



## Can marriage (re)produce and legitimize sexual violence?: A phenomenological study of a Ghanaian patrilineal society

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### ABSTRACT

Marital sexual violence occurs in Ghana, where women and men are socialized to believe marriage confers unlimited sexual access to women's bodies. Consequently, marriage is used to legitimize sexual violence and rape. Ghana's legislative instrument covering domestic violence has been determined by Ghanaian sociocultural norms that mute sensitivity to marital sexual violence. In particular, the research to date provides limited accounts of the nature of marital sexual violence in the context of women's gendered experiences. To begin to uncover the nature of marital sexual violence in Ghana, we used a feminist-informed phenomenological approach to describe the experiences of sexual violence among Ghanaian married women in the Eastern Region of Ghana. Our qualitative semi-structured interviews of 15 ever-married women show that sexual experience in marriage is influenced by gendered and social expectations of women's sexual submission and childbearing role. Participants believed that marriage confers promises of unlimited sexual availability regardless of the wife's non-consent, and the husband's infidelity is often blamed on the wife. Most narrated incidents of non-consensual sex were accompanied by physical aggression and emotional abuse. Although the participants preferred to seek help from informal sources, including family and friends, almost all favoured the criminalization of marital rape to check the institution of marriage which encourages a husband's unlimited sexual access to his wife in the absence of the wife's explicit consent. These findings create an awareness of the existence of marital rape and the need to develop multiple strategies for addressing this problem.

### Introduction

Marital sexual violence (MSV) constitutes a pattern of domestic violence including physical, emotional and economic abuse (Sedziafa, Tenkorang, Owusu, & Sano, 2017; World Health Organization, 2013). General perceptions of sexual violence often exclude marital rape and other forms of sexual violence in marriage (Randall, Koshan, & Nyaundi, 2017; Yllö & Torres, 2016). However, married women experience frequent sexual violence, including rape by a husband (Randall et al., 2017). MSV is influenced by cultural and individual perceptions and it can be defined as spousal sexual relations resulting from actual or threatened physical force, lack of affirmative consent, and sexual exploitation (Bergen & Barnhill, 2006). Thus, MSV encompasses "non-consensual sexual acts," which women and men in Adodo-Samani's (2015) study considered rape and a crime. Among a sample of 300 married Ghanaian women and men, only 18% of married women and 3% of married men equated non-consensual sexual acts to

rape; fewer men (15%) than women (57%) perceive marital rape as a crime (Adodo-Samani, 2015). These results demonstrate that the women participants were more conscious of acts of non-consensual sexual acts.

A nationally representative survey in 2015 revealed that socio-economic and demographic factors are linked to domestic sexual violence: women who are younger (20–24 years), employed and un-employed, living in urban areas, less educated, and married self-reported higher sexual violence in the past year (Ghana Statistical Service [GSS] & Institute of Development Studies [IDS], 2016). Domestic sexual victimization, including marital sexual abuse is also rooted in social and patriarchal norms that accept or justify sexual abuse (GSS & IDS, 2016). In the context of stigmatizing situations, traditional expressions convey reprisal and blame, which victims of sexual violence fear (Adinkrah, 2011). Women may not report sexual assault due to family intervention to keep sexual abuse private and when the perpetrator is a known male (Boateng, 2015). Cross-culturally, husbands may never be reported for

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sexual violence because they are a “known” male (Randall et al., 2017).

Research indicates that women are also generally constrained by systemic issues that hinder reporting of domestic violence. Such issues include: (i) gendered societal norms and expectations about female sexual submission to the husband (Owusu, 2016), thus, reporting a husband's rape could be viewed as defiance of dominant expectations; (ii) a wife's economic dependency on the husband (Owusu, 2016); (iii) religious leaders discouraging their congregations from reporting abuse to police (Adu-Gyamfi, 2014) because the police are intruders into the privacy of marriage. Women's lack of reporting of marital rape to law enforcement officers is due to loyalty to husbands, fearing reprisal and blame, as well as a lack of confidence in the criminal justice system (Adinkrah, 2011). Even countries that recognize laws against sexual violence in marriage have rarely prosecuted perpetrators due to severe underreporting of such cases (Randall et al., 2017), because married women often hesitate to report sexual violence based on their inability to provide documentary support for marital sexual abuse.

Addressing marital sexual violence is particularly important, as MSV has many consequences and that studies in sub-Saharan Africa, the area with the highest burden of intimate partner violence (World Health Organization, 2013), conclude that married women have the highest risk of HIV infection (Adebayo, Olukolade, Idogho, Anyanti, & Ankomah, 2013a, 2013b; Tenkorang, 2012). Nonetheless, MSV is also understudied, especially in sub-Saharan African settings including Ghana. Now, we are aware of only few studies in Ghana. A Ghanaian survey in 2015 estimated sexual violence against women as 2.5%, with husbands as the perpetrators (GSS & IDS, 2016). Other studies focused more broadly on sexual violence in Ghana (Boateng, 2015), as well as Ghanaian's perceptions of marital rape and its criminalization (Adinkrah, 2011; Adodo-Samani, 2015). In this study, we use the narratives of 15 women from a patrilineal society in the eastern region of Ghana to examine the lived experiences of these women regarding marital non-consensual sex. By doing this, we add to the scant literature on sexual violence in Ghana and hope to bring awareness to both researchers and policy makers of the severity and complexity of marital sexual violence and the need to develop wide-ranging policies to combat the situation.

