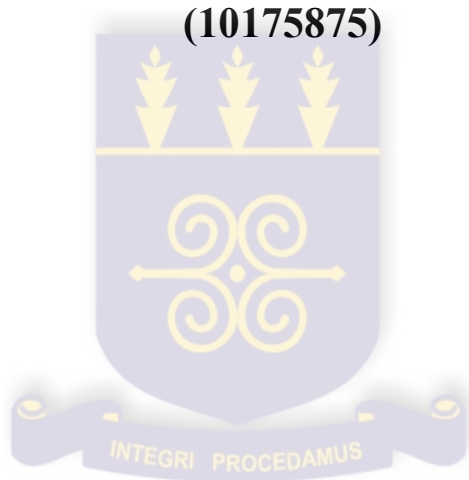


**Engendering National Public Policy through Global Governance:
An Assessment of Ghana's Domestic Violence Legislation as a
Trans-Sovereign Transnational Issue**

By

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(10175875)



**THIS THESIS IS SUBMITTED TO THE UNIVERSITY
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POLITICAL SCIENCE DEGREE**

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DECLARATION



DEDICATION

TO MY FAMILY FOR THEIR GENEROUS, KIND, LOVING SUPPORT OF ALL OF
MY LIFE ENDEAVORS AND THROUGHOUT MY ACADEMIC AND
PROFESSIONAL CAREER

I dedicate this to my parents
the **Late Edward S. McCoy and the Late L. Mae McCoy**
for their love and for passing their belief in lifelong learning to me;

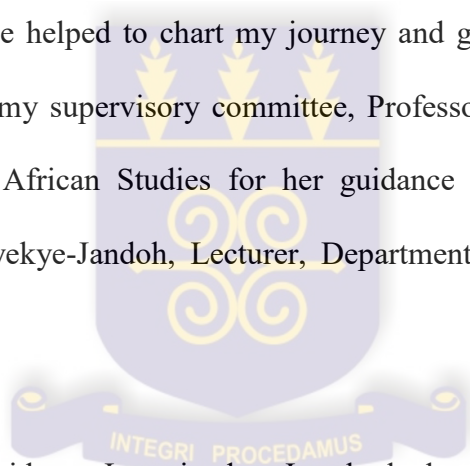
I dedicate this to my husband,
Dr. Mujahid B.W. Nyahuma
for his unconditional love and for supporting my dream of completing the Ph D
degree at the University of Ghana, Legon;

I dedicate this to my children
Jawanza Nyahuma and Naledi Nyahuma
for their precious love, encouragement and undaunting belief in their mother.



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ACRONYMS

AAWORD	The Association for African Women for Research and Development
AU	African Union
CPP	Convention People's Party
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CODESRIA	Council for the Development of Social Science Research in Africa
CSOs	Civil Society Organizations
CSW	(UN) Commission on the Status of Women
DV Coalition	National Coalition on Domestic Violence Legislation
DOVVSU	Domestic Violence and Victim Support Unit
ECOWAS	Economic Community of West African States
FBOs	Faith Based Organizations
FIDA	International Federation of Women Lawyers
GVSSN	Gender Violence Survivors Support Network
IGOs	Intergovernmental Organizations
ILO	International Labour Organization
IMF	International Monetary Fund
IWTC	International Women's Tribune Center
MDGs	Millennium Development Goals
MOWAC	Ministry of Women and Children Affairs
MP	Member of Parliament

NAM	Non-Aligned Movement
NCWD	National Council on Women and Development
NDC	National Democratic Congress
NEPAD	New Economic Partnership for African Development
NETRIGHT	Network for Women's Rights
NGO	Non-Governmental Organization
NPP	New Patriotic Party
NRC	National Redemption Council
OAU	Organization of African Unity
PNDC	Provisional National Defense Council
SAP	Structural Adjustment Programme
UN	United Nations
UNDP	United Nations Development Programme
UNCTAD	UN Conference on Trade and Development
VAW	Violence Against Women
WB	World Bank
WID	Women in Development
WILDAF	Women in Law and Development in Africa
WISE	Women's Initiative for Self-Empowerment
WTO	World Trade Organization

LIST OF FIGURES/TABLES

Figure 1.1 Conceptual Framework Schematic p. 17

Table 4.1 NGOs/CSOs and National Machineries That Address Gender Equity,
Gender Equality and Domestic Violence..... pp.145-146



Table of Contents

	<u>Page</u>
Declaration	i
Dedication	ii
Acknowledgement	iii
Acronyms	vii
List of Figures/Tables	ix
Table of Content	x
Abstract	xv

Chapter One

1.0 Introduction and Conceptual Framework	1
1.1 Introduction	1
1.2 Conceptual Framework	4
1.2.1 Independent Variables	5
1.2.1.1 Global Governance and Global Public Policy	5
1.2.1.2 Non Governmental Organizations as Transnational Actors	7
1.2.2 Intervening Variables	9
1.2.2.1 Failed and Collapsing States: Political Economy of Post-Colonial Africa	9
1.2.2.2 “Third Wave” of Democratization in Africa	12
1.2.3 Dependant Variable	15
1.2.3.1 National Public Policy – Domestic Violence Act 732 (2007)	15
1.3 Statement of Problem	18
1.3.1 Research Questions	23
1.4 Research Objectives	24

1.5	Hypotheses	25
1.6	Literature Review	26
1.6.1	Global Governance and Globalization	26
1.6.2	Gender and Global Governance	29
1.6.3	Non-State Actors and Governance	40
1.6.4	Women’s Rights, Democracy and Human Rights	45
1.6.5	Governance and Violence against Women	50
1.7	Importance of the Study.....	61
1.8	Location of the Study in Political Science	62
1.9	Research Methodology	63
1.9.1	The Scope of the Study	63
1.9.2	Timeframe of Study	63
1.9.3	Unit of Study and Population	63
1.9.4	Qualitative Research Method	64
1.10	Limitations of the Study	69
1.11	Chapter Organization	70
1.11.1	Chapter One – Introduction and Conceptual Framework	70
1.11.2	Chapter Two – The Nation-State, Sovereignty and global Governance	70
1.11.3	Chapter Three – Gender and Public Policy from Global Conception to National Policy and Implementation	70
1.11.4	Chapter Four – Ghana’s Domestic Violence Act: An Interface between Governance and National Public Policy	71
1.11.5	Chapter Five – Conclusions, Summary of Findings and Recommendations... Notes	71 72
 <u>Chapter Two</u>		
2.0	The Nation-State, Sovereignty and Global Governance	74

2.1	Introduction	74
2.2	The Rise of the Nation State System	75
2.2.1	The Nation State and Nationalism	76
2.2.2	The New Nation States of Africa	79
2.2.3	The Cold War and the Destabilization of the African Nation State	83
2.2.4	Internal Struggles for Power	85
2.3	Sovereignty with Responsibility and Global Governance	89
2.3.1	Sovereignty with Responsibility	89
2.4	The United Nations and Global Governance	93
2.5	Conclusion	98
	Notes	99

Chapter Three

3.0	Gender and Public Policy from Global Conception to National Perspective and Implementation	102
3.1	Introduction	102
3.2	The Gendered Construction of State and Society	106
3.2.1	Constructing a Gendered Nation State System	106
3.2.2	Ghanaian Women in Pre-Colonial Society	107
3.2.3	The Nation State and Inheritance of Independence	110
3.3	National Public Policy Engendered by Global Governance and Global Public Policy	111
3.3.1	Engendering National Governance	112
3.3.2	Engendering Global Governance	116
3.3.2.1	The UN Charter and the Universal Declaration on Human Rights as	

Instruments to Engender Global Governance	117
3.3.2.2 Violence against Women Placed on the Human Rights Agenda	121
3.4 Teleconference – The Impact of International Instruments on National Public Policy: CEDAW – Beijing Platform for Action and UN World Conferences	124
3.4.1 Question One: United Nations: a Vehicle for Women to Access Global Governance	125
3.4.2 Question Two – Women Impact Global Policy Formulation	129
3.4.3 Question Three – National Policies Emanate from Global Governance	131
3.4.4 Question Four – CEDAW and the Beijing Platform for Action and the Legislation on Domestic Violence	133
Conclusion	136
Notes	138

