9. CONCLUSION: EXPLOITING SPIRITUAL CAPITAL IN GHANA

9.1 Introduction

In this concluding chapter, it is important to return to our research questions and draw together the various perspectives and strands of arguments enabled by the data and their analyses. The thesis which we have pursued in this work has been: How can religious and cultural values contribute to the inculturation of human rights in Ghana? We sought to respond to this question by exploring the following sub-questions:

a)   What ideas about human rights (or ideas cognate to human rights) do people hold in contemporary Ghana?

b)   To what extent do Ghanaian religious values reflect modern human rights ideas?

c)   To what extent do Ghanaian religious values enable a dialogue with the normative concept of human rights as stated in the UDHR?

Our basic assumption in framing the research questions this way was that human rights are presumed upon certain ideas about the human being as a being with dignity that needs to be protected and not violated. In Ghanaian culture, such ideas are basically linked to religious belief. Indeed, forms of democracy and human rights that existed in pre-colonial Africa were embedded in 'religion and culture.'[1] We have explored these questions, bearing in mind their practical implications for social policy issues related to human rights in Ghana.

9.2 Inculturation of Human Rights in Ghana – An Ongoing Dialogue

Placing our discussions in a framework of inculturation has required a focus on the concrete situation of the context. This is also in keeping with well-established traditions in the modern academic study of religions. The local context, in the case of this study, has been one that carries the indelible marks of the historical processes of colonisation, Islamic and Christian proselytisation, and various forms of cultural encounters between the different ethnic groups that were brought together to form the modern nation-state called Ghana. Drawing attention to these historical processes, we sought to justify the talk about a 'common Ghanaian culture' in order to be able to apply the model of inculturation to that context.   Yet, the 'common culture' has within it 'multiple strands.' The degrees of exposure to the different ideas and values through religious proselytisation and other forms of contact with forces of modernity such as Western education have not been the same. Nevertheless, a blend of elements from the various ethnic and linguistic groups, the colonial experience, Christianity and Islam provides the cultural commonality that has come to be associated with contemporary 'Ghanaianness.'

We included in our analyses ethnographic materials such as proverbs, song texts and taboos as authentic texts embodying a rich store of indigenous knowledge, which continue to shape citizens' understanding of, and responses to, events. We maintained, throughout the discussion, openness to the possibility of discovering fresh dimensions in the local context that might shed new light on the universal regime of human rights. In any purposeful cross-cultural encounter, such openness is an investment worth making. There is always the possibility of

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[1] El-Obaid and Appiagyei-Atua, 'Human Rights in Africa,' 821.

being awakened to new self-discoveries that might be of mutual benefit for both the local and the universal. The local context or the receiving culture is never completely empty or passive, even if it is caught up in a long process of transition, which puts it in a state of virtual liminality.[2]

Life does not cease in situations of transition. The negotiations, contestations and the struggles that ensue in societies in transition as part of the attempt to reorient themselves draw on familiar resources, sometimes significantly modified or reinterpreted, to resolve issues of conflict, justice and equality. 'Familiar resources' in this case do not refer only to ideas and other elements native to the culture; they often include hybrid ideas which have crystallised out of the exposure of the local culture to foreign ideas and beliefs over a considerably long period, as is the case of many previously colonised African countries. This is illustrated in some of the responses given by our discussants. For example, in our exploration of the basis of local ideas about the nature of the human being, we discovered how biblical ideas about the human being have become mixed with local understandings. Affinities between the biblical idea and local ones that linked the human being to God in a metaphysical sense have enabled a dialogue on the issue of the nature of human beings and why dignity must be ascribed to them.

Dialogue between universal ideas and local ones began in Ghana long before the birth of the UDHR. In the process, some indigenous ideas cognate to human rights were activated and developed through the colonial period and after. Written records produced by some of the early European visitors to the country expressed surprise at the level of openness of the political and social culture of the people.[3] Well-noted aspects included the representative nature of the indigenous political system, the relatively wide participatory nature of the system and the power of the ruled to depose a ruler who broke the social contract. Other aspects noted were the people's natural love for freedom, the high level of individual consciousness and the right to private property ownership.

The existence of such ideas and practices, which, though perhaps not adhered to all the time, leads us to the basic general assumption that human rights have existed in Ghanaian culture as 'dream values.' In the specific context of Ghana, these 'dream values' may be understood as ideals cognate to human rights presaged in traditional norms, taboos, and proverbs. An analysis of some of these norms, taboos and proverbs in the context, opened up fundamental ideas about the nature of the human being and their ascribed dignity because of that. Dignity based on the elevated status of the human being as a 'child of God,' because of which equality and the interconnectedness of all humans as one family is conceived, provides a 'validating foundation' for human rights in Ghana. This idea of dignity is expressed, partly, in the taboos of the *egudodoamE* type: the idea that the human being is a special category and that certain things considered degrading are never to be done to them. Thus, we confirm Herbert's position that human rights 'may be thought of as deriving from the social properties of cultural systems,

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[2] According to Brinkman, almost every transitional situation involves the stage of *liminality*, an 'in-between' situation which can imply an 'in-both' that can lead to a creative 'in-beyond' – a 'transcending of both cultures from the inside out.' See Brinkman, *The Non-Western Jesus*, 247.

