgin girls to the gods. Conversely, the problem, however, is with the mechanisms in place to achieve this intent that take the form of lifetime imprisonment of innocent virgin girls who have not committed the crimes for which they have been imprisoned; in any case, the perpetrators could be held directly responsible for their actions. These innocent virgin girls should be given the chance to live normal lives, as it is their right; they should not be subject to punishment for crimes that they never committed in person.

Thus, the demand for the preservation of the *Trokosi* practice, in the name of cultural relativism and freedom of religion, violates the basic human rights of the victims, as exemplified within the framework of the Constitution of Ghana, the African Charter, the African Women's Protocol, the African Children's Charter and recognised universal human rights laws and conventions which the state parties, including Ghana, have ratified. Essentially, it is in this context that it is contended that, although the call for cultural pluralism and the need to

celebrate and respect the diversity of cultures sound legitimate, these demands should not be allowed to trump the minimum package of human rights which state parties have ratified to protect human dignity. Also, culture is dynamic and should ideally be open to new possibilities for social transformation; conceivably, culture can be preserved without infringing the basic fundamental human rights of others.

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