#### *Criminalizing marital sexual violence and rape*

Passed in 2007, the Domestic Violence Act criminalizes physical, sexual, economic, emotional and verbal abuse. The act enshrines guidance on protection orders and referral to social agencies that intervene in halting recurrent abuse and the related consequences. An act of violence in the domestic setting attracts a sentence of more than three years (Domestic Violence Act, 2007). Since 1998, a collaborative effort between non-feminists and feminists (later became known as the National Coalition on Domestic Violence Legislation) advanced advocacy for the passage of the Domestic Violence Bill (DVB), a precursor of the Domestic Violence Act (Ampofo, 2008). The DVB included a definition of sexual violence that explicitly criminalized marital rape, thereby extending an explicit protection to both unmarried and married women (Domestic Violence Bill, 2006). This definition of sexual violence in the bill would have explicitly repealed section 42(g) of the Criminal Code that provided permission for marital rape based on a supposed consent given upon marriage (Manuh, 2007).

The Criminal Code has its roots in the British colonization project involving practices of domination and imposition of British common law on colonies (Ampofo, 2008; Stafford, 2007). The proposed criminalization of marital rape attracted unprecedented controversy among the Ghanaian male-dominated government, media, and Parliament. The opponents argued that a marital rape law was considered alien to Ghanaian culture and its belief in the sanctity of the marriage state (Adinkrah, 2011; Stafford, 2007).

When the then Minister of Women and Children's Affairs stalled the process leading up to the passage of the DV Bill, the Coalition

responded by embarking on a nationwide discussion of the content of the bill to garner national support for the contents of the bill (Ampofo, 2008). Nonetheless, the bill's reference to marital rape was removed (Achimpong & Sampson, 2010). The explicit legal statement that prohibited marital rape possibly threatened the acceptance of marital rape in the male-dominated society. A qualitative study conducted in Ghana found “strong opposition toward criminalization [of marital rape],” as attitudes of both men and women are embedded in patriarchal ideologies that emphasize wives' sexual, emotional and physical submission (Adinkrah, 2011, p.982).

Marital rape is implicitly prosecutable based on section 4 of the Domestic Violence Act where it is stated that “the use of violence in the domestic setting is not justified on the basis of consent” (DVA 2007, s. 4). The Commissioner of the Statute Law Revision project, Justice Vincent C.R.A.C. Crabbe repealed section 42g of the Criminal Code, 1960 (Act 29), few months after the birth of DVA (Ampofo, 2008). Justice Vincent C.R.A.C. Crabbe credits this decision to do that to participation in one of the Coalition's sessions on the DV Bill. Marital rape is, therefore, legally un-sanctioned in accordance with the Statute Revisions Act which the Ghanaian Parliament approved in 2007.

#### *Marital rites and sexual violence in patrilineal societies*

Among Ghanaians aged 15–49 years, the proportion of women and men who are married are 42% and 38%, respectively; and 14% women and 10% men are in marriage-type relationships (Ghana Statistical Service (GSS), 2014). Over the last decade, women (and men) are delaying marriage (Ghana Statistical Service (GSS), 2014) in favour of modern trends of acquiring higher education and skills. As a global trend, men have generally married later in life than women (GSS, 2014), due to normative expectations about a man's ability to be well-positioned economically before taking a wife whom he is expected to cater for. The *Marriages Act* of Ghana provides legitimacy for different avenues for marriage, including customary or traditional marriage, Marriage Ordinance and Marriage of Mohammedans Ordinance (Marriages Act, 1884-1985). Customary marriage and Marriage of Mohammedans Ordinance inherently permit polygyny (although polygyny is increasingly stigmatized due to negative associations between polygyny and well-being (Lawson & Gibson, 2018), while the Marriage Ordinance is strictly monogamous. Specifically, if a Christian couple desired to guarantee exclusive and monogamous marriage, customary marriage was often a basic requirement from the extended family before marriage ordinance followed. This trend in marriage performance contributes to making what is considered “complete marriage” costly.

Along with the Marriage Act illustrating the intrusion of Western patterns through colonialism (Bowen, 2013), cross-cultural aspects of marriage are evident in marriage performance within the global context. For example, the customary marriage now involves the exchange of an engagement ring in addition to stipulated items, including cloths, drinks and money, from the prospective husband. These stipulated items or the “list” for the marriage performance is influenced by Ghanaians' strong taste for foreign or imported products that are costly in the country. The marriage performance socializes the understanding of sexual obedience on the part of a wife, and the general acceptance of men's sexuality is often reflected in prioritizing husbands' sexual domination (Adjei & Mpiani, 2018). Individuals internalize conditions with regards to a husband's aggression towards sexual relations as a demonstration of love (Tenkorang, Owusu, Yeboah, & Bannerman, 2013).