[3] E.g. Wight, *The Gold Coast*, 34 & 35; Cardinal, *The Gold Coast, 1931*, 9.

which require development to be expressed as rights in the modern sense, but nonetheless regarded as implicit.'[4]

Currently, the type of taboos under discussion are mostly known in rural communities but their influence in contemporary society is widespread since the basic assumption about the human being as a being connected with metaphysical realities has been perpetuated in the more modern religions of Christianity and Islam. For example, the basic understanding of reality as being of two dimensions, spiritual (invisible) and material (visible) affecting each other is of special consequence for the concept of the human rights of individuals. This is shown in traditional responses to situations of abuse. Customary judicial processes often include compensatory and pacificatory elements, as well as restorative and pacificatory rituals. This is because in situations of abuse, the victim is not seen as having been violated physically only, but the spiritual, invisible dimensions of their being are also deemed to have been affected. Bodily harm is considered more than a violation of 'bodily integrity;' it is a violation of integrity, bodily and spiritual. Violation of anybody's dignity is deemed an attack on the person's sense of wholeness because any physical or emotional harm is believed to cause a separation between the spiritual and material elements such as the *mogya* (blood)*, sunsum* (spirit) and the □*kra* (soul) that constitute the human being. Such separation, it is believed, if not cured through appropriate rituals can have devastating consequences for the victim.

The inculturation model applied in this work takes seriously resources present in the local context and helps us to understand the process of dialogue that is already taking place between international norms of human rights and local norms that are cognate to them. It helps us to refocus the discourse on unity in diversity in the face of the transformational effects of global cultural phenomena such as human rights. In our specific instance, the transformations that are taking place in the development of a human rights culture in Ghana are driven by the overlapping elements of 'spontaneous or popular dialogue,' 'translation,' 'confrontation' and 'directional or formal dialogue.' Whereas the first two may occur in a quiet, spontaneous and unobservable manner, through everyday encounters at the grassroots, the last two may involve deliberate and conscious efforts to clarify and establish a local human rights regime, which converges with the universal system. In our discussion of this process, the normative regime of human rights as contained in the UN system has served as the standard of orthodoxy against which inculturated versions of human rights in any local context may be measured.

9.2.1 Inculturation of human rights: a transformational process
The transformational value of both religion and human rights are not in dispute. With visions that are universal in nature, both summon human societies to change their behaviours and reorganise their structures and relationships in conformity with the ideals they represent. As illustrated by the criticisms of the nineteenth century Christian missionary approaches to Africa and the cultural relativism debates in human rights discourse, transformational processes that sidetrack cultural resources of the context often fails. That is why the model of inculturation we employ in this work is so appropriate. Genuine transformations through the process of inculturation will lead to a revitalization of the human rights movement by enabling people at the grassroots to participate fully. Inculturation employs concepts, idioms, and imageries

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[4] Herbert, *Religion and Civil Society*, 150.

familiar to the context, thus presenting universal standards in local garments. Such transformation is often two-way, affecting both the universal norm and the local context in the spirit of 'double transformation.'[5] This also present in the 'cultural transformation' approach to human rights proposed by An-Na'im and Hammond.[6] An Inculturation approach to human rights produces such double transformational effects because it is a culturally sensitive approach, employing in a creative way, available local resources, including religious ones.

9.3 Popular religion, spiritual capital and the inculturation of human rights in Ghana

Working with 'popular religion' as an analytical category has enabled us to focus on religion *sui generis* rather than on specific traditions. The phenomenon of popular religion in Ghana, which is, mostly, a synthesis of the three main traditions – Ghanaian indigenous culture, and religion, Christianity and Islam – underpins, to a large measure, the culture of contemporary Ghana. Popular religion in Ghana is mostly not organized; it manifests in the widespread belief in God and in the world of spirits, which has continuously informed interpretations of political, social and economic events both in relation to individuals and the country. This, in our view, constitutes a form of 'spiritual capital' that must be exploited in the service of human rights. This has formed the focus of the present work.

Not all aspects of popular religion in Ghana can be regarded as 'spiritual capital' in relation to the development of human rights. Religion, like any other social phenomenon, is ambivalent and may be used for good or evil. To a very large extent, what we describe as 'spiritual capital' in Ghana is neutral. It can be used positively or negatively. This is an important reason why a conscious and deliberate intervention in the manner of what we have called in this work 'directional' or 'formal dialogue' in our model of inculturation is necessary. Processes of production necessarily involve separation of by-products from the main product and further separation of 'waste' from by-products that can be useful in some way. In the same way, the process of inculturation must involve the element of 'confrontation' in order to do away with, transform, or, at least, modify the negative aspects of religion into a positive spiritual capital.[7]

Specific elements of spiritual capital present in popular religion in Ghana include ideas that are either explicitly expressed or implied in maxims or proverbs, taboos and rituals, as well as survivals of indigenous political and juridical principles and practices, which inform attitudes and behaviours of great numbers of Ghanaians. These elements provide important connections with aspects of public life in terms of their implications for the conceptualizations of issues of justice, reconciliation, human rights, democracy, environmental issues and the fight against corruption. The currents of ideas and practices generated and spread by the various strands of popular religion in Ghana are varied.[8] Therefore, it is not easy to discern fully the impact they make on individuals and the society. However, what can be hardly disputed is the capital that accrues from religious belief and participation in religious activities:

> Religious activities such as prayers, rituals, miracles, and mystical experiences, build up over a lifetime, not only increasing confidence in the truth of a religion, but strengthening

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[5] Brinkman, The Non-Western Jesus, 17.
[6] An-Na'im and Hammond, 'Cultural transformation,' 13.
[7] Robert Putnam, *Bowling Alone: the Collapse and Revival of American Community* (New York: Simon and Schuster, 2000) 362.
[8] Gifford, *Ghana's New*, 189.

emotional ties to a specific religion. Together these emotional attachments and the mastering of a religion become investments that build up over time and constitute religious capital. This capital helps to explain the religious activity and satisfaction of individuals.[9]

But the capital accruing from religious belief and practice, which we include in what we have called 'spiritual capital' in this work is not significant for religious purposes only. Religious people normally carry with them the social and other skills they learn in the context of their faith practice and apply them to their non-religious activities.[10] The strong and widespread belief in God and in the presence and the power of spiritual forces or spirit beings, which is at the base of popular religion in Ghana is one of the most important factors that affect the fortunes of human rights and governance in Ghana. This is demonstrated in our discussions below.

The practical relevance of popular religion for human rights, partly, lies in the ideas and idioms it supplies for the strengthening of the individual sense of autonomy or the continuous cultivation of individual self-consciousness. First, popular religion generates confidence in individuals in their life pursuits by its strong insistence on the belief that God is interested in, and is involved in the affairs of this life. It projects this-worldly goals and reassures the individual of God's good plans for their life. Secondly, popular religion in Ghana generates hope by its claim that changes in life's circumstances are possible for everyone through the various ritual means, including prayer. Indeed, what various commentators have variously described as 'prosperity theology' or 'faith gospel' or 'abundant life' theology[11] preached by contemporary Charismatic Christian groups has become popular because it strikes a chord with the individualistic consciousness of most people in Ghana. The success of Prayer Camps, shrines, *malams* and prophets, may equally be explained in terms of the avenues they provide for addressing individual problems.

Elements of popular religion that are supportive of human rights are that which generate open and inclusive attitudes in the public sphere. The largely open approach to participation in religious activities, which encourages free choice in relation to what spiritual goods a person finds appropriate and effective for their purpose; and which do not necessarily require conversion is highly important and requires attention in the effort to develop democracy and human rights culture in Ghana. This is suited to the relative individualistic orientation of the people of southern Ghana, represented in this work by the Anlo (Ewe), Mfantse (Akan), and the Ga (Ga-Adangme). Their traditional support networks have suffered significant disintegration in the face of the invasion of forces connected to modernity.

In principle, popular religion in Ghana is greatly facilitating the development of human rights and democracy with their emphasis on the individual. It provides routes around the deep sense of vulnerability that individuals feel in the face of the rather fierce competition that has characterized life in Ghana since the introduction of a 'market economy' in pre-colonial

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[9] Roger Finke, 'Spiritual Capital: Definitions, Applications, and New Frontiers' (Prepared for the Spiritual Capital Planning Meeting, Penn State University, October 10-11, 2003) 3.

[10] Robert Putnam, *Bowling Alone: The Collapse and Revival of American Community*. (New York: Simon and Schuster, 2000) 67.

[11] E. Kingsley Larbi, *Pentecostalism: The Eddies of Ghanaian Christianity* (Accra: Centre for Pentecostal and Charismatic Studies, 2001) 312 -313.

encounters with Europe. The deep sense of vulnerability that in the early stages of the introduction of market economy made individuals who found it hard to subsist pawn themself[12] now finds some mitigation in popular religion. Issues such as health, prosperity, and success, which feature as major concerns in popular religion are related to the individual rather than the group. Practices such as deliverance and the breaking of 'covenants' and 'curses'[13] heighten the individuals' awareness of their vulnerability as solitary subjects whose destinies are less tied to that of the group than was previously assumed by scholars. Popular religion in Ghana fosters a radical sense of individuality that seeks to break free from 'negative family traits' and the recurrent experience of negative events often interpreted as the results of 'ancestral curses' or 'covenants' made with spirits by family ancestors of generations past.[14]

Although success or failure is believed to depend on the favor or disfavor of spirit beings, they are not explained in relation to a person's relationship to the spirit world only. The choices a person makes in life too are understood as having significant consequences for success or failure. This is expressed in the Akan maxim, *bra nye w'ara ab* (life is how you make it). However, 'religion' remains one of the most readily available resources to which resort is made in a person's attempt to succeed in any of life's endeavors. For example, the Akan, traditionally, see no meaning or purpose in failure of any kind. In the event of failure they, literally, 'whip themselves' and perceive themselves as 'shorn of self-worth.'[15] A person who continually fails in life's endeavours is described in Mfantse as *nyimpa gyangyan* (lit. 'empty person,' 'one without worth'). However, when there is success, the whole group shares in the sense of achievement and expects that they benefit from the individual's success without any sense of shame; for as the proverb says, 'it is only one person who kills the elephant; but the whole group eats it' (*baakofo na okum son ma nyimpa dodow wodzi*). But while the community shares in the pride and wealth of the successful individual, how the individual's success is achieved is believed to depend on a combination of the individual's effort and favourable spiritual factors, including one's destiny (*nkrabea*). This is the realm where religion operates. It is the realm where a sense of uncertainty and vulnerability is palpably felt and the individuals see themselves as standing alone in the struggle for survival.