Chapter Four

4.0 Ghana’s Domestic Violence Act, 2007 (Act 732): An Interface between Global Governance and National Public Policy	140
4.1 Introduction	140
4.2 Informant Interviews	142
4.3 Summary of the Informants Perceptions and Analysis from Interviews	146
4.3.1 Global Governance and Global Public Policy	147
4.3.2 Gender and Public Policy from Global to National Perspectives	161
4.3.3 Ghana’s Domestic Violence Act: A Manifestation of Global Governance and Public Policy	166
4.4 Conclusion	175
Notes	177

Chapter Five

5.0	Conclusions, Summary of Findings and Recommendations	180
5.1	Introduction	180
5.2	Summary of Research Findings	180
5.2.1	Gender and Global Governance	184
5.2.2	Ghana: An Active Participant in Global Governance	188
5.3	Conclusions from Qualitative Field Work	190
5.3.1	Global Governance and Global Public Policy	191
5.4	Recommendations	197
5.5	Conclusion	201
	Notes	204
	Bibliography	205
	Appendix A	222
	Appendix B	225
	Appendix C	229
	Appendix D	344

ABSTRACT

This research examines the relationship between global governance, global public policy and Ghana's national public policy in reference to the passing of the Domestic Violence Bill. It further assesses to what extent global governance can address the trans-sovereign transnational issue of violence against women, specifically domestic violence. The independent variables in this research project are global governance and global public policy with political environment and the “second wave” of democracy in Africa as the intervening variables and national public policy as the dependent variable. The Domestic Violence Act 2007 (Act 732) is the subject of the case study. This research project is unique in its endeavor to explore the interface between global public policy and national public policy.

Violence against women has been identified by the United Nations as a pandemic affecting every country in the world, with domestic violence identified as the most insidious and malevolent form of violence. Gender is presented as a category of analysis because gender differences have been institutionalized worldwide and are a major factor in structural inequalities in world politics. Though the context of gender varies from society to society and culture to culture, gender has been established as a social relation of inequality. The level of violence against women is a major consequence of gender inequality.

The nation state as a unitary system of international relations is being challenged by transitional actors and an international civil society. In the latter half of the twentieth century sovereignty of the nation states has been redefined from noninterference to responsibility and accountability to an internal, as well as an external civil society. Nation states are complying with international standards and norms of governance as they ratify and domesticate global public policy into national public policy. Democratization of Africa and of Ghana since the 1992 Constitution has provided an arena for the development of a civil society and NGOs with greater autonomy from government and international donors.

The United Nations four World Conferences on Women and other UN world conferences have opened space and given agency for women to participation in global governance and global public policy and has empowered women around the world and in Ghana to contribute to effecting change in national public policy. Women and men have been embolden by their participation in these world conferences, which have produced international treaties, covenants, and conferences, such as the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and the Beijing Platform for Action. An international civil society and international non-governmental organizations (INGOs) have also developed with a focus on women's rights, gender equity, gender equality and social justice.

Ghana's public policy was examined because Ghana is an active participant in global governance having ratified a number of international instruments. Ghana has in some cases embedded global public policy in its 1992 Constitution and national public policy by setting guidelines for the domestication of ratified multilateral treaties, conventions and agreements. This research concludes that global governance and global public policy have provided instruments of

governance for women and men to use as they advocate and lobby to end violence against women. Women and men in Ghana affectively used global public policy to develop the Domestic Violence Bill culminating in the Domestic Violence Act, 2007 (Act 732). The qualitative research method was use to conduct informant interviews on the manifestation of global governance and global public policy on the process of engendering Ghana's public policy and addressing the issues of prevention and criminalization of violence against women, specifically domestic violence.

Chapter One

1.0 Introduction and Conceptual Framework

1.1 Introduction

The United Nations (UN) was founded in 1945 after World War II, with the broadly stated goal of addressing transnational issues that nations cannot or will not address themselves (United Nations Charter, 1945). Transnational issues affect people across and beyond national borders making issues universal or common regardless of country, and therefore, not immune from them because of national borders. The issues include, but are not limited to, contagious diseases, war, refugees, drugs and human trafficking, environmental threats, terrorism, violence against women and other issues of human rights. Transnational issues and trans-sovereign solutions both transcend state boundaries in ways over which states have little control, and which cannot be addressed by individual state actions alone (Love, 2011, pp.3-10). Trans-sovereign solutions necessitate the power and authority of more than one state to endorse action and promote implementation.

In 1948, the General Assembly of the United Nations signed the Universal Declaration of Human Rights making it the first global document defining rights as being inherent entitlements of all human beings (Universal Declaration of Human Rights, 1948). At the signing of the Declaration the terms gender equity and gender equality were not used nor was the concept of “women in development”. Some analysts questioned if women were included in the definition of what it is to be human (MacKinnon, C., 2006; Peterson and

Parisi, 1998). This question has in part led to what has been called the international women's movement. The international women's movement, though not homogeneous, has established an international framework, which enabled them to approach gender inequities and gender inequalities in all aspects of women's lives. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1979) and the Beijing Declaration (1995) are two United Nations' documents that became instruments of global governance, and were and are being utilized to change global and national public policy, and further established that women's rights are a part of the human rights agenda.

Ghana, as the first nation state in sub-Saharan Africa to achieve independence from colonial rule in 1957, has played a role in global governance from its membership in the United Nations starting March 8, 1957, to its co-founding and membership in the Non-Aligned Movement (NAM) in 1961, to the co-founding and membership in the Organization of African Unity (OAU) in May 1963 (Edie, 2003). Ghana has continued to participate in global governance and global public policy by its uninterrupted membership in the United Nations and other intergovernmental organizations (IGOs). These included the Economic Community of West African States (ECOWAS), and the African Union (AU) formerly the OAU. Ghana's commitment to global governance is exemplified by the signing of international treaties, conventions and covenants, which included the signing and ratification of CEDAW in 1986 and 1989 respectively, (see Appendix A) and the signing and ratification of the African Charter on the Rights and Welfare of the Child in 1997 (African Union, 2014).

In the 1960s, a proliferation of newly independent African states joined the United Nations. They were the largest number of states from any one region. African states, along with a coalition of other developing countries, had a two-thirds majority in all UN bodies. This enabled them to refocus the UN agenda away from the East West Cold War¹ conflict to economic disparities between the Northern states (Western industrialized nation states) and Southern states (developing nation states of Africa, Latin America, the Caribbean, and Asia). The impact of these numbers meant that in 1964 at the UN Conference on Trade and Development (UNCTAD) the debate focus was on economic issues that were blocking the development of the South (Adedeji, 1993; Edie, 2003).

The presence of African nations in the United Nations meant the inclusion of a small, but influential number of African women representing their nations. Many had just participated in the independence and liberation struggles of their countries. They initiated agendas that redefined international political and economic development for the South. The women addressed the impact of gender inequities and inequalities, which were perceived as impediments to development. They recognized that their role in development was not, as often assumed, as passive recipients of development, but active participants in the development process (Peterson and Runyan, 1999; Fraser and Tinker, 2004; Jain, 2005; Peterson and Runyan, 2010). Women from the South, such as Justice Annie Ruth Jiaage from Ghana and Aziza Hussein from Egypt, were major contributors to the formulation of a development agenda that included women (Jain, 2005). They sought to globalize issues of women's equality through international covenants that standardized women's rights as human rights, as opposed to being left up to the discretion of each the nation state.

Gender-based violence was identified as a key factor that had to be addressed, in order to promote and protect women's human rights. The UN put violence against women on the international agenda. The UN further acknowledged that domestic violence is globally the most common form of violence experienced by women, and that violence against women is a major factor of underdevelopment in the development process. According to a UN study on ending violence against women:

Violence against women impoverishes women, their families, communities and nations. It lowers economic production, drains resources from public services and employers, and reduces human capital formation. While even the most comprehensive surveys to date underestimate the cost, they all show that failure to address violence against women has serious economic consequences (United Nations, 2006, p. iii).

