

ORIGINAL RESEARCH ARTICLE

Exploratory Study of the Current Status of the Rights and Welfare of Ghanaian Women: Taking Stock and Mapping Gaps for New Actions

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Abstract

This paper assesses the progress Ghanaian women have made in terms of rights and welfare in the last three decades or more when democratic politics was introduced in the country. It examines the legislative and policy environment that exist to combat all forms of discrimination against women and assesses women's rights and welfare on a number of indicators: women's rights to life, marriage, participation and representation in politics, access to justice, right to education, reproductive health, and sustainable development. The study revealed that there is a robust legislative and policy environment for pursuing women's issue in Ghana. There are constitutional and legal provisions and state institutions as well as a number of NGOs acting as duty bearers to combat all forms of discrimination against women. However, the evidence from these indicators, suggests that there is a gap between the legal and policy environment on the one hand and the rights and welfare of women on the other hand. Women in Ghana are still threatened by early and forced marriages, deficit in political participation, limited access to health services, and harmful traditional norms and cultural practices. We conclude that duty bearers such as the policymakers and other stakeholders need to scale-up their activities and programmes that advance the rights and social well-being of Ghanaian women. (*Afr J Reprod Health 2016 (Special Edition); 20[3]: 136-148*).

Keywords: Women, Ghana, women's right, women's welfare.

Résumé

Ce document évalue les progrès que les femmes ghanéennes ont fait en matière de droits et du bien-être au cours des trois dernières décennies ou plus lorsque la politique démocratique a été introduite dans le pays. Il examine l'environnement législatif et politique qui existe pour lutter contre toutes les formes de discrimination à l'égard des femmes et évalue les droits et le bien-être des femmes sur un certain nombre d'indices: les droits des femmes à la vie, le mariage, la participation et la représentation politique, l'accès à la justice, droit à l'éducation, à la santé de la reproduction et au développement durable. L'étude a révélé qu'il existe un environnement législatif et politique solide pour la poursuite de la question des femmes au Ghana. Il existe des dispositions constitutionnelles et juridiques et les institutions étatiques, ainsi qu'un certain nombre d'ONG agissant en tant que porteurs d'obligations pour lutter contre toutes les formes de discrimination à l'égard des femmes. Toutefois, la preuve de ces indicateurs, suggère qu'il existe un écart entre l'environnement juridique et politique d'une part et les droits et le bien-être des femmes d'autre part. Les femmes au Ghana sont toujours menacées par les mariages précoces et forcés, le déficit de la participation politique, l'accès limité aux services de santé et les normes traditionnelles néfastes et les pratiques culturelles. Nous concluons que les détenteurs d'obligations telles que les décideurs politiques et autres parties prenantes doivent étendre leurs activités et programmes qui font progresser les droits et le bien-être social des femmes ghanéennes. (*Afr J Reprod Health 2016 (Edition Spéciale); 20[3]: 136-148*).

Mots-clés: femmes, Ghana, droit des femmes, bien-être des femmes.

Introduction

Since the first United Nations World Conference on Women was held in Mexico City in 1975 and a general consensus emerged that development programmes needed to incorporate women issues particularly as regards equality in education, employment, political participation and health, there has been a veritable growth in research to document women's situations and to develop policies to improve their conditions particularly in

the developing world such as Africa. The "feminist agenda" which seeks to redress historical and contemporary injustice between men and women has been popularized and pursued vigorously. Consequently, the conditions of women and their welfare and rights have become perhaps, the most popular and most privileged area of study in many academic institutions in recent memory. The feminism agenda has been "successful" in the sense that academic interests in women issues have soared to the extent that most social sciences

in seeking to be trendy with women issues have developed subfields devoted to women/gender studies. Not only have new courses been created and new research institutions devoted to women studies, instruments and protocols as well as development strategies been developed or revised but domestic policies and law crafted accordingly to give practical meaning to these efforts.

Given this outcome, it is fair to say that in the last thirty years or more women have “rocked the societal boat” and it is pertinent to ask what specifically has been achieved within various national spaces? What legislative measures and policies have been put in place for the “revolutionary” transformation of society? Have the objectives of these measures and policies been achieved? If yes, specifically what have been achieved? If no, why have they not been achieved and what can be done? These questions are pertinent and timely because the Millennium Development Goals (MDGs) initiated in 2000 have just ended and new ones: Sustainable Development Goals (SDGs) have been initiated to advance upon the early ones. By providing evidence-based answers to these questions, we stand a better chance of strategizing to improve the conditions of women at least in Ghana, which ultimately feeds into the achievement of the SDGs centre on improving women’s situation.

This paper assesses Ghana’s progress towards guaranteeing women’s rights and welfare on some selected indicators such as the legislative and policy measures to combat all forms of discrimination against women, their rights to life, marriage, participation and representation in politics, access to justice, right to education, reproductive health, and sustainable development. To be sure, there are many indicators that can be used to access women’s welfare and rights, but we concentrate on these ones because they constitute in our view the core areas for determining these rights and welfare. As it is evident that some gender goals were not achieved under the MDGs, we also try to map the gaps that exist in order to provide the evidence that would guide new actions in the next 15 years.