Since the nature of the individual's *nkrabea* (destiny) cannot be predicted and the favour of spirit beings cannot be taken for granted, people take precaution by relating appropriately with them for maximum benefit. Hence they approach life in their personal capacity – primarily as individuals not as members of the group; after all, *obi rekra ne Nyame no na obiara ngyina h* (No one else was present when one was taking leave of his/her God). What manifests as success or failure in a person's life is believed to be the result of the positive or negative disposition of beings in the spiritual realm. This strong faith in God underlies what has almost become a Ghanaian national cliché that expresses hope and which is often invoked in the face of challenges: E*bEyE yie* (it shall be well). Underlying this cliché is the conviction that *Nyame w h* (God lives).

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[12] Bossman, *A New and Accurate Description of the Gold Coast*, 176.
[13] Atiemo, 'Mmusuyi and Deliverance,' 99 – 102.
[14] Atiemo, 'Mmusuyi and Deliverance,' 100.
[15] Prof. Kwabena Nketsiah, former Director of International Centre of African Music and Dance (ICAMD), University of Ghana, Conversation with author at his office, May 2002 in connection with a research on the concept and attitudes to prosperity and failure among the Akan.

The Arabic, *Insha Allah* (by the grace of God), and the Hausa *Aquai Allah* (God lives), which have become part of the tool-bag of popular expressions of hope and determination convey the same sense of trust in God. It is also underscored by the biblical text so commonly cited by Christians in Ghana: 'The race is not to the swift, nor the battle to the strong, nor bread to the wise, nor riches to the intelligent, nor favor to the skillful; but chance and time happen to them all.'[16]   In the gospel song, ka kyerE me sE, by Fred Oware 'chance' is rendered *nkrabea* (destiny). That is also the translation in the Akan (Akuapem) Twi Bible. Thus, through the avenues of ideas, images, prayers, and rituals offered by contemporary popular religion, believers attempt to define the boundaries around themselves as individuals claiming their right to the pursuit of life goals and their right to participate in community life.   This strong faith in God, as was pointed out in chapter three, has become a national characteristic which manifests also, in the forgiving and mollifying attitude often expressed in the statement, *fa ma Nyame* (give it to God).

Belief in a God who is interested and actively involved in the daily lives of individuals, societies and nations, has significant implications for a relational idea such as human rights. A God who is conceived as supreme and above all powers and is the 'owner of the earth' to whom every living creature will have to account one day, conveys a message that no human power or earthly institution is absolute. On the level of everyday life of citizens, one often hears in reference to a threat by a state official or some other authority the defying statement: nnyE *Nyame*! (He/she is not God). In contributing to public political and social discourse, several ordinary people often start from the premise that 'no one is God.' Actions of politicians and other public officials may therefore be questioned without fear. This conviction has also been the source of the strength of citizens who have had to endure abuses at the hands of powerful people and institutions. At the hearings of the National Reconciliation Commission in 2002 many witness said that they were sustained by their strong faith in God during the time they suffered abuses at hands of agents of the revolutionary regime. When human rights are linked to the religious belief in God as the supreme judge and the final arbiter in matters of justice, all human authority is understood as subordinate to God. In other words, worldly thrones are subordinate to a higher authority, which, in the spirit of natural law and natural rights discourse, also provides a more meaningful standard for measuring the rightness of the behaviour of institutions of power and that of their agents.

Those who misuse power - the avaricious, corrupt leaders, and cruel authorities - are often linked to evil and satanic forces in rumours. The spread of such rumours takes place in the context of public political discourse at the popular level. Symbols, images, and idioms used in such discourse are supplied by popular religious beliefs:[17] Cruel and corrupt leaders, who turn upside–down the scale of justice, cannot belong to God; neither can they have the approval of God. They must be demonic and enemies of God. This is structurally not different from aspects of what Arhin refers to as 'diffused sanctions' employed to express disapproval of misrule by a traditional chief which we mentioned in chapter six.

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[16] Ecclesiastes 9:11.

[17] For a useful discussion of such rumours see Ellis and ter Haar, *Worlds of Power*, 26 -48.

The spread of such rumours, as noted earlier, can be distressing to people in authority because they indicate the loss of respect and affection of the people by the rulers and are usually indications of a possible more rapturous reaction with damaging consequences. Indeed such rumours have often intensified as prelude to the fall of several political regimes in the history of Ghana. We noted in chapter five how the spread of such rumours characterised the latter days Nkrumah's CPP government. The latter days of Acheampong's regimes also saw the spread of similar rumours. The loss of popularity and power by Rawlings' regime was also preceded by the intensification of such rumours.

Rumours associating rulers with witchcraft, 'juju' or rituals regarded as satanic have devastating implications for any regime in a country in which the belief in God is so pervasive. As a carry-over from the traditional religious past, citizens would have apprehensions and show their displeasure against such rulers since it is believed their evil action can result in the withdrawal of the favour of God from the nation. In most cases, economic difficulties that accompany the unpopularity of regimes are interpreted as resulting from the withdrawal of God's favour. In Ghanaian traditional societies, there was the strong belief that the gods and the ancestors showed their displeasure through the occurrence of calamities such as plagues and natural disasters.