The international women's movement and grassroots organizations moved the issue from the private to the public domain and demanded state accountability in addressing violence against women (United Nations, 2006). The UN became a transnational actor that provided women with the space and agency to participate in and affect the formulation of global governance and global public policy. The international women's movement and grassroots organizations were major vehicles in advocating, lobbying and addressing the issue with the State.

1.2 Conceptual Framework

The conceptual framework of this thesis is based on two independent variables: first, global governance and global public policy, examples of the latter are international covenants, conventions and treaties ratified by nation states; and second, the proliferation of

transnational actors in the latter half of the twentieth century, specifically nongovernmental/civil society organizations (NGOs/CSOs). The intervening variables: political and economic environment of failed and collapsing governance in Africa, and “third wave” democracy in Africa; and the dependent variable: the formation of national public policy, specifically the Domestic Violence Act (732) signed into law in 2007 in the Republic of Ghana. The independent and intervening variables are not exclusive variables in this political occurrence, but are the ones deemed critical to this researcher’s examination of the phenomenology of engendering national public policy by interfacing with global governance and global public policy.

1.2.1 Independent Variables

1.2.1.1 Global Governance and Global Public Policy

In the second half of the twentieth century, the phenomenon of global governance gave women the space and agency to link local and national issues with international ones. They utilized global public policy established by international and regional organizations and institutions to address local and national governance. The impetus for this access to global governance began with a series of initiatives spearheaded by the establishment of the United Nations’ Commission on the Status of Women (CSW) in 1946. This was followed by the four United Nations’ World Conferences on Women and in between the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)² adopted by the United Nations in 1979. The UN World Conferences on Women included: the UN World Conference on the International Women's Year in Mexico City (1975), the UN Mid-Decade

Review Conference in Copenhagen (1980), the UN Third World Conference on Women in Nairobi (1985), and the UN Fourth World Conference on Women in Beijing (1995).³ These UN sponsored events brought together governments, non-governmental organizations and an unprecedented number of primarily women, but also men from around the world to discuss “women’s issues”, to recognize women’s rights as human rights, and to develop plans of action to address gender inequities and gender inequalities internationally, nationally, and locally.

The above conferences, as well as other UN Conferences, such as the World Conference on Human Rights in Vienna (1993) and the International Conference on Population and Development in Cairo (1994), were vehicles for women to participate in global governance and global public policy. They gave access and exposure to information that made it unambiguous that “women issues’ were global human rights issues⁴ requiring trans-sovereign solutions. They also addressed the issue of engendering national public policy and state accountability. They were shaping and reshaping the entire international women’s movement including the African women’s movement, as noted by Florence Abena Dolphyne in her book, *The Emancipation of the Women: an African Perspective* (1991).

Women’s rights became one of the focal points of human rights, now often defined as gender equity and gender equality and as a transnational issue. The United Nations, primarily through its four World Conferences on Women, Conference on Human Rights and CEDAW, set international policy in conjunction with the nations that signed on to the

agreements. These nations helped to formulate and have agreed to recognize and implement the terms of the covenants, conventions and treaties.

1.2.1.2 Non-Governmental Organizations as Transnational Actors

The world conferences were divided into two segments: the governmental or official delegates representing nation states and members of nongovernmental organizations (NGOs) representing a plethora of issues and views. Through the world conferences, women were able to develop and network with international (INGOs) and regional NGOs. INGOs along with regional and local NGOs were becoming major actors in governance addressing issues that transcended national borders (Peterson and Runyan, 1999). They were now addressing issues that were previously ignored or received little attention, such as violence against women and women's reproductive health and rights (Peterson and Runyan, 1992; Dolphyne, 1991).

In New York the Conference of NGOs (CONGO) was set up two years before the 1985 UN Third World Conference on Women to prepare for the activities in Nairobi and to share information with NGOs around the world. These NGOs became issue advocates and lobbyists to the official delegates, in order to be heard as women representing aspects of an international civil society and as women addressing issues relevant to their specific nation states (Pietila and Vickers, 1996). By the Fourth World Conference 1995, the International Women's Tribune Center (IWTC), was established in New York City across from the UN, to assist NGOs and individuals wanting information on the conference. A mailing list of 26,000 NGOs was compiled by IWTC, before the availability and popular use of the

internet, in order to help facilitate information flow and the attendance of NGOs at the world conferences. Fifty thousand (50,000) women attended the conference in Beijing. It was the largest UN World Conference in history (Walker, 2004).

By the 1990s, the international women's movement was able to take advantage of the flow of information from the world conferences and the changes in the political environment, the rise of the "third wave" of democracy. This was an enabling environment for the development of an international civil society and the formation of CSOs autonomous from government control. Local and regional NGOs, such as ABANTU for Development (Ghana), drew on their experiences at the World Conferences to address what they defined as critical areas of concern for ending gender inequity and gender inequality in Ghana.

ABANTU spearheaded the development of *The Women's Manifesto for Ghana*, using the twelve critical areas of concern outlined in the Beijing Platform for Action, which included issues, such as women and education, women and health, women and the girl child (ABANTU, 2004). Other NGOs/CSOs, such as the Woman's Initiative for Self-Empowerment (WISE), the Network for Women's Rights (NETRIGHT), and Women in Law and in Development in Africa (WILDAF) identified violence against women as a human rights issue. NGOs/CSOs and individual members of civil society formed the National Coalition on Domestic Violence Legislation in Ghana (DV Coalition), using global governance instruments signed by the Ghanaian government, to lobby and advocate for the passage of the Domestic Violence Bill.⁵

1.2.2 Intervening Variables

The political and economic environment, which resulted in failed and collapsing states and the “third wave” of democratization in Africa, are the two intervening variables factored in this conceptual framework. The consideration of these factors enables a better understanding of the relationship between the independent variables and the dependent variable: national public policy. The political and economic environment in Africa during the post-independence era was characterized by military and authoritarian regimes that in some cases led to failed states and periods of state collapse, followed in the 1990s by the “third wave” of democratization in Africa (Huntington, 1991; Ninsin, 1992; Hartman, 1995; Ake, 1996; Rotberg, 2003).

1.2.2.1 Failed and Collapsing States: Political Economy of Post-Colonial Africa

Post-independence was a time of great expectations for Africa’s development and economic growth. Independence struggles were expected to yield democratic institutions, universal suffrage, parliamentary institutions and multiparty competitive elections. Most democratic states and institutions in sub-Saharan Africa did not survive the first decade after independence. Governance in Africa was constantly undermined by covert interference by the superpowers: the United States and the Soviet Union, as well as by the former colonial powers vying for renewed political and economic dominance of the African continent (Eddie 2003, pp 107-114; Ake, 1993). As noted by Ake (1993) post-independence was marked by authoritarian leadership, structural constraints economic mismanagement, loss of civil rights and brutal repression. The newly independent nation states became engulfed in violence,

and political and economic instability as a result of guerrilla insurgencies, secessionist movements, civil wars and assassinations. From 1960 to 1969 there was an average of four successful military coups d'état every year. These military coups meant that power was taken from civilian governments and policymaking was conducted through military authoritarian administrations and state machineries (Schraeder, 2004).

Post World War II, 1945, saw the decline of Western European countries as the major world powers. The war weakened the European empires, which was a major factor enabling the first wave of decolonization in the 1950s (Schraeder, 2004). Post World War II was also characterized by the rise of two superpowers: the United States and the Soviet Union, who waged a “Cold War” from 1947 to 1989. One of the ways the Cold War was fought was through proxy wars in Africa, with each side in contention for spheres of influence, military bases and resources. The United States and its allies engaged in an anti-communism campaign and the Soviet Union attempted to expand and fortify its sphere of influence. For the United States, democracy was compromised when “national security”, defined as the containment of communism, was an issue. The results of which was assisting in the overthrow of democratically elected governments and supporting one party, authoritarian, military regimes and “military strong men”, such as Mobutu Sese Seko of Congo-Kinshasa over democracy (Schraeder, 2004). By the mid-1980s, sixty percent of African nation states were under military rule. The dominant political system in Africa became noncommunist, single party systems headed by military men (Edie, 2003). Ghana, like a number of other African nations, experienced similar destructive cycles of military authoritarian regimes and civil government control (Ninsin, 1998). On the 31st of December 1981, Ghana experienced

its fourth military coup, disruption of civilian governance and the end of constitutional rule. Governance was taken over by a quasi-military regime, the Provisional National Defense Council (PNDC) (Gyimah-Boadi, 1993; Ninsin, 1998).