According to Fuseini and Dodoo (2012; Fuseini, 2013), marriage performances and rites, involving the transfer of money, goods and services as the bride price from the groom's kinsmen to the bride's kin, instil the belief that the wife was “bought”. The bride price is a valuation and “packaging” of a woman as a “good wife” for her prospective husband (Dery, 2015; Ilika, 2006). As the bride price signifies a woman's “honour,” staying married is imperative. The expenses involved in bride price payment and marriage performance are nourished

by the well-positioned wealth status of the families who are likely to pay the bride price in the form of expensive, well-respected and imported brands. The bride price not only provides an economic pledge that the wife-to-be and her offspring would be cared for, but also gives access to the female body. The bride price legitimizes a woman's fertility to offspring. A wife could revoke access to her body only when she is backed by her kinsmen to return the bride price to the groom's kinsmen (Fuseini & Dodoo, 2012). As the extended family negotiate the bride price payment, they offer gendered advice that is driven by sociocultural expectations of wives' submission and husbands' domination in marriage.

Bride price is influenced by kinship as a sociocultural institution that predetermines marriage performance along with rights and responsibilities. Kinship norms thus shape marital sexual violence based on the intrinsic characteristics of women's kinship type: patrilineal or matrilineal. Opposite to matrilineal norms, patrilineal customs accord greater value to males as they are expected to continue family legacies, family name and inheritance (La Ferrara, 2007; Takyi & Gyimah, 2007). Major characteristics of matrilineal, such as child custody, are central to decision-making about leaving an abusive relationship (World Health Organization, 2012). Early ethnographic studies show that the matrilineal extended family encourages temporary integration of the wife into the husband's home so their bride price is a token amount; the patrilineal kinship recognizes the permanent integration of the wife into the husband's family (Lesthaeghe & Elens, 1989, Takyi & Gyimah, 2007). For the most part, husbands perceive that the payment of a bride price gives them ownership and control, and any transgressions may trigger abuse, including sexual violence (Fuseini, 2013; Kaye, Mirembe, Ekstrom, Kyomuhendo, & Johansson, 2006).

#### *Feminist perspectives on power*

Women's experience of sexual violence may be an outcome of social and structural factors including gendered identities and relations (Yllö & Torres, 2016). Gendered identities and relations are intertwined with a power imbalance (Mama, 2001; Mikkola, 2017; Morrell, Jewkes, & Lindegger, 2012). Power has been viewed from various perspectives, with the systemic conception of power highlighting "the ways in which broad historical, political, economic, cultural, and social forces enable some individuals to exercise [control] over others, or inculcate certain abilities and dispositions in some actors but not in others (Allen, 2016, para. 4). More specifically, phenomenological feminist perspectives expose power as a centrality of domination which is aimed at limiting another's freedom. Al-Saji (2010), Young (1990) and Oksala (2005) views on power as domination highlight the structural conditions constraining women's lived experiences, such as marriage, because they are gendered as women. Adopting this perspective promotes the understanding that political, sociocultural and economic conditions enact and maintain marital sexual violence. The act of marital sexual violence is premised on power, control, intimidation and humiliation (Antai, 2011) and renders wives' inability to experience freedom in the private sphere.

In Ghana, marriage empowers men by conferring unlimited sexual access to them; this works to the disadvantage of women. The payment of bride price is also considered an important source of power often denying women their sexual autonomy within marriage. For example, it has been argued that the bride price "serves as a material condition necessary for accomplishing desired masculinity and femininity, legitimizing husbands' exercise of matrimonial authority over their wives, and apparently objectifying and commoditizing women in marriage" (Adjei & Mpiani, 2018, abstract). Thus, Ghanaian women's experiences of marital sexual violence are rooted in patriarchal domination, including sociocultural, political and economic marginalization. Likewise, a normative power dynamic of the family allows a husband to use physical force to compensate for feelings of powerlessness. It is notable that McCarthy, Mehta, and Haberland's (2018) comprehensive

literature review also conclude that men's account of sexual violence against women were motivated by loss of power in domestic interactions.

Cross-cultural studies conclude that power underlie sexual violence in marriage and marriage-like relationships (Conroy, 2014; Randall et al., 2017). Societies with high levels of patriarchy experience higher numbers of sexual abuse against women (Murnen, Wright, & Kaluzny, 2002). In terms of the structural interaction between kinship norms and sexual violence, studies found more domineering husbands in patrilineal societies than in matrilineal societies, and male dominance in patrilineal societies was significantly linked to sexual violence in intimate relationships (Sedziafa & Tenkorang, 2015; Owusu, 2016, see also, Asiedu, 2015).