Methodology

Data for the study came mainly from secondary sources. They derive from research results and

publications that have bearing on women issues in Ghana. Because we are interested in finding out what legislation and policies exist in Ghana to address women issues, rights and welfare we looked up for constitutional provisions, existing laws, Acts enacted by the Ghanaian Parliament, and institutions or NGOs that exist or are set up to cater for the interest of women or what is broadly called the legislative and policy environment. We assessed women’s rights and welfare on the selected indicators, the legislative and policy measures to combat all forms of discrimination against women, their rights to life, marriage, participation and representation in politics, access to justice, right to education, reproductive health, and sustainable development by searching for data from relevant publications such as Ghana Demographic Health Surveys (GDHS) and other documents from institutions that deal with gender issues. These data are interpreted and qualitative explanations given based on newspaper reports and other contextual evidences from Ghana.

The Feminism and the Counter-movements in Development: The Discourse and Practice

Since its self-recognition that women worldwide populate different socio-cultural positions and development spaces and for that matter, their situations cannot be described and analyzed from one monolithic perspective, feminist epistemology has developed postcolonial feminism branch and other varied strands to transform our thinking, understanding and implications of development as well as to institutionalize policy agenda to improve the situations of women (including their welfare and rights) in developing countries¹⁻². Consequently, it is noted that women in the developing world have different practical concerns and for that matter may need strategies to overcome their concerns of invisibility and subordination different from that of women in the developed world. As feminist discourse upgraded itself to be more relevant and sensitive to local contexts of developing world, so did it also propose a “new” praxis to deal with women issues. Through research and advocacy activities, women in Africa in particular, are now made visible and seen as great contributors to food production, household maintenance and the families’ welfare³.

This notwithstanding, they face a wide range of problems: poverty, lack of access to economic resources and health, insecurity, powerlessness, and have little or no control over their reproductive health; they are often victims of oppression and discrimination in the public sphere, and they suffer from a number of dehumanizing socio-cultural practices.

From the literature, it can be said that feminist epistemology on development began with the publication of Esther Boserup's seminal work *Women's Role in Economic Development* ([1970]/1987) and in practical terms, the first UN World Conference on Women held in Mexico City in 1975 when it was agreed that development programmes needed to incorporate women issues particularly as regards equality in education, employment, political participation and health. This Conference "led" to a movement known as Women in Development (WID) that helped in the framing of UN Decade for Women (1975-1985). The initial concern of this movement was to make visible women's *de facto* role and contributions to economic production and development and to seek ameliorative measures to address the problems they face in this endeavor⁴. As a result of this, Ghana established the National Council for Women and Development (NCWD) in 1975 as a statutory body to implement the objectives of the United Nations Decade for Women⁵. In general, the projects that emanated from WID movement were largely supplemental, if not cosmetic, and left unperturbed questions of differential access to resources, services, unequal opportunities between women and men and the societal and development consequences².

As a result, Women in Development was soon to be superseded or rather geared up to a new dimension known as Gender and Development (GAD) that aims at pursuing a strategizing agenda to involve women in societal affairs as decision makers. It was concerned with empowering women in their various fields of endeavour and championing opposition to all forms of gendered discrimination. Gender as a category was 'discovered', problematized and finally conceptualized as not biologically determined but socially constructed. It is argued that social differences have been superimposed on innate

biological differences between females and males to create a set of social expectations that define behaviour deemed appropriate for women and men, which in turn determines women and men's social, economic, and political power. These power relations have historically favoured men and boys giving them more access to key capabilities (basic human abilities derived from education, health, and nutrition), resources and opportunities (e.g. land, other property, infrastructure, income, employment and political opportunity), and security (reduced vulnerability to violence and conflict). Gender roles need not only to be deconstructed but it is important to address gender inequality, to understand the nature of relations between productive and reproductive work, the impact of development on household relations and on the social well-being of women.

WID and GAD initiatives now focus on influencing development discourse and practice and much transformation in our understanding of women's issues were provided and several agendas, quite revolutionary were set. Women issues such as poverty, environmental damage, women's fertility were debated and solutions proposed. For instance, environmental management and maintenance of the commons such as grazing lands and firewood collection activities (eco-feminism)⁶ were suggested as solutions. This is because women's increased poverty was among other things said to be due to land insecurity; attempts to control population growth was said to have targeted only women and not men and so women should take control over their fertility and not be objects of manipulation.

Debates on population soon emphasized women's reproductive rights and health. In 1989, after several years of structural adjustment programmes, which, some argue, had debilitating effects on women and children, the United Nations in its World Survey on the Role of Women in Development noted that despite economic growth occurring in many developing countries, economic progress and social well-being for women have slowed and in many cases deteriorated. It was feared that given the importance of women's economic and social roles, their aspirations might not be met in the existing development strategies^{8,9}. Women were to be empowered and

given rights. Some rights and empowerment indicators that were developed included rights to education, political participation and sexual and reproductive health⁹. All these measures were to firm up the UN's Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) adopted by the United Nations Assembly in 1979, which among other things, enjoins states to transform customs, attitudes and practices that discriminate against women. In addition to this international obligation for promoting the welfare and rights of women, are those of the African Union (AU): the Protocol to the African Charter on Human Rights and Peoples Rights and the Rights of Women in Africa (2003), the Maputo Plan of Action for Implementing the Continental Sexual and Reproductive Health (SRH). In addition, pressures from domestic and international women's organizations since the Beijing Conference resulted in the institution of laws against discrimination and domestic violence, in campaigns to improve women's access to education, their inheritance rights and the establishment of institutions to deal with women issues. With the restoration of democracy in many African countries, a number of rights-centered NGOs have emerged focusing on protecting the interests of the "forgotten" and marginalized segments of society. Through these measures, it is hoped that women's rights and welfare would be ensured. These changes have been possible because of the democratic political climate that is prevailing in our contemporary times.