Political instability in Africa was directly impacted and manipulated, because it was seen as central to the European and the East-West struggle for global hegemony. The results of which were protracted political and economic crises, internal unrest, civil wars and coups d'état, as well as African nation states experiencing state failure and in some cases total state collapse. In many instances this meant the suspension of democratic constitutional governance and often a total negation of civil and human rights. This in great part led to calls for international standards for human rights, including women's rights and humanitarian interventions in the internal affairs of nation states and regions (Deng et. al., 1996). At the same time, the citizens of Africa were demanding a second independence from indigenous leadership, which had been responsible for economic mismanagement and brutal repression (Claude, 1993).

In 1957, Ghana became the first sub-Saharan African country to achieve independence from colonial domination. In 1960, Ghana held its first democratic elections, electing Kwame Nkrumah as its first President. However, Ghana was not an exception to the post World War II/Cold War phenomenon of external and internal disruption of the democratic process. By 1964 Ghana's political system and constitution were changed to a one party socialist regime with Kwame Nkrumah as President for Life. This, along with internal economic crises and external interference in the internal affairs of Ghana, led to the first coup d'état in February 1966, culminating in a total of four military coups in its first 40 years of independence,

including several unsuccessful military coups (Ninsin, 1998). The disruptions of democratic governance and the suspension of democratic constitutions meant the suspension of civil liberties and violations of human rights. For women, it meant the negation of the opportunity to participate in any effective numbers in public policy and decision-making as governance was characterized by “authoritarian, masculinist military rule generally unfriendly to women...” (Manuh, 1993; Manuh, 2007, p.130).

1.2.2.2 “Third Wave” of Democratization in Africa

The end of the Cold War propelled the transition from authoritarian rule to a “third wave” of democracy that moved across Asia, Latin America, Eastern and Southern Europe and Africa.⁶The “third wave” of democracy in Africa was a part of what has been characterized as a “worldwide democratic revolution” or the second wave of liberation in Africa (Kpundeh, 1992, pp.1-3). The breakup of the Soviet Union meant that the new Russian Republic was no longer able or interested in giving support to Marxist-Leninist regimes in Africa, Asia and other parts of the world as it struggled to develop and consolidate its own new political identity and spheres of influence. African conflicts were no longer strategic for the United States or the Russian Republic’s containment, détente, and balance of power “...a new world disorder of regional and civil conflicts was becoming the norm” (Sernou, 2006, p.158).

For the United States, the end of the Cold War meant a declining need to prop up authoritarian regimes espousing anti-communist rhetoric. US foreign policy veered away from being ideology- based to one refocused on a greater pursuit of markets and investment

with African markets of special interest. The significance of this policy shift was made clear in 1998 by President Bill Clinton's historic visit to six African countries including Ghana. He was the first sitting president to visit Africa. The mission was to expand US-African relations and to promote trade and investment on the African continent (Schraeder, 2004). The focus was economic globalization, reshaping the world's markets for a capitalist market economy and the integration of African markets into the global economy.

Africa's transition to democracy has been taking place as a part of "simultaneous and multiple transitions in the global order" (Hutchful, 1995). The 'globalization of democracy' has been marketed by the West as a necessary component for economic growth and development, and the "globalization of the capitalist economy". Economic competition is replacing military competition and market ideology and free trade have become an international orthodoxy (Hutchful, 1995). These changes in the global order, which account for aspects of the "third wave" of democracy, have given space and agency for the emergence of social and democratic movements and the development of an international civil society, as well as national civil societies.

A decline in the economies of African countries was another key factor in the critical assessment of the ineffectiveness of one party authoritarian regimes. The international movement for human rights resulted in international advocacy for the protection and promotion of individual human rights and the establishment of political pluralism. Democratic governments, such as Ghana, Benin, and Nigeria, by mandate of their emerging constitutions following the end of military rule in their respective countries, gave greater

space and agency to civil society organizations, women and other groups to vie for more participation in political processes and public policy (Kpundeh, 1992).

Democratization for Africa has meant internal and external pressures for changes in institutional and political structures and systems. The International Monetary Fund (IMF) and the World Bank imposed their own structural adjustment programs (SAPs). Africa had to address issues specific to its cultural diversity: local traditions, religions, ethnicity, conflict, corruption, gender inequality, violence against women, the role of donors in promoting democracy and the equation of democracy with open markets and free enterprise (Hutchful, 1995).

Ghana's end to military authoritarian rule in 1991 meant the establishment of the Fourth Republic and the transition to constitutional rule. Kumado notes in his article on *Constitutional Framework of Democracy (1993)* that Ghana did not just become a democracy, but by national referendum in 1992 it became a constitutional democracy. "... the system of governance in which the power-wielders are subject to clearly defined and pre-determined rules which place appropriate brakes on the aggrandizing nature of power. Constitutional democracy ensures that minority interests are safeguarded. ... It requires a literate and well informed citizenry, actively participating in the process. For it is not a game for just professional politicians and intellectuals" (Kumado, 1993, pp.53-55).

1.2.3 Dependent Variable

Coker Appiah noted “that shifts in the international climate, around the issue of violence against women, opened up national spaces for local initiatives....Without a doubt we reap the benefit of a century long struggle by women everywhere” (Appiah and Cusack, 1999, p.8). From the mid-1980s to 2000 in the international community, throughout Africa and in Ghana there was an escalation of NGOs, founded by women with a focus on “women’s issues’. In 2003, the National Coalition on Domestic Violence Legislation was formed with a specified mandate to ensure the passage into law of the Domestic Violence Bill (Manuh, 2007).

1.2.3.1 National Public Policy – Domestic Violence Act 732 (2007)

The dependent variable is the development of a national public policy to address the issue of violence against women, specifically domestic violence. Autonomous women civil society organizations identified ending domestic violence as an issue that needed to be addressed through the rule of law in the form of public policy. This included specific legislation, and more broadly, defined provisions within the constitution that would address and protect victims/survivors. Domestic violence was identified as an issue of public concern, because it violates the human rights of anyone that is a victim.

In the 1990s as noted above, the political landscape was moving from single party authoritarian regimes to multiparty governments. In Ghana a critical factor in the change in the state structure was the ratification of the 1992 Constitution, which addressed issues of

rights for all citizens to participate in the governance process and be afforded human rights and certain freedoms. Chapter five of the 1992 Constitution, “Fundamental Human Rights and Freedoms” included sections on Women’s Rights, Children’s Rights, and Cultural Rights and Practices (Republic of Ghana 1992 Constitution, pp.12-33). Also critical was the mobilization of a civil society and civil society organizations that were addressing women’s rights and expanding the concepts of rights and contributing to the process of democratization (Adomako Ampofo, 2008, p.395).

This was as opposed to a government organized “alternative” civil society, which was not interested in affecting structural changes that would transform Ghanaian society and politics” (Ninsin, 1998, p.9), but would consolidate and maintain the status quo of the government, and in so doing obstruct the democratic process. In *Ghana: Transition to Democracy*, Ninsin reiterates that democracy requires a civil society that “encompass[es] a plurality of social structures that could interact with the state at different levels and in different instances” (Ninsin, 1998, p.12). It was the change in state structure that helped to enable the development of a civil society that could take up the issue of domestic violence and organize to get policy through the legislative process to address the issue of violence against women.