Furthermore, the widely held self-understanding of Ghanaians as a 'peace-loving' people, which in itself is part of the spiritual capital with relevance for governance and human rights, is often alluded to in public appeals for peace by various political and religious leaders. It seems that projecting as their national characteristic, the quality of being 'peace-loving' has made Ghanaians strongly inclined to tread the path of peace and avoid that of violence. Even though, certain recent occurrences raise serious doubts about this claim by Ghanaians to being a 'peace-loving' people, the view is still strong. For example, worries have been expressed in several quarters about the increasing acts of violence in several parts of the country; especially, instant justice by lynching that is visited on alleged robbers by mobs;[18] and riots that have accompanied recent electioneering campaigns.[19] This self-perception is derived from the related claim of the nation being a 'God-fearing' one, special and different, in that regard, from neighbouring nations that are torn apart by civil wars and social unrests. Its potential for mobilization toward good ends is real.

Moreover, popular religion in Ghana disregards gender differences and leads to the acceptance of women as spirit mediums or prophetesses whose services are freely sought by both men and women without any feeling of embarrassment. From the perspective of human rights, this is positive; especially, several women have become pastors, prophetesses or spiritual guides who are accepted by both their fellow women and men as important leaders in society, helping to deal with the problem of gender discrimination.[20]

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[18] See 'Stop Lynching of Suspects,' News of Friday September 5, 2008 www.myjoyonline.com (accessed on 1st February, 2001).

[19] See 'Election Violence, www.ghanaweb.com (accessed on Friday September 5th, 2008).

[20] See for example, Abamfo Atiemo, 'Zetaheal Mission in Ghana: Christians and Muslims Worshipping Together?' *Exchange*, 32/1 (January 2003), 15 – 36 where we report about Prophetess Lehem, leader and founder of the Zetaheal Mission, who is believed by her followers to be the end-time messiah. Her claim to messiahship is explained in terms of the biblical story of the fall caused by Eve, the first woman. She insists in the holy book of the

9.3.1 Some negative elements in popular religion in Ghana

There are specific aspects of contemporary Ghanaian popular religion which might serve to hinder the development of human rights instead of facilitating it. Often, there is no critical engagement with the traditional culture and cultural beliefs and practices are taken for granted and are accepted wholesale. Examples in this direction include certain beliefs and taboos about women and the phenomenon of witchcraft accusations.[21] Aspects of popular religion constantly fuel the belief in witchcraft and pander to the negative attitudes that often lead to serious abuses of the human rights of those so accused.[22] Yet the belief is so strong among Ghanaians that they carry it with them wherever they go.[23]

The other issue in this regard is the fear created by the belief that one can be harmed by another person through spiritual means. This is debilitating and seriously undermines the development of a sound human rights culture. For example, people may not be eager to pursue their rights through the law if they have any reason to believe that the other party may resort to spiritual means in attempt to harm them.[24] This corroborates Victor Gedzi's findings in Anloga and Kumasi that some women are unable to use a rights framework to contest their claims over property for fear of 'spiritual reprisals from family members and other disputing parties.'[25] For this reason, several widows and children of deceased men are often robbed of their just inheritance. On the other hand, such victims of injustice may themselves resort to the use of spiritual means in their desire to obtain justice. This point is corroborated by data from the research areas. In each of the traditional areas and the cities, several participants said they would be ready to defend their rights against any individual or public official by using the state institutions such as the police, the courts and statutory human rights bodies such as CHRAJ. However, they also said they would be prepared to 'leave things in the hands of God' or use spiritual means to achieve their aim. In an article in the *Statesman* newspaper, one Professor Asare lamented the increase in the incidence of mob justice, vigilantism and what he called, 'spiritual justice' in Ghana.[26] He attributed the situation to inefficiencies in the judiciary and called for fundamental reforms.

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movement that, 'If a woman caused the fall of man in the Garden of Eden, then naturally, it is expected that a woman will stand in to ask for pardon and repave the way for humanity.' *God with Us,* 10.

[21] Akrong observes, 'in Ghanaian folklore the face of witchcraft is feminine.' A. A. Akrong, 'A Phenomenology of witchcraft in Ghana' in Gerrie Ter Haar, *Imagining Evil: Witchcraft Beliefs and Accusations in Contemporary Africa* (Trenton/Asmara: African world Press, 2007) 61.

[22] Akrong, 'A Phenomenology of Witchcraft,' 62; see also Dovlo, 'Witchcraft in Contemporary Ghana,' 76 -79.

[23] See Gerrie ter Haar, 'Ghanaian Witchcraft Beliefs: A view from the Netherlands' in ter Haar, *Imagining Evil*, 92 - 112.

[24] Some experts and officials of specialised organisations and NGOs who participated in the research said the fear of possible spiritual harm by rival parties in litigation is one of the factors impeding the smooth growth of human rights culture in Ghana. See Appendix 2, Table 2(m). It could well be that the so-called '*Fa ma Nyame'* mentality often has such fear beneath it.

[25] Victor S. Gedzi, *Principles and Practices of Dispute Resolution in Ghana: Ewe and Akan Procedures on Female's Inheritance and Property Rights* (Doctoral diss., Institute of Social Studies of Erasmus University of Rotterdam, The Hague. Shaker Publishing, 2009) 134.