Securing the rights and welfare of Ghanaian women: The legislative and policy environment

In 1993, Ghana restored multi-party democracy and is steadily developing in this direction. Ghana has since taken steps to create a legislative framework to guarantee the rights and welfare of women. Article 12 (2) of Chapter 5 of the 1992 Constitution which provides the framework for democratic politics, boldly asserts the rights of women when it states that, "every person in Ghana, whatever his race, place of origin, political opinion, colour, religion, creed or gender shall be entitled to fundamental human rights and freedoms

but subject to the respect for the rights and freedoms of others and for public interest"¹⁰. For women these rights include rights to life, healthcare delivery and well-being, education, justice and equality of law, inheritance, property of spouses, elimination of cultural practices that dehumanize women, choose one's own marriage partner and participate in the economic, social and political life of one's society. Furthermore, Article 17 (1)¹⁰ states that, "all persons shall be equal before the law" and Article 17 (2)¹⁰ states, "a person shall not be discriminated against on grounds of gender, race, colour, ethnic origin, religion, creed or social or economic status." These provisions are also applicable to women, but more specifically, Articles 22, 23, 24, 25, 26 and 27 address property rights of spouses, administrative justice that are, economic rights, education rights, cultural practices and women's rights respectively to address issues that affect the well-being of women¹⁰.

Ghana has ratified both UN's Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and AU's protocol and charter on women's rights and has developed several legislations and Acts to implement them and as well as those outlined in the 1992 Constitution. Notable among these legislations are the Domestic Violence Act, (Act 732), Persons with Disability Act, (Act 715), Interstate Succession Law, 1985 (PNDCL 111), Human Trafficking Act, 2005 (Act 694), the Criminal Code Amendment Act, 1998, (Act 554), National Health Insurance Act (Act 650) and the New Education Act (Act 87)¹⁰. The Ministry of Women and Children Affairs (MOWAC)—rebranded now as Ministry of Gender and Social Protection (MGSP) was established and tasked among other things to develop a three-year Strategic Implementation Plan (SIP) in 2005 and to guide the implementation of the National Gender and Children Policy.

In addition, mainstreaming gender policies and projects into the Action Plans of Ministries, Departments and Agencies (MDAs) and at all levels of policy formulation, implementation, monitoring and evaluation processes has been affirmed in several working documents¹¹. This is also indicated by the number of commissions,

institutions, organizations and committees at the national, regional, district and local levels mandated to advance the rights and welfare of women in Ghana. These institutions include:

1. The Ministry of Women and Children Affairs (MOWAC) now Gender and Social Protection (MGSP)
2. Inter-Ministerial Sector Gender Policy Committees
3. The Commission on Human Rights and Administrative Justice (CHRAJ)
4. Gender Desk Officers (GDOs/GFPs) in Ministries Departments and Agencies (MDAs), Metropolitan Municipal and District Assemblies (MMDAs)
5. Parliamentary Sub-committees on Gender and Legal Issues
6. Women's Caucuses in Parliament
7. Women's organizations - Civil Society organizations (CSOs), which now number about 770 operating throughout the country including, Queen Mothers Associations, and Traders Associations¹¹
8. Political Parties Women's Wings, in all the six functional Political Parties in Ghana,
9. Domestic Violence and Victim Support Units (DOVVSU) at National, Regional and District levels, and
10. Domestic Violence Management Board established in 2008 to coordinate the implementation of the Domestic Violence Act 2007

Since 1998, numerous statements by political parties to develop an Affirmative Policy aimed at 40% quota for women's representation on decision-making Boards, Councils and Commissions have been made. Gender focal points in all MDAs and in some MMDAs have been created to ensure the incorporation of gender concerns into sector policies and programmes¹¹. Ghana has also incorporated the MDGs into its medium term Poverty Reduction Strategies (GPRS I & II) framework and other social protection policies. Some of these policies seek to address women's access to decision-making and governance, access to education, health care, HIV/AIDS and humanitarian crisis, water and sanitation, violence against women and girls

including trafficking, realisation of women's full enjoyment of economic, socio-cultural, civil and political rights, promoting partnerships between women and men, and the challenges posed by globalisation and the implementation of the Beijing Declaration and Platform of Action.

Again, there is increasing emergence of women's groups and activists, including NGOs/CSOs in Ghana such as ABANTU for Development, ActionAid-Ghana, Integrated Social Development Centre (ISODEC), Social Enterprise Development (SEND-Ghana), Net Work for Women's Right (NETRIGHT), Third World Network, Centre for Democracy and Development (CDD), Institute for Democratic Governance (IDEG), Coalition of NGOs on Education, among others creating awareness on issues concerning women. These women groups demand from government gender responsive policies and programme to improve the livelihoods of women and other vulnerable groups in the society. ABANTU for Development, for example, has initiated and overseen the writing of Women's Manifesto for Ghana between 2003 and 2004, which seeks to provide a platform for all women organizations and activists to work comprehensively to address the economic, social and political needs of women. The Manifesto serves as the basis for making demands through critical analyses of the gender dimensions of government actions. The positive impact of all these legislative instruments and activities has been the more popularization of women's issues and concern in state institutions and the increased awareness of women's peculiar problems in society.