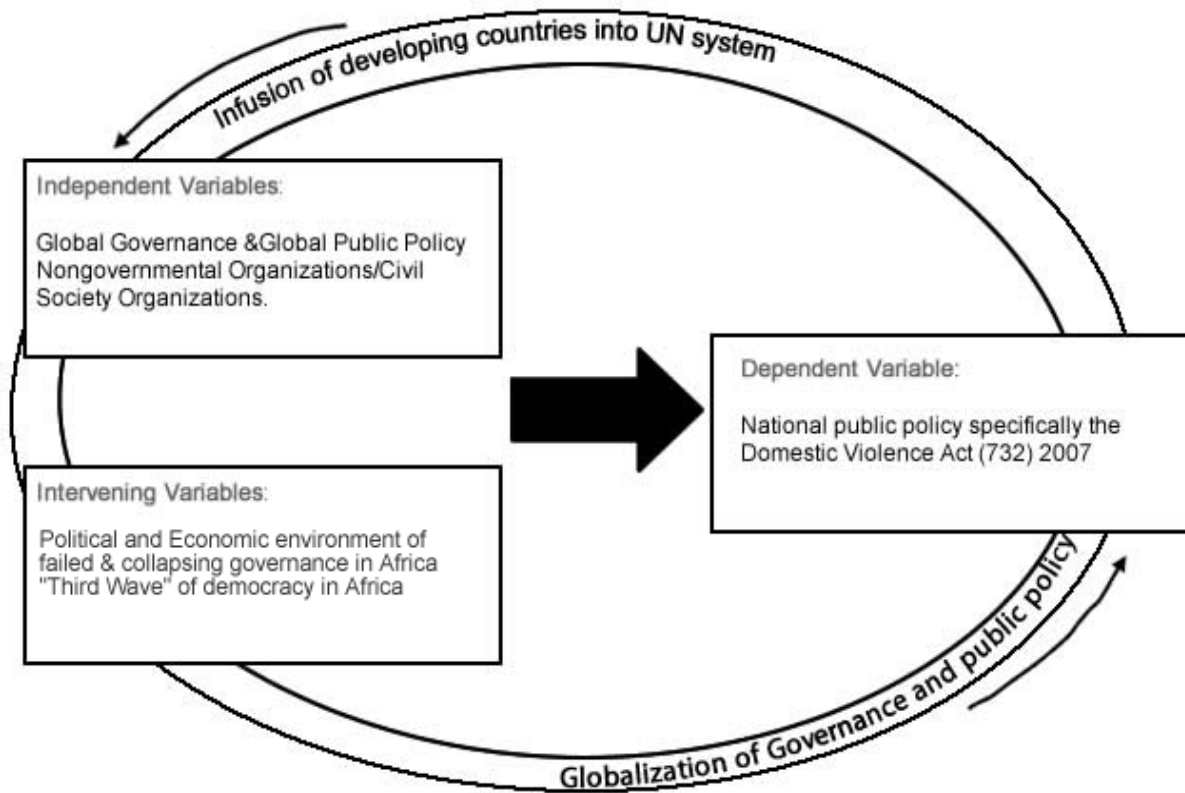


Figure 1.1 Conceptual Framework Schematic

The figure illustrates the circular flow of input into global governance and the output of global public policy interfacing with national public policy.

1.3 Statement of Problem

Violence against women has been identified by the UN as a pandemic that violates the human rights of women and greatly impedes socio-economic and political development. The UN has also noted that it will take the political will of nation states to end the pervasiveness of violence against women. The problem as perceived in this thesis is not the lack of international laws and global public policy addressing human rights and the recognition of women's rights as human rights, but rather it is the often non-linear process of interfacing global public policy with national public policy.

The aftermath of World War II saw a plethora of international human rights laws, as the UN through its member states, established international norms and standards, as exemplified by the signing of the Vienna Convention in 1993 by 170 nation states. The problem becomes implementation at the national level. It is ultimately the sovereign state that determines whether or not its citizens will benefit from international human rights laws, which they are entitled to by virtue of established global public policy. Human beings have only the rights that are provided by the legal system of the nation state (DeLaet, 2006, pp.17-18).

The polemic is the global governance gap of compliance when states either do not have the means to comply, resources for education, prevention and prosecution, or the political will to comply. This thesis has identified the often not so linear process of global public policy, becoming national public policy. This study identifies and discusses the international norms

and standards set and agreed upon by nation states, and the variables that lay in between the mandated domestication and implementation of public policy at the national level.

The UN World Conference on the International Women's Year was held in 1975, CEDAW was ratified in 1979, the African Platform for Action (Dakar Declaration) ratified in 1994, the Beijing Platform for Action and the Beijing Declaration announced in 1995, and in 2003 the African Union (AU) adopted the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (African Women's Protocol).⁷ Yet a gendered world political system, the nation state system, remains a challenge to women's development, gender equity and gender equality. Nationally, policy makers are in the process of adopting, ratifying and complying with global governance by implementing global public policy created and agreed upon by state signatories to the above documents.

The present gendered world political system has its historical base in the "universal" nation state system (Peterson, 1992). The nation state system was established in Europe in 1648 at the signing of the Treaty of Westphalia. In this system the state was seen as the apparatus to address international conflict, and to claim and maintain powers that were deemed a necessary part of the process of governance. From the Treaty of Westphalia, the state became the designated domain of males as they were the warriors, soldiers and the managers of conflict. A dualist pattern was established which assigned men to roles in the public domain and women in the private; men as active decision makers in the nation state system and women as absent by their location in the private sphere of the "household, domesticity, the labor of reproduction, the voice of peace-and thus ... treated as apolitical in

general and irrelevant to international relations [in particular]” (Peterson, 1992, p.197; Peterson and Runyan, 1999, p.54).

During a conference held at Wellesley College Center for Research on Women in 1990, the question was posed: Is international relations theory and practice affected, and if so how, by the gendered construction of the state-society relationship? The challenge was to question the implications of the fact that most of the public world of the state and its international politics [and national politics] has been reserved for men and shaped primarily by Western men’s analysis and experience (Peterson, 1992).

The above scenario is juxtaposed against a nation state system in flux as some states were failing, and others experiencing state collapse in Africa and in other parts of the world, as a result of political and economic crisis, disintegration of state machineries and institutions and the lost of moral and political authority by some governments. Hartman (2000) defines state collapse as the condition when the structures, authority (legitimate power), law and political order have disintegrated and “must be reconstituted in some form old or new”. He asserts that state collapse is distinct from state failure, as failure references to the lack of a state being able to carry out specific task(s) (Hartman, 2000).

State collapse is exemplified by the military coup in Uganda 1979 to 1981; Ghana in 1979 to 1981 during the Third Republic led by President Hilla Limann whose People’s National Party (PNP) lost control of the central government, and by the factional civil war in Chad 1980 to 1982 (Hartman, 1995). Ghana further experienced periods of state failure during the government of the Supreme Military Council (SMC), which took over in a military coup in

1972, as the National Redemption Council. The SMC's policies destroyed the economic sector severely increasing levels of unemployment, juvenile delinquency, and prostitution (Ninsin, 1989).

In the 1990s the ruthless regime of Charles Taylor not only resulted in the collapse of Liberia, but also destabilized the region with his support for insurrections in Guinea, Sierra Leone, and Cote d'Ivoire (Sernau, 2009). Failed and collapsed states leave the citizens without protection of their rights, including the provision of basic needs, services and social security and lead to unprecedented levels of humanitarian tragedies. It also results in internal conflicts spilling over the borders and impacting the stability of regional neighbors; violations of human rights; denial of democracy; corruption and mismanagement of economies and plunder of resources.

In segments of Africa, this resulted in what the international community defined as a humanitarian crisis. The humanitarian crisis created a new global environment that redefined sovereignty as no longer meaning non-interference in the internal affairs of nation-states, but meaning the responsibility for the general welfare and security of the citizens and accountability to the regional and international community. Sovereignty has been redefined to prioritize human rights protection and the responsibility of the international community to intervene in the internal affairs of a nation-state for humanitarian reasons. The principle of 'non-interference' could no longer provide the cover under which governments abused the rights of their citizens (Deng, 1996).

