

The Challenges of Cultural Relativism in Ghana

Internship report by Naomi McClellan



Naomi at work with her host organisation team

It feels surreal to be writing my final report with no fear of power outages or Internet failures - and minus my insect repellent and my sweat rag, which were always in my pocket, no matter how formal the occasion!

As I reflect on my time in Ghana, what strikes me is that it is a country riddled with contradictions. The lessons I learnt by working for Nana Oye Lithur, executive director at the Human Rights Advocacy Centre (HRAC), were enriching, and I hope I never forget them.

The work that I undertook at HRAC was diverse, at times extremely challenging and always fascinating. One of my favourite projects was writing the STAR-Ghana funded report on Gender-Based Violence. The project gave me the opportunity to couple field work with legal analysis, which I believe is key to creating meaningful work that is relevant to the needs of people on the ground. By undertaking this project I also had to overcome the frustrations of 'Africa time' and learn to be direct in my communication with colleagues.

Other projects I undertook in my time at HRAC included: preparing lectures on why Reproductive Health Rights are human rights, delivering lectures on human rights, preparing and submitting legal opinions to the Supreme Court, and drafting reports on various Lesbian, Gay, Bisexual and Transgender rights issues.

Through this wonderful work at HRAC I learnt how crucial it will be for traditions to yield to the rule of law. This issue is particularly significant for progress in Ghana. For example, female subordination to men in Ghana has enabled a culture of domestic violence to prosper, and presently results in two spousal murders a month. Tradition is also enabling the practice of Female Genital Cutting (FGC) to persist: Amnesty International Ghana has found that 76% of women in northern Ghana are being subjected to FGC, with only 2% of women consenting. Likewise, the practice of *trokosi*, a traditional form of sexual servitude, persists. This practice involves young virgin girls being sent to live and serve in the shrine

of a fetish priest as reparation for crimes committed by their families. The United Nations Human Rights Council has estimated that there are at least 23 shrines in the Volta region and three shrines in the Greater Accra region.

These human rights abuses are occurring despite the existence of laws in Ghana prohibiting them. Human rights will remain meaningless unless they can be enforced and the touchstone to enforce human rights is to nullify the effect of that ominous word: 'tradition'. Kenneth Roth of Human Rights Watch summarises my insight succinctly: "frustrating as it can be, majority preferences in any democracy worthy of its name must be constrained by respect for the rights of individuals and the rule of law. Majoritarian hubris can be the greatest risk to the emergence of true democracy."

It is this insight that has made me more enthused to fight against the hubris of the majority, which, in a country like Ghana, places tradition on a pedestal beyond the reach of the law in order to maintain unjust power structures that oppress minorities.

While my time in Ghana was spectacular, in the final weeks of my internship, I saw my mecca transform into chaos. Nana Oye Lithur was appointed as the Minister for Gender Children and Social Protection and as a result had to resign as the Executive Director of HRAC. The loss of Nana's powerful leadership left a great gap in the office that has not yet been filled. The fact that there is no female lawyer capable of replacing Nana is a reflection of the need for better education opportunities for women in Ghana. It is also a testament to the unique and fabulous woman that Nana is. I am confident that someone will eventually fill her shoes, but I have no idea how long this process may take. In light of this, the internship at HRAC will now be a different experience to what I have described in my blogs and report. Despite this, I am positive that the internship will remain valuable and enriching.

A final valuable insight I gained was simply how privileged I am to be able to make choices. I had to leave Ghana before my five months concluded, as I became very ill with typhoid. While living in



Naomi with some new friends in Ghana

Ghana I had felt thrilled when there were power outages and delighted when I would eat fufu with the locals in the village. I liked to think that I was 'roughing it'. I soon learnt that I was not. There is a big difference between choosing to live somewhere and having no choice but to live somewhere. I learnt what this difference meant when I decided to leave Ghana to get better medical attention in Australia. I had the privilege to make a basic choice that none of my local friends or colleagues could make, or even consider, and I am no more deserving of the opportunity to make that choice than they are. I really hope that one day my Ghanaian friends and family will be free from poverty and free to make the everyday choices that all people have the right to make.

In light of my outstanding and unique experience in Ghana, I want to extend my deepest gratitude to the Castan Centre, which has provided me with unwavering support and encouragement. This is an experience I will never forget. I encourage anyone passionate about human rights to make the most of the amazing opportunity offered by the global internship program.



Naomi in Ghana



Six questions for:
New Castan Centre
Project Officer

Grace Jennings-Edquist

How did you become interested in human rights?

My parents believed very strongly in the principles of equality and non-discrimination, and those values rubbed off on me and led me to intern at a women's legal service in New York when I was about 20. Many of the clients were undocumented immigrants who had either fled human rights abuses abroad or were suffering gender violence in the US, and I was fascinated to learn about the powerful ways in which law could be used as a tool of empowerment for these women. My interest in human rights snowballed from there.

What are the most pressing human rights issues in Australia?

The promotion and protection of the rights of refugees, marriage equality and the elimination of violence against women are key concerns of mine, although I believe that indigenous rights are still often overlooked in Australia.

Who is your human rights hero?

I have a long list of human rights heroes including Liberian peace activist Leymah Gbowee and former High Court judge Michael Kirby.

What did you do before working for the Centre?

I trained as a litigation lawyer with a large Australian plaintiff law firm, travelled a lot and completed a few internships in journalism and human rights, including one at the International Criminal Tribunal for the former Yugoslavia in the Hague and another monitoring women in conflict for the Women's International League for Peace and Freedom at UN headquarters in New York. I also started postgraduate journalism/international law degrees shortly before taking this job, and am looking forward to graduating in December this year.

What do you do when you're not busy updating Twitter?

I am fortunate enough to work with people with similar values and interests. I also love interviewing a range of inspirational and fascinating human rights advocates, and getting paid to combine my passions for social media, editing and human rights.

What are you hoping to do with your journalism degree?

I am interested in both online and broadcast journalism, and am hoping to continue to use my journalism training to tell original 'human interest' stories relating to international conflict, human rights and development.