[26] Prof. S. Kwaku Asare, 'Can Judicial Inefficiency Lead to Mob Justice, Vigilantism and Spiritual Justice,' *the Statesman,* 11th July 2007. The same article was published in *the Chronicle* of July 6, 2007.

A study of how the belief in an invisible world of spirits impacts on the attitudes of public officers, and by extension, their effectiveness in office will throw more light on ways such beliefs play out in the public service as the fear of being harmed through spiritual means also afflicts public office holders.[27] Some public officials believe that members of the public at times attempt to use spiritual power in order to influence them. It is likely that the endemic weakness afflicting state institutions may, partly, find explanations in this kind of fear.[28] This particular aspect of popular religion in Ghana restricts its capacity to contribute positively to a human rights culture.

9.4 Human Rights and Human Dignity in Context

Generally, Ghanaians ascribe sacredness to the human being on the basis of religious belief. The idea is not necessarily expressed in the traditional language, which presumes metaphysical connections of humans with the gods and the spirits of the ancestors. They are mostly expressed in terms of 'creation of God,' 'image of God,' or 'children of God.' Terms put forward by respondents as the concept of human rights translated into Ghanaian mother-tongues point to a basic understanding of human rights as entitlements for the general happiness of the individual and which are due to all human beings equally because they are all created by God. Human rights, according to those translations, are 'the portion naturally due to every human being,' 'natural inheritance,' or the 'freedom,' 'way,' 'permission,' the 'authority' that human beings have because they are human. These imply that there are certain things every human being, on the basis of being 'human' must have or must be able to do without any encumbrances.

Our working definition of human rights borrowed from Gordon as 'those resources or conditions which constitute the minimal condition for human existence' allows us, in our analysis, to include as human rights, local Ghanaian intuitions about what makes a human being human, understood in terms of basic functionality that enables a person to fulfil their responsibilities and enjoy their rights. Finding a convergence between the various 'resources and conditions' intuitively perceived in Ghanaian culture as 'constituting the minimal conditions and resources for human existence' and Nussbaum's 'capabilities,' we sought to fill the abstract concept of human dignity with content to justify its protection. We concur with Nussbaum that a just society ought to ensure that human beings born without any of those resources or conditions ought to be helped to acquire them or enabled to function properly in every way: physically, socially and spiritually. The significant Ghanaian contribution is the understanding of the individual's relation to the community as one of interdependence as explained in Wiredu's principle of *sympathetic impartiality*.

Human rights in a caring society must include the dimension of altruism. The constraints that limit the enjoyment of human rights in Africa have included the lack of capacity by the state to cater for victims of human rights abuses. Baah's objection to the implementation of human rights as packaged in the normative system in Africa is premised on the basis that the current

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[27] See Daily Guide story, 'Juju in Parliament,' *Daily Guide*, January 19, 2009.

[28] In October 2007, a member of the administrative branch of the University of Ghana was taken ill. When treatment at the University Hospital seemed not fast enough, he consulted a prophetess who 'revealed' that his illness was a result of *juju* used on him by a subordinate he disciplined for misconduct. When another friend and I visited him he told us this story and his resolve to 'be careful next time' and not put his life in danger since he had 'only two years to proceed on retirement.' And in a discussion with a senior public servant, she confirmed that such fear exists among some public servants.

underdevelopment of most African countries, including Ghana, does not make it conducive for a thriving human rights culture. This makes any type of advocacy that focuses entirely on state responsibility inappropriate in context. Society, at the various levels – individual, family, community, state – must all be educated to feel part of a 'community of duty bearers' for ensuring the rights of all, especially, the most vulnerable. A focus on the state or government exclusively, does not fit the context of limited resources; it kills the spirit of benevolence, which, though not completely sustainable, has helped make life a little more dignifying for several vulnerable people in Ghanaian traditional societies:

> In the human community, especially one with limited resources, mutual assistance, and benevolence are the mediating forces that bring about harmony, which in turn fosters moderation, tolerance, and concern for one's fellow man.[29]

In spite of the almost exclusive focus on the state as the duty-bearer, such a position does not contradict universal norms. The ACHPR recognising as part of the arrangements that have helped several members of African communities to maintain their sanity in the face of challenging situations that threaten to undermine their sense of dignity, has spelt out not only rights but also duties for individuals and communities. Articles 27 to 29 spell out such duties. Indeed the idea is not completely alien to the UDHR itself. Article 29 of that document talks about the duties everyone has 'to the community in which alone the free and full development of his personality is possible.' The language of rights and duties, properly employed in such a context, will help undo the sense of humiliation that might accompany a system of mutual dependence as a means of protecting human dignity.