The redefinition of sovereignty enabled global governance institutions such as INGOs, MNCs, NGOs, and supranational organizations to intervene in the internal and regional affairs of nation states. Global governance included the development of international standards and norms and global public policy to address the political, economic and internal crisis and the humanitarian crisis that engulfed nation-states, especially of developing countries.

During periods of internal unrest and civil wars women and children were most vulnerable as they became victims of internal displacement, systematic abuse and organized rape, spurring a global call for international humanitarian intervention in states. This period provided women the opportunity to advocate for human rights issues pertaining to women, as well as gender equity and gender equality, and to get these issue included in global governance and global public policy. Women were able to participate in global governance through the UN world conferences giving them a voice in global public policy when in many instances they were not able to participate or had limited participation in local and national governance (Prugl and Meyer, 1999).

Violence against women was recognized globally as a pervasive issue, and a human rights issue requiring trans-sovereign solutions through global governance and global public policy. It was declared a health issue - a key factor in institutionalizing poverty, an issue used as a strategy of war, and a contagious behavior passed from generation to generation. It was even declared as a manifestation of tradition and culture (United Nations, 2006).

In Ghana, a coalition of CSOs and citizens, the National Coalition on Domestic Violence Legislation (DV Coalition), lobbied legislators to adopt a domestic violence law. They launched a local initiative to domesticate the mandates of the international conventions, treaties and global public policy agreed to by members of the UN and ratified by the government of Ghana. The question was would the democratization process withstand the challenge? Would a nation state in the “third wave’ of democracy, allow its’ civil society to have input in public policy that was also a call for socio-political and cultural change? Governments often make policies without reference to the interest of their citizens. The passage of the domestic violence bill with civil society advocacy was an example of a one-time perfect storm, where the elements came together: global governance and global public policy, an international civil society and social movement for women’s human rights; sovereignty with responsibility and the ‘third wave of democracy; interfacing with Ghana’s “fourth wave of constitutional democracy ” and CSOs and civil society confronting local governance for public policy to address domestic violence.

1.3.1 Research Questions

The following questions arise from the preceding discourse:

- (i) To what extent can supranational organizations/transnational actors, like the United Nations, effectively initiate and monitor the implementation of global public policy as national (public) policy, and affect gender equity and gender equality?

- (ii) In what ways has global governance given women greater access to the public domain and decision making in Ghana?
- (iii) How can INGOs/CSOs impact global governance and transnational issues, such as violence against women and specifically domestic violence, which nation states do not or cannot address?
- (iv) To what extent has Ghana's participation in global governance issues (the UN four World Conferences on Women, CEDAW, etc.) as gender equity and gender equality impacted Ghana's national public policy?
- (v) Is there a connection between global governance and global public policy and the passage of Ghana's Domestic Violence Act, 2007 (Act 732)?

1.4 Research Objectives

The objectives of this research are to:

- (i) Examine the relationship between global governance and global public policy as an engendering factor in national public policy.
- (ii) Examine to what extent international non-state actors, such as the United Nations, can effectively initiate and monitor the implementation of global

public policy at the level of national public policy, and affect gender equity and gender equality.

- (iii) Examine to what extent has Ghana's participation in global governance issues of gender equity and gender equality impacted Ghana's national public policy and the relationship between global public policy and Ghana's Domestic Violence Act, 2007 (Act 732).

1.5 Hypotheses

This thesis is based on the following two hypotheses:

- (i). Ghana's Domestic Violence Act, 2007 (Act 732) is a manifestation of a local issue - domestic violence, which is also an international issue, and is linked to global governance and global public policy, with the intervening variables of political economic environment and "third wave" democracy enhancing the opportunity for NGOs and civil society to interface with global governance and national public policy.
- (ii). Women's participation in global governance and global public policy through the United Nations' four World Conferences on Women, CEDAW and other UN international conferences, has opened space for and empowered women in Ghana to contribute to effecting change in national public policy.

1.6 Literature Review

In order to examine the research topic as outlined in the conceptual framework of this thesis a literature review was undertaken in five main areas: Global Governance and Globalization, Gender and Global Governance, Non-State Actors and Governance, Women's Rights are Human Rights and Governance and Violence Against Women.

1.6.1 Global Governance and Globalization

Global governance is not world government or globalization. In this research project it is necessary to define the three terms as they each present their own unique polemic. A twenty-first century definition of globalization is in its simplest form defined as the “spread and connectedness of production, communication and technologies across the world ... [which] has involved the interlacing of economic and cultural activity” (Smith and Smith, 2002, p.1). The impact of globalization is beyond the interlacing of economic and cultural activity. It has meant the globalization of neo-liberal market policies and control of global free markets as directed by transnational institutions, such as the International Monetary Fund (IMF), the World Bank (WB) and the World Trade Organization (WTO) (Eitzen and Zinn, 2012; Ninsin, 2012; Tsikata, 2007; Liebowitz, 2008).

Globalization has been identified as the delocalization of social and economic exchanges, as activities and relationships are uprooted from their local origins and cultures, where local activities are now conducted across long distances (Smith and Smith, 2002, p.3). According to Ninsin globalization for Africa “is more than the localization of the global, whereby the international becomes part of the fabric of the local and exerts a transformative impact.

Rather than become a part of the local for progressive ends, the global has captured Africa's sovereign states and their economies" (Ninsin, 2012, p.30).

Ninsin's concern about the impact of globalization on Africa is echoed by Grindle (2002) in her article *Ready or Not: The Developing World and Globalization*, where she argues that the benefits of globalization will not be equally distributed among countries and populations. (Marable, 2009, p.318) calls the forces of transnational capitalism and public policies of state neoliberalism as directly responsible for "structural barriers to a decent life".

Studies of global governance and the sovereign state system is a study of the development of a system of international relations that evolved out of the need for sixteenth century battled fatigued European men to end a devastating war and their desire to return to a "Roman" Empire type of government. The sovereign state system was created to establish territories where each state would have complete control over its internal affairs without outside interference and no central authority beyond the state. This state system was founded on a theory of power and war. It defined the role of its citizenry in order to maintain the state (Davidson, 2005). The role of women was within the private sphere and men in the public. This gendered sovereign state system was internationalized through colonialism and inherited by the newly independent states. This is the foreground for the discussion of global governance and a world gendered political system (Steans, 2006; Meyer and Prugl, 1999; Peterson and Runyan; 1999).

Nye and Donahue (1999) define global governance in a globalizing world as the political interaction of transnational actors aimed at solving problems that affect more than one state or region when there is no one power enforcing compliance, it is the development of

international institutions to solve problems and to facilitate cooperation. Global governance is a combination of governments (nation-states), the private sector, and what Nye and Donahue call the “third sector”, NGOs (non-governmental organizations) (Nye and Donahue, 1999, pp.19-22). The private and third sector, or NGOs, sometimes compete with and complement government actions as governments respond to globalization. NGOs and civil society are a major indicator of democratic governance (Gyimah-Boadi, 2001). As agents in international governance, NGOs have been able to influence governments and to help set agendas. Nye and Donahue (1999) assert that the world system is more than unitary states; it is a networking of connections and the rise of other actors that are challenging the autonomy of nation states.

Nations are trying to get the best for their nation state out of this process of globalization: greater flow of goods, services, communications and technology. Nations of the South, developing nations as Nye and Donahue (1999) identify them, are often negatively impacted by globalization as they face the possibility of “economic dislocation, destruction of important social safety nets, accelerated environmental damages, loss of cultural identities, increased conflict, and the spread of disease and crime ” (Nye and Donahue, 1999, p. 179). Ninsin (2012) noted in his discourse on the effects of globalization on Africa autonomous and aggressive forces are driving the globalization process independently of the interest of Africa and Africans.

For nation states it is a delicate balance between control and delegating authority to international institutions (Nye and Donahue, 1999). As global problems continue to arise, such as the environment, security and human rights, this will be a challenge to nation states.