Discussion

Women's rights to life, integrity and security of the person

The right of women to life, integrity and security is an important part of feminist movement and it constitutes one of the rights states are required by International Conventions that States take steps to ensure that women are treated as equal citizens. In response to this, and as part of democratic development, the Government of Ghana enacted

the Domestic Violence Act 732 to protect the populace against violence and abuse in homes and institutions, which also ensures the right to life, integrity and security of women. However, violence against women continues to exist and takes a variety of forms, from domestic abuse and rape to child marriages and female circumcision¹¹. The Government has also amended the Criminal Code of 1960 to have the Criminal Code Amendment Act, 1998, (Act 554)¹⁰. This Act criminalizes harmful cultural practices such as “Trokosi” practice—female ritual bondage (the practice whereby young female usually virgins are held in shrines as atonement for crimes committed by their adult relatives) and Female Genital Mutilation (FGM), indecent assault and widowhood rites¹⁰⁻¹². When in February 2008, an international day of zero tolerance of FGM was launched a number of women’s organizations in Ghana organized activities to mark the day and called on the government to enforce laws to protect women and girls against FGM and “Trokosi”, it was noted that although these practices have declined, they were nevertheless persistent in various forms in Ghana. Also after the successful passage of Domestic Violence Law, a coalition of gender activists have through agitation, education and advocacy influenced the Government to repeal section 42 (g) of the Criminal Code which justified the use of force in marriage. Notwithstanding these measures, physical, sexual and psychological violence occur in many families, including battering, sexual abuse of female children in the household, marital rape, and other traditional practices harmful to women. Again, spousal violence and violence related to exploitation have been reported in Ghana. In Ghana between 15% and 71% of women, report physical or sexual forms of violence by their husbands or partners¹³. However, partner violence against women in most cases goes unreported. Majority of these victims are afraid to lose their marital status, while some are very ignorant of their rights. For others they prefer to endure the violence because they have no other or independent means of subsistence¹³. From the foregoing illustrations, it is obvious that women’s rights to life, integrity and security are still

threatened in Ghana.

As proxies for measuring women’s status and empowerment, attitudes towards domestic violence are often ascertained from women. According to the 2008 GDHS, 37% of women thought husbands were justified in beating their wives; this has now reduced to 28%¹⁴. Respondents often give reasons for wife beating as burning the food, arguing with him, going out without telling him, neglecting the children and refusing to have sexual intercourse with their husbands¹⁴. In the view of the anthropologist Nukunya (2000), wife beating is quite a common form of penalizing women in many Ghanaian traditional societies and may be applied in the face of adultery, failure to cook for the husband on time and anything a husband considers meriting such a treatment¹⁵. Such justifications also serve to indicate that many women still harbour and justify patriarchal mentalities and are not or do not see themselves as empowered to shirk off such violence.

Women’s rights to marriage and inheritance

The 1992 Constitution of Ghana provides for women to have rights to marriage and inheritance. Chapter 5 of the Constitution guarantees protection of family and marriages and the rights to citizenship¹⁰. The Children’s Act of 1998, 14 (1) States that “no person shall force a child—(a) to be betrothed (b) to be the subject of a dowry transactions; or (c) to be married” and (2) states that “the minimal age of marriage of whatever kind shall be 18 years”. Equally, the Criminal Code, 1960 criminalizes rape, defilement, incest, abduction and forced marriage in Ghana. This notwithstanding, reports and anecdotal evidence suggests that some girls are still married before the age of 18 years¹⁶. The legal age of marriage in Ghana, is 18 for both girls and boys, but it was also stated that with parental consent they can marry as young as 16. But it is also stated that Child marriage prevalence is the percentage of women 20-24 years old who were married or in union before they were 18 years old. In view of the slow decline in child marriage, the government under the Ministry of Gender and Social Protection in 2014 set up “Ending Child Marriage

Unit". It is also currently working with UNICEF to develop a three-year national strategic framework to end child marriage¹¹. In February 2016, the Government of Ghana launched a national campaign to end child marriage as part of the African Union's campaign to end the practice. This notwithstanding, child betrothal and abduction of girls for marriages is still prevalent in Ghana, particularly in the northern parts of Ghana.

Because the registration of marriage is not compulsory in Ghana, the number of forced and early marriages cannot be adequately determined and let alone punished. However, according to UNICEF 2015 statistics, 21% of girls in Ghana are married before they are 18 but rates can be as high as 39% in the northern part of the country¹⁶. Child marriage occurs more frequently among girls who are the least educated, poor and living in rural areas. The GDHS (2014) report that 1.6% of women marry at the age of 15 years in Ghana¹⁴. Median age at first marriage has increased from 19.8 to 20.7 years among women age 25-49 and from 25.9 years to 26.4 years among men age 30-59¹⁴. There are however, reports on forced marriages. For example, NETRIGHT reports that two young girls were forced into early marriage in 2007¹⁸. Twelve cases of forced marriages were handled by Department of Social Welfare (DSW) in 2007¹⁹. However, many early and forced marriages go undetected mainly for the same reasons advanced for non-criminalization of Trokosi and FGM. The main drivers of this phenomenon are poverty and the lack of education^{16,20}.