This, in our view, is not very different from the current trend of placing international assistance in the language of human rights as expressed in the idea of right to development. Development cooperation expressed in the context of human rights frees underdeveloped countries from a sense of humiliation that has the potential to undermine a nation's self-esteem. The feeling of being dependent on another's benevolence to survive is humiliating but when there is a sense of being entitled, the sense of shame is removed. Religious language, more than any other medium, helps in conceptualising the virtues of sharing as part of mutual responsibilities in community life. It makes being benevolent not just as a duty imposed by God and the metaphysical connections with one another as human beings but also as a virtue that defines one's humanity as a member of the human family. As Joseph Runzo points out, 'A good ethics slogan would be "no rights without responsibilities and no responsibilities without rights."'[30]

9.5 Implications for Social Policy

The widespread effect of the belief in spiritual realities on contemporary Ghanaians is accompanied by a strong belief in spiritual power which is accessible and the use of which is often widely resorted to. This is an important aspect of what we have termed 'spiritual capital.' At the level of popular religion, claims and accusations concerning the use of such power occur frequently. Since spiritual power can be either positive or negative, it can generate either fear or courage; and as pointed out in the previous chapter, belief in spiritual power has sometimes led to grievous abuses of human rights and crimes such as the looting of graves for ritual purposes. These beliefs therefore need to be taken account of in the framing of social policy. Taking

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[29] Baah, *Human Rights*, 91.
[30] Runzo, 'Secular Rights,' 15.

religious beliefs and practices seriously in the formulation of social policy implies neither a personal belief nor non-belief on the part of policy-makers or implementers. What it simply means is that an important social fact with consequence for the failure or success of policies is being taken into account. It is the exploration and maximisation of all available resources for the sake of progress.

Wiredu has drawn attention to the pragmatic nature of customs and taboos in Africa. He argues,

> ... although the average mind does not look beyond precedence for the justification of customs, the really wise men of the group can point out the rationale. This is probably also true of taboos. On the face of it a taboo is an arbitrary prohibition based on the will of some non-human power and backed by threats of unusual consequences. In fact, on deeper scrutiny, such rules may be found not to be without rhyme or even reason.[31]

The major implication of this insight for our discussion is that aspects of popular religion that seem to project negative image for politics in Ghana do not always mean what they purport in the first instance. Popular interpretations of symbols and images may lead to absurd practices and self-defeating attitudes. But guidance by reflective opinion leaders can lead to more pragmatic understanding of the symbols and images and the production of cultural knowledge that increases the value of spiritual capital supplied by popular religion.

Then also, the wide network of religious institutions and persons that serve as important dimensions of spiritual capital in Ghana need attention from both government and its development partners. Their potential may be developed through empowering programmes such as incorporating human rights education in the curricula of institutions that train their agents. In our discussions about witchcraft accusations in chapter 7, we found in a reader's letter the mention of a catechist who confessed that he and his family quietly suffered humiliation when the body of a deceased relative was denied dignified burial because somebody accused her of witchcraft. If this catechist was empowered with the right information, he could have been of help to several victims.

We make this recommendation against the background of another story in which a catechist's proactive move led to the arrest and prosecution of women who had attempted to circumcise some girls.[32] The Mission House has generally been regarded as a place of refuge in several Ghanaian communities since the era of the Missionaries.[33] Even in contemporary times, the prayer and healing camps, scattered around the country continue to be seen by most Ghanaians in distress as sanctuaries where they may go for relief. Yet they become one of the favourite object of criticisms by human rights NGOs for their alleged breaches of the human rights of their clients.

This brings us, once again, to the issue of exploiting spiritual capital as part of formal or directional dialogue in the process of inculturation. As we explained in chapter three, formal or

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[31] Wiredu, 'Death and Afterlife in African Culture' in Wiredu (ed.), *Person and Community*, 145.

[32] Open Society Institute, *Ghana: Justice Sector and the Rule of Law,* (Senegal, Open Society Initiative for Africa, 2007) 88.

[33] Paul Jenkins, 'A Comment on M. P. Frempong's History of the Presbyterian Church at Bompata' *Ghana Notes and Queries*, No. 12 (June, 1972) 23 -27.

directional dialogue as an element of the process in our model of inculturation, calls for formal interventions that are aimed at the clarification of ambiguous aspects of the developing inculturated version of the global cultural phenomenon. Technocrats and scholars, state institutions at the various levels of governance, parliament and equivalent subordinated institutions at the lower levels are the major players in this connection. Then also, the courts and other relevant institutions in their work may be called upon to take into account available socio-cultural treasures that may be exploited or built upon. Governmental and non-governmental institutions dedicated to human rights advocacy, education and implementation, especially, would also have to pay attention to issues of ambiguity in the host culture in order to remove the negative aspects of the culture that can undermine the growth of a good human rights regime. This is in keeping with the element of *confrontation*. The inculturation of human rights in any context must not lack evaluative criteria. For our purposes, we have worked on the basis of the spirit of the UDHR, with openness for fresh insights and contributions from the local culture studied.

Academic research into relevant subjects, exploring the extent of belief in the spirit world and how it impacts positively or negatively on human development must be encouraged. The acknowledged or unacknowledged inadequacy of state institutions and development partners in understanding and dealing with issues of religious nature must not lead to the neglect of religion as a resource for development in modern times. Then also, alleged or reported abuses from religious functionaries such as prayer and healing camps must not interest policy-makers and NGOs only when they come into the news for the wrong reasons. Because of their wide influence and attraction for citizens, research into their operations to find out how they may be empowered to assure the human rights of their clients must be encouraged. They have been, and are still, providing important services meant to help clients maintain their sense of dignity in a situation of extreme deprivation. If the various religious functionaries who provide services such as healing, counselling and care for citizens in distress are regarded as allies in the struggle to protect human rights at the grassroots, they could be helped to evaluate their methods and make them more human rights-friendly. In recent times, formal organisations in the area of reproductive health have attempted to treat as allies, the traditional mid-wives, now designated as 'traditional birth attendants' and have provided some training that has enabled them to approach their work with greater awareness and confidence.