Heads of states will have to be convinced that the decisions of international institutions will benefit their nation state. Nation states are a new political entity and may be replaced as a result of globalization (Sernau, 2009). The future according to Nye and Donahue (1999) may be one in which mutual recognition agreements, treaties and international institutions will be viewed with greater importance. They point out that the more powerful nations may, however, not comply with international institutions if they feel that it will adversely affect them in spite of the fact that the decisions are otherwise in the global best interest (Nye and Donahue, 1999).

1.6.2 Gender and Global Governance

International relations/global governance according to Rai and the *UN Commission on Global Governance* has shifted from post-Cold War 1980s “issue-based analyses of regime theory” to “multiple arenas of governance”, the emergence of a global civic society as opposed to a national civic society, and the rise of transnational economic and political elites, as well as a coalition of social forces (Rai, 2008, pp. 21-24).

Gender Politics in Global Governance by Meyer and Prugl outlines the history of the women’s movement for women’s equality as it moved from a Euro/American white middle class movement for women’s suffrage to a Euro/American grass roots movement for peace in the nineteenth and twentieth centuries. It is the organizing through the United Nations World Conferences that an agenda for women’s rights and gender equity became a part of a global governance movement for social transformation for women and for global public policy that reflects gender equity (Peterson and Runyan, 2010; United Nations, 1995). It is

also the vehicle of the United Nations that provided an arena for the input of women from the global South into the agenda for women's rights (Jain, 2005; Fraser and Tinker, 2004; Dolphyne, 1991). The UN women's conferences were a conduit for adding the voice of various social classes, as well as, varied economic and social issues (Boserup, 1990). The four United Nations World Conferences on Women and Conventions, such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), enabled women to develop and honed skills in developing NGOs, preparing agendas and lobbying for their issues (Jain, 2005; Fraser and Tinker: 2004; Dolphyne, 1991).

Within the UN system, a transnational organization set up to foster, among other issues, human rights, women had to lobby to be included in positions beyond gender-traditional junior positions. Progress within the UN has been slow and has been fueled by women within the UN organizing, pressure of leaders from influential member states, appointments to prominent diplomatic and non-gender-traditional positions by allies within the UN ranks and pressure from outside NGOs (D'Amico, 1999).

Irene Tinker in her article, "Nongovernmental Organizations: An Alternative Power Base for Women?," points out that the four UN World Conferences on Women enabled women to move their organizing to the global stage and to issues beyond the so-called soft issues of family and charity. Women have greatly increased the number of single issue NGOs focusing on areas such as human rights, population, the environment, energy and technology. They are challenging traditional power structures and political institutions (Tinker, 1999). These NGOs are challenging multilateral agencies, the UN itself, and attempting to influence governmental policies on issues of social and economic justice

(Timothy, 2005;Tinker, 1999). Some of the NGOs formed have been central to research on women and women's issues as Development Alternatives for Women for a New Era (DAWN) representing scholars from the South addressing women's issues from the perspective of the South and influencing development policy (Tinker, 1999).

Deborah Stienstra's article "of Roots, Leaves, and Trees: Gender, Social Movements, and Global Governance" asserts that there is an interconnection between gender, global governance, and social movements. To understand global governance since the 1990s, the impact of social movements and nongovernmental organizations (NGOs) must be taken into consideration, as well as including the development of a global civil society in the analysis. Stienstra notes that the component parts of civil society differ across space and time, but also notes that social movements and NGOs are becoming an increasingly important part of global civil society. According to Stienstra, "The peace, environmental, women's gay and lesbian, fundamentalist Christian, and Islamic movements continue to have a presence in global politics, especially as seen in the United Nations conferences held between 1992 and 1996" (Stienstra, 1999, p.263). However, Stienstra differs from Tinker because she sees social movements and NGOs as two different levels of institutions within civil society.

Steans (2006) asserts that international relations has a gender bias predicated on "orthodox" notions of what counts as knowledge and on power as defined in the social construction of "maleness" and "femaleness." "... modern epistemologies affect the kinds of questions asked and the particular modes of inquiry that are considered legitimate" (Steans, 2006, p.53). Realists would say that international relations is about "bounded communities called nation-states", which function based on rational choice in the pursuit of instrumental

interest. Realism identifies the state as the actor of analysis in international relations, as such the state is seen as “sovereign man’ and is both actor and the subject of knowledge. Therefore, gender is not the subject of international relations, because international relations is the study of the state.

Peterson and Runyan (2010) contend that to attempt to analyze world politics and global issues such as peace and war, the environment, the spread of AIDS, and violence without a feminist theoretical framework or gender as a category of analysis gives a distorted view, or at best an incomplete analysis of world politics. “Gender refers to characteristics linked to a particular sex by one’s culture” (Peterson and Runyan, 2010, p.7). We learn how to be men and women by what is considered masculine and feminine as is defined by culturally specific socialization.

The study of gender in international relations (IR) has grown substantially since the 1990s. Scholastic research and a growing body of literature are developing in part as a result of the work of the Feminist Theory and Gender Studies section of the International Studies Association. Peterson and Runyan discuss theoretical tools to view the “what” of international relations. The “what” for example, are events in world politics such as wars between nation states that shift and shape boundaries and power relations. They say that it is “how” the “what” is studied and thought about in IR that determines questions asked, types of answers sought, as well as choices of methodological tools used. The “how” is the framework, image or lens used to understand world events and institutions (Fonow and Cook, 2005; Harding and Norberg, 2005; Tickner, 2005).

Since the 1970s many analyses of IR have recognized that nation states, though continuing to be major actors in international relations and world politics, are not unitary actors. State power is not the only “what” in world politics. The “what” today includes transnational actors addressing economic, political, military and social processes. A global focus acknowledges the role of non-state actors and interstate actors in world politics. Peterson and Runyan further assert that global gender inequalities are central not peripheral to the dimensions of world politics. They examine the central themes of IR, such as politics, security, ecology, economics and equity, by analyzing “the gendered divisions of power (politics), of violence (security), of labor (economics), and of resources (equity and ecology)” (Peterson and Runyan, 2010, p.13). *Global Gender Issues* (Peterson and Runyan, 2010) is a critique of global gender inequalities as they affect and transform world politics.

Harding and Norberg (1990) criticize social science research for its lack of impartiality. Not only is it not impartial, but it actually constructs the “conceptual practices of power” (Harding and Norberg cited in Smith, 1990). In order to make sense of and to categorize the multiplicity of experiences of people in society concepts and categories are created that manifest and help to enable the “prevailing political arrangements,” (Harding and Norberg, 1990, p.2010). Feminist approaches to social science research, along with the use of new methodologies, are employed to attempt to transform and reconfigure the methodologies and epistemologies of the discipline. The goal is to research methodologies that help to develop “more democratic social relations.”

Conventional social science research helps to support and sustain present power relations and give justification to the institutions of society. In the words of Harding and Norberg,

(1990, p.2010) “Dominant groups are especially poorly equipped to identify oppressive features of their own beliefs and practices.” The isms of a society can block the growth and development of knowledge: racism, sexism, Eurocentrism, heterosexism, etc. Feminist scholars hold that social science research is neither culture-free nor value-free and that culture-free and value-free research is unachievable and undesirable. The goal is research that is ethically and politically accountable for its social consequences and can produce knowledge. Feminists and conventionalists both contend that their research advances social progress, which then begs the question, what is social progress? Feminist scholars are concerned about research methods, as well as about the need to show the intersectionality of race, class, gender and the structural manifestations of society.

Harding and Norberg (1990) contend that feminist scholars are a part of “postpositivist moment” as they are sensitive to the relationship between knowledge and power and the “disadvantaged groups” that are usually “the subjects” of the research. Feminist research is generally socially responsible as it focuses on how to improve women’s lives; it approaches research with the goal of using research methodologies that support democratic social transformation, transforms conceptual frameworks of the field and that directly affect social policy. In order to affect change there is first the analyses that there is a range of inequalities.