The 1992 Constitution protects the property rights of spouses and lays the conditions for inheritance, which women can lean on in times of inheritance. Article 22 (1) states, "a spouse shall not be deprived of a reasonable provision out of the estate of a spouse whether or not the spouse died having made a will¹⁰. Article 22 (3) states that (a) spouses shall have equal access to property jointly acquired during marriage (b) assets which are jointly acquired during marriage shall be distributed equitably between the spouses upon dissolution of the marriage. In addition, there exists the Interstate Succession Law, 1985 (PNDCL III) that protects the inheritance rights of

spouses and children including orphans and their maintenance²¹⁻²². This law specifies in detail how a spouse's estate shall be distributed to women and their children. However, implementation of the law is fraught with difficulties partly because of lack of clarity on and practicality of how specifically a deceased husband's property should be shared. Other factors include ignorance of women, illiteracy, the high cost of legal contestations, widow's desire not to offend relations, among others. In view of this, the Ministry of Gender and Social Protection is seeking a revision to the Law and has submitted a revised version to Parliament for consideration to which Parliament is yet to deliberate on. Until this is done, the Law of inheritance will continue to inadequately address the needs and rights of women.

Access to justice and equal protection before the law

Again, the 1992 Constitution guarantees for equal rights of men and women before the law. Many laws have been passed by Parliament to promote the empowerment of women in Ghana. However, the cultural and traditional perceptions of women remain high. The table below depicts the number of female Judges appointed into High and Supreme Courts and in political administrative positions as at 2009.

Table 1: Women in Administrative and Political Leadership 2009.

Position	Total	Male	Female	% of Female
Chief Justice	1	-	1	100.0
Chief Director	35	29	6	17.0
Supreme Court Judges	13	10	3	23.0
High Court Judges	27	23	4	14.8
Members of Parliament	230	205	25	11.0
District Assembly Appointees	1,956	1,401	555	28.0
District Assembly Elected	4,830	4,254	576	11.9

Source: MOWAC, Ghana's Third Progress report on the implementation of the African and Beijing Platform of Action and Review report for Beijing +15, September 2009

As shown in Table 1, some women have been appointed to key political, executive and judicial positions including corporations and board memberships. Notable among them is the appointment of a female Chief Justice for the first time in the history of Ghana. Although Ghana government has not instituted specific policies as part of the measures to ensure that women are represented equally in the judiciary and law enforcement institutions, appointment of Judges and magistrate into the High and Supreme Courts has increasingly included women in recent times. However, the judiciary is beset with lots of challenges that have implications for women's access to justice and the appointment of women into these positions professes high hope for judicial reforms to highlight those issues that discriminate against women in enhancing their access to justice. While there is some female representation in the Judiciary, access to justice for many poor women remains difficult. There is provision for Legal Aid for women who cannot access justice but justice remains costly for some women since lawyers are not interested in cases that are not financially rewarding. Women have to bear the cost of litigation and only few can afford the cost meaning their cases cannot be processed and heard. In many communities, rape cases are never reported because it costs money and time to report and to continuously pursue such cases to the end.

Rights to participation in the political and decision-making process

In Ghana, there are no specific laws on the political rights and participation of women per se. This notwithstanding, Ghana is a member of the African Union (AU) and Article 9 of the African Union Charter's protocol obliges State parties to ensure equal participation of women in political life through affirmative action and enabling legislation. The Constitution of Ghana and other legislations guarantee women's equal rights to political participation, promotion without any impediments. Article 35 (6) (b) compels the State to act appropriately to achieve reasonable gender and regional balance in recruitment and

appointment of women into public office¹⁰.

Although at the national level, an Affirmative Action Bill aiming at 40% quota women representation on decision-making Boards, Councils and Commissions is yet to be passed by Parliament, at the local level, District Assemblies 20% of the District Assembly Common Fund (DAFCF) are supposed to be spent on poverty programs that target women. The current government, National Democratic Congress Party (NDC) as part of its political manifesto and campaign pegged the appointment of women into public office and political involvement at 40%. A number of women have been appointed into key political and executive positions including corporations and board memberships. Notable among them as noted earlier are a female Chief Justice (appointed by the New Patriotic Party (NPP) and a first female Speaker of Parliament (appointed by NDC) Other appointments were First Woman Vice-Chancellor, Deputy IGP, Commissioner of Internal Revenue Services (IRS), Commandant of Police College, Principal of Banking College, Editor of Ghanaian Times, Registrar-General, Director General of GBC (former), Executive Director of Ghana Employer Association, General Secretary Ghana National Association of Teachers (GNAT), Commissioner of Immigration Service, Government Statistician, Acting Director of National Development Planning Commission (NDPC), and Commissioner of Human Rights and Administrative Justice (CHRAJ) and others. A number of women were also appointed as Municipal, Metropolitan and District Chief Executives (MMDAs)¹¹. Some of these appointments are still in place currently.

Women in Ghana have demonstrated keen interest in contesting for Parliamentary and District level elections since 1992. For example, in 2008, out of 103 women who contested the Parliamentary elections only 20 were elected in comparison with 210 men elected out of 957 contestants. On the whole participation of women in governance and in politics and in decision-making is very low. Data showing women's parliamentary representation in elections is shown in the table below.

Table 2: Women Occupants of Parliamentary Seats from the Years 1992 to 2012.

Year	No. of Seats	Women	%	Men	%
1992	200	16	8.0	184	92.0
1996	200	18	9.0	182	91.0
2000	200	19	9.5	181	90.5
2004	230	25	11.0	205	89.0
2008	230	20	8.2	211	91.8
2012	275	19	8.2	246	81.5

Source: Dzorgbo and Gyan, 2014

Similarly, 12.35% of women occupy ministerial and key political positions in Ghana since 2000¹¹. Women representation in parliament has not improved over the period in this republic, with the least number in the 2008-2010 parliaments mainly as a result of sociocultural, economic and political barriers women in general face²³.