If there is any feature of religion that seems to be an enduring and a revitalising factor of religious life in Ghana then it is the belief in evil powers, especially witchcraft. It seems the problem of witchcraft will take a long time to go away from communities in Ghana; and yet, legislation and prosecution do not tackle the problem at its roots. These have to be combined with a well thought-out public education programme that will take into consideration both the issue of belief and that of accusations. Already, the claim by the 'new' shrines, which is also made by the contemporary Charismatic and Pentecostal traditions as well as *malams*, that it is possible to neutralise the evil power without physically harming the alleged witch or wizard can be a good starting point for confronting the issue. These functionaries, obviously, have taken over the role played by the 'new shrines;'[34] and since in some cases, the accusations start from

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[34] A Rev Dr. Ebenezer Adarkwa-Yiadom of Asonomma-Kokoben, near Kumasi, for example, does open trials of witches in his Church. In one of his programmes shown on Metro TV on Saturday August 5, 2006 a woman had been brought there who had been accused by her nephew of being a witch and trying to recruit him into the craft. In

them, they must be part of the solution. We are not by any means suggesting that they should be given the official stamp to continue to function as 'spiritual courts' in matters involving witchcraft. The main point we wish to emphasise is that since their expertise in such matters is highly respected by the public, it is important that any arrangements to ensure the human rights of people accused of witchcraft should take account of them.

Religious interpretations of reality and the language they supply are not irrelevant to public discourse on issues concerning the human factor in development efforts. Indeed much of the bemoaned failure of development efforts in African countries has been due to the failure of the human factor. But the failure of the human factor is in most cases the result of a flawed or inadequate sense of spirituality. Strengthening spiritual capital by a continuous process of evaluation, discriminating between positive and negative aspects, and doing a creative balancing by supporting the legal and administrative mechanisms of the state with appropriate religious and cultural values will certainly profit the development of human rights in Ghana, and by implication similar countries elsewhere.

9.6 Limitations and Suggestions for Future Research

The relative emphasis on Christianity and indigenous beliefs and practices over Islam is too obvious to ignore. It may be explained by the fact that focusing in this research on 'religion' rather than specific 'religious traditions' we did not find the need to select our sampling population on the basis of religious denominational affiliation. In the end, the dominance of the religious scene in southern Ghana by Christian expressions seemed to have played out in the final results of our work. However, we found among the few Muslims respondents similar principles underlying the general beliefs of religious people at the popular level in Ghana, which informed our working definition of religion as the 'belief in, and presumed relationship with, spirit beings who, though thought invisible, are yet believed to participate in the material world, over which they wield effective power and whose affairs they palpably affect.'

As suggested above, future research on how the belief in the existence of invisible world of spirit beings that possess the power to aid or harm impact on the attitude of public officers will be very useful. It will shed further light on how religion affects the effectiveness or otherwise of public servants. In terms of the development of human rights culture, we discovered during the field research that the fear of being harmed through mystical means by an interested party in litigation prevents many people from demanding or insisting on their rights.

Furthermore, a research into how religious human rights of citizens of Ghana are affected under traditional political authorities is needed at this stage. We considered such issues as beyond the

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his ruling by 'prophetic revelation,' the pastor declared that the woman was not a witch but the boy was also not telling a lie. According to the 'revelation' by the pastor, the woman was the only person who was a Christian in the family (which the woman confirmed), and since she would not compromise on certain issues because of her faith the witches in the family decided to disgrace her. So they made a mask of her face spiritually, which they wore when they went out on their nocturnal and diabolical activities, hence it was her 'face' that her nephew saw as the one who was trying to recruit him into witchcraft. At this declaration, the woman who was accused of being a witch was visibly relieved as she shed tears of joy amidst a deafening applause and noise of jubilation by the congregation.

present study. Yet in almost all the research areas, we found traditional authorities and religious groups in perennial conflicts over refusal to participate in certain traditional customary rites or festivals. In some cases, the offending persons were interrogated and sanctioned at the court of the chiefs.

Perhaps, a study into the thin line between 'custom' and 'religion' will be helpful in this direction. An emerging polarity between the 'religious' and the 'secular' as concepts could be discerned in all the research locations. However, it seems the basic understanding involved is one of distinction and not separation. In the three traditional areas studied for the purposes of this work, differentiating categories that set what is considered religion apart from 'customary practice,' which in a sense, is secular do exist. Among the Gomua, an Akan group, such conceptions are captured in differentiating classificatory expressions such as, *som (serve/worship) and *amammerE* (custom). The Ga in La expresses the distinction in the words, *dzam* (worship/serve) and *kusum* (custom). The Ewe in Anlo distinguishes between *sub sub* (worship) and *dekonu* (custom). Yet, in all cases, so much of what is described as 'custom' and therefore secular or non-religious, has an unambiguous religious character. 'Custom' is about rituals and other practices associated with the office of the chief and the traditional area. These, normally, involve the veneration of the ancestors, the tutelary gods, the blackened stool, and the observance of special sacred days. The scheme is certainly not free of the dubiety that surrounds attempts in conventional scholarship to construct a category of the religious separate from the secular for societies including those in Africa.