#### *Methodology*

The study takes an inductive qualitative phenomenological approach. The edetic or descriptive phenomenological design, informed by a feminist lens, is useful to explore the lived experience of marital sexual violence among Ghanaian women with patrilineal kinship ties. The descriptive phenomenology is situated within the Husserlian tradition where the construction of reality is not independent of subjective conscious experiences of the world (Creswell, 1994). Husserl's descriptive phenomenology entails "bracketing": the description of everyday conscious experiences while setting aside preconceived opinions or ideas/biases (Chan, Fung, & Chien, 2013), allowing the researcher to uncover phenomena hidden beneath dominant viewpoints. Put otherwise, descriptive phenomenology aims to find new concepts or themes that more clearly and fully uncover all dimensions of human experience; as a method, descriptive phenomenology lends itself to an in-depth access to the fullness of phenomena in the human consciousness (Simms & Stawarska, 2013). Like other methodological approaches, descriptive phenomenology can be informed by feminist perspectives (Reinharz & Davidman, 1992). By privileging women's voices and material experiences, feminist-informed descriptive phenomenology examines the structural factors impacting women's embodied experiences (Fisher, 2000). Feminist-informed descriptive phenomenology pays close attention to the description of gendered lived experience within a larger context and exposes the limitations of dominant viewpoints (Simms & Stawarska, 2013). A feminist-guided descriptive phenomenological design is a good starting point to uncover a problem that is not yet well studied. By privileging women's voices, the study provides thick descriptions of marital sexual violence.

#### **Method**

##### *Lower Manya Krobo District: the study area*

Data were collected in the Lower Manya Krobo municipal district, which is one of the 21 districts in the southern part of the Eastern Region, an administrative region in Ghana. The district is located 88 km north-east of Accra, Ghana's capital city. The population of Lower Manya Krobo is estimated at 89,246, comprising 46.5% females and 53.5% males; 35.1% of the population are below 15 years of age; 8.3% are 60 years and older (Ghana Population Census, 2010). Compared to females, there are more males in both urban and rural areas of Lower Manya Krobo (Ghana Population Census, 2010). The capital district of the Lower Manya Krobo District is Odumase. The Krobo people are one of the two Krobo ethnic groups who constitute the largest group of the Dangme-speaking people, practicing patrilineal belief systems. The Krobo ethnic groups are ethnolinguistically categorized under the Ga-Adangbe people of Ghana.

The Krobos are predominantly Christians and close to 91.5% have regular employment (Ghana Population Census, 2010). The people have low income in the municipal district and income is generated from the following economic activities: selling farm produce (44.7%), selling

animals (23.7%), general trading (19.8%), salaried workers (5.3%), *susu* collectors (financial intermediaries) (5.3%) and selling furniture (1.2%) (Ministry of Finance, 2015). The people are mainly employed in agriculture; more females have self-employed work such as petty trading, but without having any employees; more females are domestic employees; more males have employment than females, with a greater proportion of males employed in the public sector (Ghana Population Census, 2010). For the population between the ages of 12 years and above, approximately 31% are married, 44% have never married, 12% are in marriage-like unions, and 6% are either divorced, separated or widowed (Ghana Population Census, 2010). Compared to their male counterparts, a higher proportion of females are married or divorced, separated or widowed. Also, a greater proportion of the married population (56.8%) have basic education and are employed (83.0%); and more married males than married females (84.5% and 81.8%, respectively) have regular employment (Ghana Population Census, 2010). Although about 82% of the population is literate, the majority of the males are literate; the fertility rate is three babies per female.

The people of Krobo have an elaborate festival, known as *Ngmayem*, meaning 'millet-eating' which is a celebration expressing gratitude to their gods for a good harvest. The festival involves a pilgrimage to their ancestral home, known as the Krobo Mountains, or *Kloyo*, where they lived for 400 years before the British forced them to leave in 1892 (Wilson, 2003). The Krobos are credited with producing quality beads, which has earned their capital district the name "Cradle of Ghana's beads". In October 2009 and May 2010, respectively, Ghana hosted its first and second International Beads Festival (IBF) in the capital district. The Krobos are also known for perform an elaborate puberty rite for girls to initiate them into womanhood. The puberty rites involve adornment with beads and socialization into marriage.

### Sampling

As part of a larger project led by the second and third authors, this study consists of a sample of 15 ever-married women identified and recruited through a purposive sampling method. These women identified as natives of Lower Manya Krobo district in the Eastern Region of Ghana. Selected women had experienced various forms of intimate partner violence, including marital sexual violence. A purposive sampling method (see Guarte & Barrios, 2006), although considered non-probabilistic, ensures the appropriateness of responses because the sample selected has the experience required to answer the research question. The second and third authors met with gatekeepers—chief and local elders—of Lower Manya Krobo district, debriefed them about the study and sought their permission. These leaders then served as facilitators in obtaining permission from eligible participants to give their personal contact information to the second and third authors. Snowball sampling was employed by asking eligible participants to refer other women who had experienced marital sexual violence in their community. Women who expressed interest were screened for eligibility; this was followed by a conversation about research participants' human rights protection, as well as written informed consent, during an initial contact before the interview. The selected respondents met the following criteria: (a) a woman having ever suffered sexual violence in marriage (could be still married to the perpetrator at the time of the interview or divorced or separated from him); (b) a woman who self-identified as belonging to the patrilineal system of descent from the Ga-Adangbe ethnic group in the Lower Manya Krobo Municipal area; and (c) a woman 18 years of age and above.