Table 3: Women in Ministerial Positions and Key Political Appointments (2008).

Position/Institution	Total No.	No. of Women	% of Women
Ministers	37	8	21.6%
Deputy Ministers	27	5	18.5%
Council of State Members	23	3	13.0%
MMDCEs	164	12	7.3%
Chief Directors	25	6	24.0%
TOTAL	276	34	12.3%

Source: Dzorgbo and Gyan, 2014

One important feature explaining women's underrepresentation in Ghanaian public life is that appointments to most high offices in the civil and public services are done mainly on political basis, so at any given time, the pool of women available for appointment is limited as women belonging to opposition parties cannot be appointed by incumbent ruling parties. While undoubtedly this situation affects both men and women, because the number of women in politics is already limited, they are affected more than men.

Rights to education and training

Since 1986, the government of Ghana through educational reforms has sought equitable male and female participation at all levels of education. In this regard, provision is made in the 1992 Constitution for Government to provide Free Compulsory Universal Basic Education (FCUBE)

and to increase access to education for girls, the poor and rural children. Ability to read and write is an important personal asset allowing individuals increased opportunities in life. Equally, knowing the distribution of literate population can help government, particularly policy makers to plan and implement gender sensitive policies particularly those concerned with health and family planning. The 2014 GDHS survey measured the literacy rate of men and women's ability to read and write in English and or the local language. The data shows that there has been an increase in the female literate population from 63% in 2008 to 67%¹⁴. Though there has been increase in proportion of the literacy rate among women, the proportion of educated men is still greater. The male literate population has also increased from 77% to 82%¹⁴. Men thus seem to have a higher literacy rate compared to women and so in the case of educational attainment, men are more likely to be literate than women. There is also a strong urban-rural difference in literacy for both sexes. Fifty-four percent rural women are literate, compared with 78% urban women¹⁴. Similarly, 72% of rural men are literate compared with 91% of urban¹⁴. This trend could be attributed to the endowment of more educational facilities, and other social amenities in urban centers than rural communities, which enhance the urban population's access to information and education. When we examine the Gender Parity Index, a socioeconomic index that measures the relative access to education of males and females, there is improvement at the basic educational level but once we move up the educational ladder, we see girls increasingly dropping out.

Table 4: Gross Enrolment Ratio, Secondary, Gender Parity Index (GPI).

Year	Gender Parity Index
2011	0.90
2012	0.90
2013	0.91
2014	0.94

Source: World Bank Report, 2016

Health and reproductive rights

There are a number of advocacy programmes initiated by government to address women's comprehensive access to HIV/AIDS/STI services.

The *National HIV/AIDS/STI Policy and National Strategic Framework on HIV/AIDS* (NSF I) that covered the period 2001-2005, developed a number of interventions to prevent new infections, support of People Living With HIV/AIDS (PLWHAs), reduce individual and societal vulnerability and also to undertake research and evaluation. The *National Integrated IEC/BCC Strategic Framework (HIV and AIDS) 2006-2010*, (NSF II) mainly employs information and communication to effect behavioural change to fight HIV/AIDS in Ghana. The goals of NSF II, among others is to reduce new infections among vulnerable groups and the general population by 2010, (through behavioural change and condom use); to mitigate the impact of HIV/AIDS on the socio-economic system as well as infected and affected persons (offer counselling and treatment and reduce stigma and discrimination) and promote healthy lifestyles, especially in the areas of sexual and reproductive health. The government has established voluntary counselling and testing centres and the provision of treatment, care and support for PLWHAS, including antiretroviral therapy service centres. Women are counselled about HIV/AIDS/STIs during antenatal care visits and offered HIV test. In 2014, the total number who tested positive were 43,694 out of which 10,697 (24%) were males and 32,997 (76%) comparatively were females (Ghana AIDS Commission Fact Sheet, 2014).

Ghana's contraceptive prevalence rate continues to experience slow progress of success and affect significantly the population growth rate of the country. There are interventions currently being implemented to manage the country's population growth.

Table 5: Contraceptive Prevalence Rate

Year	2004	2005	2006	2007
Contraceptive Prevalence Rate	21.0%	22.6%	24.2%	26.0%

Source: MOWAC, Ghana's Third Progress report on the implementation of the African and Beijing Platform of Action and Review report for Beijing +15, September 2009.

Increased knowledge about family planning is critical to managing Ghana's population growth and promoting economic growth and reducing poverty. Currently, the annual population growth

rate of Ghana is estimated at 2.5%²⁵. Interventions currently being implemented to manage the country's population growth include:

1. Increasing access to and use of family planning service to reduce the unmet need
2. Promoting sexual and reproductive health, including HIV/AIDS issues, and
3. Promoting compulsory and universal birth registration

There are no data on unwanted and mistimed pregnancies in Ghana. However, the average number of children born to a Ghanaian woman at the end of her reproductive life is 4.2 children²⁴. Contraceptive prevalence rate remains low at only 26%²⁴, although slowly improving; it is now 23% among all women, 27% among married women and 45% among sexually active unmarried women¹⁴. The lack of significant progress towards the use of contraceptives is due to intimidating socio-cultural and service provider factors operating in Ghana. The low intake of family planning in Ghana may be a factor associated with high incidence of unsafe abortion, which is estimated at 22-30% of maternal deaths in the country²⁴.

Antenatal and postnatal care as well as delivery is supposed to be free with the introduction of the National Health Insurance Scheme in 2005. This is to ensure that pregnant women have access to delivery at the hospitals to ensure that they are safe and saved from complications that could possibly cause death. Antenatal care is more beneficial in preventing adverse outcomes when it is sought early in the pregnancy and continued to delivery. Under normal circumstances, the World Health Organization (WHO) recommends that a woman without complications have at least four antenatal care visits, the first of which should take place during the first trimester. In Ghana there is an increasing trend among pregnant women to have four or more antenatal care visits. Among the women aged 15-49 years who had a live birth in the five years preceding the recent survey, 87% pregnant women had four or more antenatal care visits for the most recent live birth¹⁴. This is an increase over the 2008 survey when about 78% pregnant women had four or more visits during their pregnancy¹⁴. Although women in urban areas

are more likely to access antenatal care visits than women in rural areas, the increase between 2008 and 2014 was larger for women in rural areas (72% to 82%) than for women in the urban areas (88 to 92%)¹⁴.

Labour and delivery is the shortest and most critical period of the pregnancy-childbirth continuum because most maternal deaths arise from complications during delivery. This means that skilled assistance is essential to safe delivery. For some reasons many women do not seek skilled care even when they understand the safety reasons for doing so. Some of these reasons include the “high” hidden costs of service and the cost of travelling “long” distances to the health facilities, which are relatively widespread in Ghana, particularly in rural communities. The introduction of free maternity services and Community Health and Planning Service (CHIPS) compounds closer to rural communities is among the effort made by government to help remove barriers to accessing skilled health professional for maternity care and delivery.

The 2014 Ghana Demographic and Health Survey (GDHS) results indicate that 72.1% of births in Ghana are delivered with the assistance of skilled providers such as doctors, nurses and traditional birth attendants¹⁴. This may indicate that Ghana is doing relatively well in terms of women’s reproductive health. However, Table 6 indicates that urban women have better access to health facilities and personnel than rural women do.

Also in theory the cost of pregnancy and delivery is to be borne by the state, in reality however, women continue to pay for services both in the urban and rural health facilities. Women pay for various biomedical tests and ultra sound scans; they provide their own detergents such as Dettol, soaps as well as gloves, etc. for nurses, and at the end of delivery have to pay other hidden costs before being discharged. In some cases costs are so high that some women would not be discharged from hospital because they were unable to pay for the cost of delivery. These are the hidden fees noted above. In Ghana, this phenomenon has been repeatedly reported in the media and sometimes philanthropists have to come to the aid of these women. This suggests that in reality reproductive and health rights—in the form of access to free antenatal, postnatal and delivery is compromised by practices at the hospitals that impose cost on women.

Rights to sustainable development

The GDHS 2008 data on occupation of women and men aged between 15 and 49 indicate that majority of women (71%) were self-employed compared with 52% of men. The data also indicates that 30% of women are in agriculture, 51% in sales and service industry, 11% in skilled manual labour, less than 1% in unskilled manual labour, 5% in professional/ technical/managerial business, and 2% in clerical industry²⁴. For men 41% are in agriculture, 12% in sales and service industry, 22% in skilled manual labour, 1% in

Table 6: Professional Assistance During Delivery

Background characteristic	Doctor	Nurse/ Midwife	No one	Community health officer/Nurse	Traditional birth attendant (trained)	% delivered by a skilled provider	Number of women
Mother’s age at birth							
Less 20	6.4	63.0	1.7	2.7	18.3	72.1	573
20-34	14.2	57.3	2.8	3.1	15.9	74.6	4,042
35-49	18.6	50.4	3.8	2.2	16.3	71.2	1,080
Place of delivery							
Health facility	19.4	76.4	0.1	3.8	6.3	90.1	4,161
Elsewhere	0.1	2.6	10.5	0.6	24.3	60.2	1,533
Residence							
Urban	21.9	65.5	0.9	2.7	6.3	90.1	2,563
Rural	8.0	49.2	4.5	3.0	24.3	60.2	3,132

Source: 2014 Ghana Demographic Health Survey

unskilled manual labour, 11% in professional/technical/managerial business and 9% in clerical industry²⁴. Data available does not permit a definitive conclusion on whether women are in dead-end low paying job. Nevertheless, it can be argued that since women are predominantly in self-employment their situation is precarious, as they normally do not have any formal regular income. In the informal sector, they dominate the petty trading where entry and exit is easy because it strives on small capital investment. Such small-scale ventures do not yield high profits meaning many women do not earn much money from the informal sector. The sustainability of their income depends on their own health and effort, if they and their children are sick, their jobs will suffer; they are also less likely to enjoy formal pension schemes. In addition, women who are in wage employment in non-agricultural sector tend to occupy lower positions mainly because of lack of skills. Because of this, men earn an average more than women do. For example, men earned on average 6.8 million Ghana cedis per year against 4.5 million Ghana cedis per year for female workers²⁶.

Data from ILO and other sources suggest that there are significant income disparities, with women earning half or less of the incomes of men. In addition, many women working in the formal sector do not benefit in practice from formal laws and policies guaranteeing maternity protection or equal pay for equal work²⁷. Policies in recent years seek to mainstream gender perspectives into development plans and programmes, however, women have a long way in terms of equal earning and participation in economic life of society. Many women do not qualify for credit from the banks because they do not have reputation as serious independent economic actors or because they lack collateral and so many banks do not adapt to women's needs; they also have risk aversion. In many communities in Ghana, land is institutionalized in kinship systems and lineage heads, that limits women's access to land. However, in Ghana, traditional norms and practices as well as social relations largely do not deprive women of access and control of resources accruing from their labour. Thus, what is needed is

the strengthening of women's ability to access credit.