### Data collection

A qualitative semi-structured interview guide was used to collect data during a three-month period, May–July 2014. When we received their written informed consent to participate in the study, women were scheduled for an interview at their preferred venue, date and time. The

third author and one of the research assistants are fluent speakers of the Krobo language and have ongoing engagement with the community; thus, some members of our research team were known and trusted by the community. Research participants were asked to describe their lived experiences of sexual relations, including forced sex, and to give their perspectives on criminalization of marital rape (for example, a wife's ability to refuse sex with her husband without a condom, and other types of acts of sexual violence within the marriage, lack of consent for sexual acts). The interviews on marital violence included questions such as: 'Has he ever had sex with you in a way and manner you did not agree with?'; 'There are some people who force their wives to have anal sex with them; has he ever forced you to do the same?'; 'In other cases, people have sex with their wives while their wives are asleep without them realizing; has he ever done that?'; 'Do you think there is any aspect of the Ghanaian culture or the Krobo culture that does not allow a wife to deny her husband sex in any way?'; 'Can you insist your husband wears a condom before having sex with you?'; 'Can you deny him sex? What are the consequences you face for denying him sex?'; 'Do you think Ghana should have a law that criminalizes marital rape?'

Interviews occurred in the Krobo language and were audiotaped with the participant's permission; they lasted 1–2 h over more than one session depending on a participant's preference. All interviews were transcribed verbatim into English. Professional referrals, such as counselling, were arranged if any participant was distressed/upset about the subject of the interview. For privacy and anonymity reasons, each interviewee was assigned a code. Interviews were carried out in a conversational style using conversational dialogue to encourage participants to freely express their lived experiences and to minimize socially desirable responses. Member-checking and probing strategies—such as asking follow-up questions for clarifications and correct for inconsistencies—were employed to obtain more in-depth and richer data.

### Data analysis

After data were transcribed into English, they were analyzed using Colaizzi's (1978) method. The first author familiarized herself with the data by reading the transcripts as many times as possible. Phrases were extracted from each transcript, and meanings were extracted from the phrases. Based on the meanings identified in the transcripts, themes were generated to describe the lived experience of marital sexual violence. The second and third authors verified the final thematic structure by rereading the transcript.

### Ethical considerations

Ethical and methodological challenges are common in research on a sensitive topic such as marital sexual violence. Therefore, the authors sought and acquired an ethics approval consistent with the International Ethical Guidelines for Biomedical Research Involving Human Subjects. Before the study began, approval was granted by the Ethics Committees of Memorial University and University of Ghana, where the second and third authors are faculty respectively. To ensure confidentiality, safety, and anonymity, interviews were conducted privately with respondents' consent, and interviews were coded using numbers; however, participants were permitted to identify their ethnic and kinship identity. Participants were informed about the benefits and potential risks of the research, and participation was voluntary. To ensure their wellbeing, participants were advised to seek professional care if the interview questions upset them.

### Findings

Table 1 shows basic demographic information of the research participants in Lower Manya Krobo district identifying with patrilineal kinship norms. Each participant was assigned a pseudonym for

**Table 1**  
Respondents' socio-economic and demographic characteristics.

Respondents' pseudonyms	Age	Marital status <sup>a</sup>	Type of marriage contract	Highest education completed	Number of children	Type of employment <sup>b</sup>
Yomle	50	Married	Customary	MSLC <sup>c</sup>	4	Petty trader
Namo	25	Married	Customary	Primary 1	3	Petty trader
Laje	28	Married	Customary	Secondary <sup>d</sup>	1	Petty trader
Koko	37	Separated, initiated by husband	Customary	None	3	Petty trader
Suomi	47	Separated	Customary	None	8	Farmer
Padiki	60	Separated, initiated by her	None	None	9	Farmer
Padi	38	Married		No response	4	Petty trader
Alua	65	Married		None	10	Farmer
Dede	37	Married	Ordinance	Secondary	2	Non-professional teacher
Maku	56	Separated, initiated by her	Customary	MSLC	2	Petty trader
Kole	26	Separated, husband left	Customary	Primary 6	3	Petty trader
Dede-Enyo	46	Married	Customary	MSLC	5	Petty trader
Mamle	43	Divorced by mutual agreement	Customary	MSLC	3	Petty trader
Dokuyo	55	Divorced, initiated by her	Customary	Middle form 1	3	Petty trader
Makuyo	28	Married	Customary	Secondary school	3	Petty trader

<sup>a</sup> At time of interview.

<sup>b</sup> All respondents were employed at the time of the study.

<sup>c</sup> Middle School Leaving Certificate, i.e. completed basic education.

<sup>d</sup> Currently pursuing tertiary education.

confidentiality.

#### *(Re)production and legitimization of sexual availability through marriage*

The majority of the women expressed their inability to ask for condom use and deny their husbands sexual intercourse. Only three (20%) women expressed a desire to be able to ask for condom use, and five (33%) recounted incidents of denying their husbands sexual intercourse. The narratives show that it is easier to deny sexual intercourse than ask for condom use because the latter has negative connotations in marriage. Marital sexual intercourse is largely premised on the husband's sexual entitlement. One participant implied condom use undermines the marital bond and denying husband sexual intercourse drives him to be unfaithful:

Oh, because he is my husband and not my boyfriend I can't tell him to wear a condom before sleeping with me. If it's because we don't want to have more children we will go in for family planning...and we sleep in the same room, so if he wants sex I can't deny him because that is why he said he will marry me and I accepted. ... If he is married to you, he has the right to demand it at any time so if you deny him and he goes out then you are the one who drove him out (Koko, 37-years-old, 3 children, petty trader).

For another participant, marriage is premised on the loss of wife's sexual agency and the marital experience includes childbearing. To her, this precluded the use of condoms for family planning:

He has never slept with me with a condom because he believes I am his wife. With my husband you can't tell him to use a condom before sexual intercourse. He will tell you the main reason he married you is for procreation and therefore whether you are in your safe period or not he will not use a condom, so you don't even say it because you know he will never agree to it (Dede, 37-years-old, 2 children, teacher).

Corroboratively, another woman queried her ability to express her sexual autonomy through condom use in her marriage, as her husband was very controlling. Silence was a tool for achieving submission to husband's sexual entitlement:

Who am I to insist my husband wears a condom before sexual intercourse? He had no respect for me. He was a dictator of everything in my life. He controls all affairs in the house. I have no right to even contribute my ideas to the family; he will say I am disobedient (Mamle, 43-years-old, 3 children, petty trader).

Women activated their sexual autonomy when they realized they

were in danger of contracting sexually transmitted diseases (STDs) from husband. Women wanted to opt for condom use in marriage if they suspected their husbands were involved in extra-marital affairs and could contract STDs, but they said requesting condom use would trigger fights. Similarly, denial of sex was uncommon, but occasionally employed to assert power and to negotiate for better treatment in sexual relationships. Women were aware their right to sexual autonomy goes against traditional norms, however, this was necessary if the husband was unfaithful. Even so, some women had strategies to avoid sex, for example, the following participants' donning of "knickers" or sleeping in another locked room:

He is the one who refuses me sex by not sleeping in the house and does not sleep on the same bed with me sometimes... I can't tell him now to wear a condom. If I tell him that, he will ask me what have I seen or why am I telling him that. Yes, it will become a fight. He will insult me and I will also insult him back and it will become a fight... because he insulted and fought with me, I also don't want him to have sex with me, yes, I tell him and put on knickers because I don't want him to have sex with me (Yomle, 50-years-old, 4 children, petty trader).

Yes I do deny him sex sometimes. It is sometimes very annoying when your husband has no regard for you so for me if he does something that provokes me I deny him sex. He annoys me so much that I don't even want him to touch me. I can't allow him to sleep with me when he continues to hurt me (Maku, 56 years, 2 children, petty trader).

I know "sefiam" [krobo term for bride price] gives the man right to have sex with the wife, but as for me when I realise you have sex with other women, I will not allow you to have sex with me (Laje, 28-years-old, polytechnic student, 1 child).

Although some women expressed their ability (or their desire) to deny sex, emotional humiliation and physical abuse commonly followed a wife's refusal to have intercourse with husband. The following two narratives were clear about the consequences of denying sex to their husbands:

Sometimes he hits me and at other times he says if I will deny him of sex then I should not sleep on the same bed with him but should go and sleep on the floor (Namo, 25-years-old, 3 children, petty trader).

He [my husband] has slapped me, hit me with things around and pushed me on several occasions. This happens most of the time because I deny him sex when he is drunk and that is when he also

feels like having sexual intercourse (Dede-Enyo, 46-years-old, 5 children, petty trader).

#### *Married women's experiences of forceful and unwanted sexual intercourse*

Nine participants (60%) recounted forced and unwanted sexual intercourse, and four (27%) narrated incidents of consensual but unwanted sexual intercourse. Forced sex was tied to the husband's use of alcohol, his inability to have an extra-marital affair, or his financial difficulties. The following excerpts illustrate the reality of the spousal/marital rape or sexual violence experienced by the study participants:

My husband uses force to sleep with me sometimes especially when he goes to town and his girlfriend ignores him. He only forces me to have vaginal sex. He also uses force to sleep with me when he is drunk even when I am not willing to have sex with him (Dede, 37-years-old, 2 children, teacher).

He [my husband] used force to have sexual intercourse with me. He beat me until I was weak and he had his way (Dokuyo, 55-years-old, 3 children, petty trader).

He [my husband] uses force to sleep with me some times. On market days after selling, I become very tired, so when he starts touching me I tell him I am tired, but he forces me most of the time to sleep with me (Kole, 26-years-old, 3 children, petty trader).