Conclusion

This exploratory study is devoted to assessing the progress women have made in terms of rights and welfare in Ghana. The study revealed that there is a robust legislative and policy environment for pursuing women's issue in Ghana. There are constitutional and legal provisions and state institutions as well as numerous of NGOs acting as duty bearers to combat all forms of discrimination against women. We examined indicators such as women's rights to life, marriage, participation and representation in politics, access to justice, right to education, reproductive health, and sustainable development and the evidence indicates that there is a gap between the legal and policy environment on the one hand and the actual rights and welfare of women on the other hand.

On the basis of this evidence we propose that women's welfare and rights needs to be more vigorously addressed. Women in Ghana are still threatened by among other things early and forced marriages, their participation in politics and public life is still lagging behind men, some practices at public hospitals are not in accord with governments desire to provide women with free antenatal, postnatal and delivery services; traditional norms and cultural practices continue to be used to discriminate against women. For the purpose of advancing women's rights and welfare, it is important for the duty bearers: the government, Ministry of Gender and Social Protection, CSOs and NGOs in particular to launch countrywide campaigns and education to popularize laws and policies seeking to protect and advance women's welfare and rights. For example, there must be compulsory registration of marriage in Ghana to enable forced and early marriages to be detected for punishments. In order to make this effective, registration of marriage should be made conditional to accessing medical and social services such as antenatal care and/or accessing free medical care during pregnancy and delivery. Government should scale-up the enforcement of laws against discriminatory cultural practices.

Again duty bearers such as Ministry of Gender and Social Protection, Civil Society Organizations and NGOs should not only sensitize women countrywide on their basic rights but also encourage women to vie for political office but continue to educate women on reproductive health issues.

References

1. Lindsey L L. *Gender roles: a sociological perspective*. London: Prentice-Hall, 1997.
2. McMichael P. *Development and Change: A Global Perspective*, London: Sage Publications, Inc, 2012.
3. Boserup E. *Women's role in economic development*. New York: St Martin's Press, 1987.
4. Razavi, S. and C. Miller. *From WID to GAD: Conceptual Shifts in the Women and Development Discourse*. Occasional Paper 1, Geneva: UN Research Institute for Social Development UNDP, 1995.
5. Tsikata, D. Women's Political Organizations, 1951-1987, (Eds) E. Hansen and K. A. Ninsin. *The State, Development and Politics in Ghana* 1989; 73-93. London: Codesria.
6. Norgaard, K. "Gender equality and state environmentalism" in *Gender and Society* 2005;19 (4), 506-522.
7. Beneria L. (1992) "Accounting for Women's Work: The Progress of Two Decades" in *World Development* 20 (11) 1547-1560.
8. Johan R. *The Elusive Agenda: Mainstreaming Women in Development*. London Zed, 1995.
9. Moghadam, V. M. "Editorial" *International Social Science Journal* 2005; 184, 203-206.
10. Ghana the 1992 Constitution. Accra: Author
11. Ghana MOWAC, Ghana's Third Progress report on the implementation of the African and Beijing Platform of Action and Review report for Beijing +15, September 2009. Accra.
12. Akpabli-Honu K. Female ritual bondage in Ghana. A Study of Troxovi System among the Ewes of Ghana. Accra: Woeli Publishing Services, 2014.
13. Fgmnetwork.org/news/show.
14. Ghana Demographic and Health Survey. Ghana Statistical Service. Accra, Ghana, 2014.
15. Nukunya G K. *Tradition and change in Ghana: an introduction to sociology*. Accra: Ghana Universities Press, 2004.
16. Ghana Statistical Service 2010. Population and Housing Census of Ghana. Accra, Ghana, 2013.
17. UNICEF, State of the World's Children, 2015.
18. NETRIGHT. *Compilation of year review on the status of women in Ghana, 2003-2008, 2009*.
19. Department of Social Welfare. Ghana Plan of Action for Orphans and Vulnerable, Children, 2008.
20. Ghana Multiple Indicator Cluster Survey, 2011.
21. Manuh, T. Law and the Status of Women in Ghana. Paper prepared for the UN Economic Commission for Africa, 1984.
22. Mensah-Kutin Rose, Alima Mahama, Sarah Ocran, Esther Ofei-Aboagye, Vicky Okine and Dzodzi Tsikata. *The national machinery for women in Ghana: an NGO evaluation*. Accra: Third World Network-Africa, 2000.
23. Dzorgbo, D-B.S. and S. E. Gyan. "Democratic governance and women representation in Ghana: A critical evaluation of the progress" in *Sociology and development issues in Ghana: a reader*. Accra: Woeli Publishing Services, 2014.
24. Ghana Demographic and Health Survey. Ghana Statistical Service. Accra, Ghana, 2008.
25. Implementation of Growth and Poverty Reduction Strategy 2006-2009, Annual progress report.
26. Ghana Human Development Report. Accra, 2004.
27. Interview with Emmanuel Baisie, ILO Country Office, Ghana.
28. Ghana AIDS commission, "HIV facts Sheet 2014", Accra.