He [my husband] uses force sometimes to have sex with me when he is broke and all his numerous girl friends have abandoned him. When my husband has money you hardly see him at home; he is always with another woman (Makuyo, 28-years-old, 3 children, petty trader).

#### *Cultural permissiveness: wives' unprotected and unlimited sexual availability in marriage*

Marriage permits the ownership of a wife as asserted by Alua who said "the culture says that when you like a woman, you marry her and she becomes yours" (Alua, 65-years-old, farmer, 10 children). Seven women (47%) thought cultural norms were behind a husband's entitlement to unlimited and unprotected sexual intercourse in marriage. Four (27%) said they did not know the cause of a husband's sexual entitlement, and another four (27%) denied that culture had anything to do with it, but the latter women could not identify the cause of marital sexual abuse. The following comments express the ascendancy of cultural norms:

In the Krobo culture a woman is advised to give her husband sex as and when he needs it. So the men take advantage of this and force the woman to have sex with him (Dokuyo 55-years-old, 3 children, petty trader).

Because I know it's a cultural demand, no matter what he did that disturbed me, I don't deny him sex (Suomi, 47-years-old, farmer, 8 children).

One woman, Dede, invoked the possibility of reducing marital rape through educational opportunities for women (i.e., empowerment). Culturally induced marital mediation poses the possibility of marital rape and education equips a woman with the tools to fight her husband's sexual domination:

...but during marriage ceremonies, relatives and parents advise that as the woman prepares to enter into marriage she should be prepared to give her husband sex whenever he demands for it. They say he is the head of family and therefore he must be treated as such. ...I just think it is advisable for women to be very educated since such women know their left from right in their marriages. This also prevents men from taking advantage of them sometimes or prevents men from abusing them (Dede, 37-years-old, 2 children, teacher).

To cultural references, two women added references to Christian and biblical rules on sexuality in marriage. As narrated by Padi, "even the Bible says a woman should not deny her husband sex..." (Padi, 38-years-old, 4 children, petty trader). Another participant said:

Christian teachings in my church say we don't use condoms. Our pastor says it is not right for a couple to take part in family planning so members of my church don't use family planning methods especially condoms (Makuyo, 28-years-old, 3 children, petty trader).

But according to one participant, menstruation inhibits a wife's sexual availability because cultural norms do not permit sexual intercourse with a menstruating wife: "I know when women are menstruating you are not supposed to have sex with them" (Koko, 37-years-old, 3 children, petty trader).

Some women with experiences of marital rape believed Ghanaian and/or Krobo values did not tolerate marital sexual violence. These women often felt a law against marital rape was a simple matter of justice – it had nothing to do with cultural norms and values. Women's narratives show that the law is about muting the husband's abuse of sexual privilege. At the time of their interview, most were unaware of the controversies around and the opposition to an explicit marital rape law. Twelve (80%) women had knowledge of DVA and three (20%) lacked all knowledge of the existence of DVA in Ghana. Fourteen (93%) had never officially reported sexual abuse, but five had reported it to family members. Only one (7%) had reported to police, but she did not follow up because of lack of family and financial support. For the most part, formal interventions, such as reporting to police, were seen as disrupting a marriage and therefore were undesirable.

Most of the time he forces me to sleep with me; he even beats me sometimes when I try to deny him sex. ...The thing is, there is nothing like Ghanaian culture or the Krobo culture that encourages the sexual abuse of any woman. Some time ago we heard the government was trying to criminalize marital rape but I don't know how far the government has gotten to with that issue. The government must bring laws that will prevent some of these evils in our society, to put smiles on the lips of married women. The men are taking advantage of us too much (Mamle, 43-years-old, 3 children, petty trader).

Women are reluctant to report sexual abuse, because the marital socialization promotes the privacy of such incidents in marriage. One woman said:

Because he is my husband, and I am living in the same room with him, so I cannot tell outsiders any little problem we face... arresting him means the end of the marriage. (Padiki, 60-years-old, 9 children, farmer).

The quote above suggests that Padiki puts up with MSV because she is not interested in ending the marriage. Yet, Padiki is a woman who went on to initiate a separation as she is not beholden to staying in abusive relationship. Almost all participants, 14 (93%), favoured the criminalization of marital rape because they had experienced marital sexual abuse and knew the undesirable consequences of marital rape firsthand; for example, they pointed to the lack of joy and happiness in their marriages. Marital rape is also seen as a result of husband's emotional deficiency towards wife's domestic burden. Participants said: Yes, I think it [marital rape] should be criminalized. There should be a law like that where offenders will be punished accordingly. This is because sometimes the woman might be tired or not feeling well and for her to be forced by her husband to have sex I think is not right and it is unfair (Dede, 37-years-old, 2 children, teacher).

Yes, I think it [marital rape] should be criminalized so that the men will stop treating the women the way they like. This will make women enjoy their marriages and it will reduce mishandling of women in marriages (Maku, 56-years-old, 2 children, petty trader).

Yes, I think it [marital rape] should be criminalized to deter others from doing the same thing. It is painful act when a woman is forced by her husband to have sexual intercourse; this puts fear into the woman. Having sex with a woman without her consent is unfair on the part of the women. I think something should be done so that the men will be afraid to treat their wives this way (Dede-Enyo, 46-years-old, 5 children, petty trader).

A participant who did not favour the criminalization of marital rape believed an alternative marital conflict resolution format (i.e., informal, non-legal avenues, such as family) would better suit a family where the husband is the sole breadwinner. This participant queried the consequences of the criminalization of marital rape:

No, it should not be criminalized. How can you let your husband suffer in [prison] cells because he had sex with you without your consent? What will your children eat? Something else should be done to stop this act than reporting them to the police. The woman can report to an elderly person in the family to talk to her husband, to talk on her behalf (Dokuyo, 55-years-old, 3 children, petty trader).

## Discussion

Marital sexual violence is both under-studied and under-acknowledged in some countries, such as Ghana, which does not have an explicit marital rape law. We employed Husserlian phenomenology to explore the reproduction and legitimization of marital sexual violence among low income and poorly educated patrilineal Krobo women in the Eastern region of Ghana. We elicited the views of the women themselves in a series of interviews. The findings corroborate feminist theorization of power regarding married women's sexual experiences and exposure to marital sexual violence. In a patriarchal society, husbands are the dominant figures in a family. Patriarchy dictates gendered and hierarchical marital relations, with a limit on women's sexual autonomy and agency. Our participants' narratives showed that in this patrilineal society, marriage possibly legitimizes wives' unlimited and unprotected sexual availability. For example, the majority of women expressed their inability to ask for condom use or to deny sexual relations with their husbands.

The findings suggest that a wife's unlimited and unprotected sexual availability is based on expectations of her childbearing role in marriage and on acceptance of her husband's sexual entitlement. Participants perceived that a wife's sexual submission mitigates a husband's extra-marital affair(s). More specifically, a husband's infidelity was considered to be the fault of the wife. Like participants in a study in Uganda, this study's participants believed that a wife's refusal of sex within marriage could cause marital breakdown—which is stigmatized—(Wolff, Blanc, & Gage, 2000) because her sexual unavailability would encourage her husband's extra-marital affairs. However, participants also reported instances of infidelity even when wives were sexually available.

The ability of women to ask for condom use and to refuse sex is an important factor in negotiating safer sex against STDs and this is possibly mediated by wide-ranging factors including education and income levels of the participants (Sano, Sedziafa, Vercillo, Antabe, & Luginaah, 2018; Tenkorang, 2012; Ung et al., 2014). Most participants (poorly educated and low income women) said they were unable to make these kinds of demands. Given the expectation of women's unlimited and unprotected sexual availability in marriage, it is unsurprising that Adebayo et al. (2013a, 2013b) found marriage doubles the risk of HIV infection among women. Cultural norms inhibit wives' sexual availability during menstruation. This implies that husbands may be censured for consensual or forced sexual intercourse at that time.

Marital rape or forced sex occurs because of a wife's inability to fulfil the husband's sexual expectations. Most participants spoke of forced and unwanted sexual intercourse, and others narrated incidents

of consensual but unwanted sexual intercourse. Such acts happened in the context of other types of intimate partner violence, such as physical beatings, emotional assaults, and economic abuse. Participants noted that “sefiam” or the bride price, alcohol abuse, religious teachings, and inability of the husband to engage in extra-marital affairs due to financial incapacity, created an environment for committing marital sexual violence against wives. Like the women in other studies (Abeid et al., 2015; Fanslow & Robinson, 2010; Tenkorang, Sedziafa, & Owusu, 2017), our participants preferred familiar informal sources—family and friends—to resolve marital conflicts and violence. Almost all favoured the criminalization of marital rape, as they saw this as liberating Ghanaian women from the effects of marital sexual violence, notably, the lack of happiness in marriages. A hesitation to use the marital rape law arises when women experience socioeconomic powerlessness in the marriage.

## Conclusion

Our research afforded the grounds for women to linguistically express experiences of non-consensual sex in a private and confidential manner. We contributed to the literature, and hopefully to future policy as well, by interviewing a sample of Ghanaian women on their experiences of marital sexual violence. These research participants specifically identified with patrilineal kinship; hence their experiences might be less generalizable to matrilineal women. We enhanced the authenticity and rigor of this study by using snowball and purposive sampling to recruit participants who have experiences of sexual marital violence and can narrate the essence of this phenomenon.

The study is innovative in exposing low income and poorly educated women's experiences of marital sexual violence as highlighted through structural components such as patrilineal marital rites and socioeconomic empowerment. The findings have implications for policy. Critics of the proposed marital rape law in Ghana argue that sexual violence and rape cannot occur in marriage. Perhaps the marital rape law has been opposed, in part because insufficient studies have noted the existence of marital sexual violence. This is unfortunate, as most of our research participants said sexual violence and rape were common experiences in their marriages, and most appealed for the criminalization of marital rape. This study has the potential to facilitate discussions on multiplicity of strategies for interventions against marital sexual violence.

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