Rai and Waylen (2008, p.3) contend that the question is “what possibilities there are for change in the dominate gender order”. They examine the role of civil society and non-state actors and the oppositional role the women’s movement has played in affecting change in society. The literature explores the question of how does one utilize methodology, in order

to place gender in the analysis of global governance and international relations (IR). IR emerged in the United States (US) at the beginning of the twentieth century, and became a discipline in its own right after World War II. IR scholars in the US primarily utilized the social scientific approach to the study of international relations, using models based on economics and physics as the methodology to analyze state behavior. European IR scholars utilized methodologies based on historical and sociological traditions to analyze international relations. IR, as a field of study in the United States, has focused more on methodological preferences in research than on subject matter. The field of International Relations has not taken gender seriously; Tickner (2005) notes that to do so would be to challenge the epistemological foundation of the field.

Realism is the theoretical framework utilized by most US IR scholars. Realists define international relations as an anarchic world where states are unitary actors, where there is no sovereign power to control state behavior, as opposed to domestic space which is governed by legal sanctions and rules of law and order. During the Cold War liberal theory of the international system was developed as a challenge to realism. However, the liberalists challenged realism while continuing to utilize the same methodologies for research. Liberalism can be defined as a view of state behavior as one in which states cooperate with each other on the basis of rational self-interest. Other theories of the international system, such as Marxism and critical theorizing approaches, never became part of US IR, because of the association with communism.

In the 1980s, scholars divided along epistemological and methodological lines; positivist verses postpositivist. Positivism uses the scientific method to study the social world.

Positivists believe that the social world and the natural world have the same regularities. Postpositivist scholars challenge the dominance of social scientific approaches for the study of international politics, as they utilize critical theory, historical sociology, discourse and linguist and postmodernism as alternative theoretical approaches and methodologies (Tickner, 2005).

Feminists contend that the field of IR is gendered and that “the core assumptions and concepts demonstrate how the theory and practice of international relations is gendered” (Tickner, 2005, p.2178). Feminists, for the most part, reject positivism. Feminists draw on postpositivist methodological frameworks, which include sociological, identity-based, (race, ethnicity, gender, religion), interpretive or linguistic methodologies. For feminists IR scholars “gender is a constitutive feature of international politics and the global economy as well as of the discipline of international relations” (Tickner, 2005, p.2179). Feminists pose constitutive questions: does it make a difference that most foreign policy makers are males; does it make a difference that most states’ foreign policies are “often legitimated in terms of typically hegemonic masculine characteristics?” (Tickner, 2005, p.2177). Also does it make a difference that most wars have been fought by men or that what is presented as universal and objective knowledge is knowledge that represents the experience and knowledge of white Western men? It is further noted that IR theories such as rational choice theory are modeled after the individualistic competitive behavior of Western men in the marketplace, and that this behavior has been generalized to the behavior of states.

IR feminists approach the field from a historical or sociological analysis of constituents of the state viewing their epistemologies from the bottom up, in others words looking at the

individual and the “hierarchical social relations in which their lives are situated” (Tickner, 2005, p.2177). IR Feminist approach is to prioritize “studying up”, studying those in power and their institutions, policies and practices, while being more sensitive and politically and ethically accountable to disadvantaged groups.

The methodology and epistemology of feminists make them a part of the postpositivist approach. Feminists in IR work include women in an analysis of political and economic power at the state and international levels and undertake research projects that have practical applications leading to the social transformation of women’s lives. It is a bottom-up approach to investigating the lives of women who are often at the margins of international analysis. Tickner concludes that feminist researchers should use their research to directly advance social justice; “to transform the conceptual framework of the disciplines that service powerful social institutions, or projects in which they can directly affect social policy, researchers can use their distinctive powers on behalf of disadvantaged groups” (Tickner, 2005, p.2012).

Fonow and Cook (2005) outline how feminist methodology came out of a broad movement for social change. This movement was about unearthing the experiences and contributions of women for the purpose of producing knowledge that would liberate women. Fonow and Cook (2005) acknowledge it was a grandiose vision for a better world to which they have remained committed. In the 1970s, feminist scholars questioned the prevailing methodologies, as well as the assumptions of science as they analyzed the “politics of knowledge creation.” The authors pose pragmatic questions about the legitimacy, use and role of feminist methodology. Could feminist research methodology be taught to others;

would policy makers receive the research; would the subjects of the research need, want or be empowered by it; would the subjects of the research want to be a part of the “production of feminist knowledge”; would feminist scholarship be rigorous and substantial enough for the development of a curriculum of women’s studies; could feminist scholarship and scholars have an impact on public policy and on “social movements for equality and justice,” and would professional obligations require the compromise of political commitment?

Feminist scholarship first focused on epistemological discourses about how to understand and implement research techniques that would demonstrate the interconnectedness of gender, race, class and sexuality. Feminist scholarship revisited and reconfigured the epistemologies and methodologies that were used to define IR. Many of the discussions were an outgrowth of poststructuralism, as well as critical theory around the issues of postcolonialism, race, and ethnic studies. Women of color addressed the issue of the epistemology of oppressed people and people of color.

Fonow and Cook (2005) view feminist methodology as involving the “description, explanation and justification of techniques used in feminist research and is an abstract classification that refers to a variety of methodological stances, conceptual approaches and research strategies” (Fonow and Cook, 2005, p.2213). Key to feminist methodology is its epistemological inferences, which have developed their own unique way of being expressed in different fields of study. Feminist researchers have employed and continue to employ a variety of research methods. One of the characteristics of feminist methods is that of reflexivity. Reflexivity is a focus on lived experiences.

This section of the literature review brings together literature, which analyzes the historic development of an international women's movement, the growth of an international civic society and non-state actors all creating mechanisms enabling access to and impacting gender and global governance. The post-Cold War 1980s opened space for multiple areas of governance, as well as changed the dynamic of the role of the nation state in global governance with non-state actors functioning as an alternative power base. Authors Kabeer(1994); Peterson and Runyan(1999); Rai(2004;) make the case for the critical role played by women and NGOs in redefining development strategies at a global level and therefore, as discerned in this thesis, global public policy. The international women's movement in addressing gender equity and gender equality had a direct impact on global public policy and its implementation. This thesis notes that the reevaluation of women's participation in global governance at each UN World Conference on Women and other UN world conferences was a key factor in the continued and present inclusion of "women's issues" in the human rights agenda of the United Nations and of nation states. Dolphyne (2005b, 1991) shed light on the African women's perspective and role in addressing women and human rights. Jain (2005), and Frazer and Tinker (2004) shed light on the role women from the global south played in impacting the global governance agenda on issues of gender equity and gender equality and violence against women. Further noted is that the direct participation of women in global governance processes impacted the identification of critical areas of concern for women and their input on global public policy.

Fonow and Cook (2005) address the issue of knowledge creation and the methodologies used to study the role of women in the public domain. Their work contributes to and demonstrates the viability of the use of feminist methodologies of knowledge creation and

documentation. The review of the above literature reveals that the omission of gender in the analysis of the epistemology of global governance is a factor in the lack of inclusion of women's roles in the public domain and of women and women "issues" in public policy. This review notes that this is a major fallacy of global governance analysis. Gender is an issue that must be taken into account in any epistemological discourse on global governance. This literature review contributes to revisiting and reconfiguring the epistemology of gender in global governance.

1.6.3 Non-State Actors and Governance

The United Nations (UN), now having over 190 member states, was established in 1945 as a multilateral body that could address issues affecting all of its member states: peace, human rights, international law, prosperity and collective security. A prime issue after war and peace has been economic development including global markets. By the end of the 1950s, the UN was preparing for a "Decade of Development", 1961 to 1970, in the "Third World", which targeted cash crop production and industrialization. Development theorists were talking about stages of growth (Rostow, 1960) and modernization (Apter, 1955; Almond and Coleman, 1960).

The 1970s saw the beginning of the UN Second Decade of Development redirecting its focus to poverty, unemployment, distribution and meeting basic needs. This, after a decade of development characterized by greater increases in poverty levels, in spite of a growth rate of over five percent in some Third World countries. The 1970s also saw the emergence of alternative theories of modernization and development: dependency (Frank, 1967 and

Wallerstein, 1974) and underdevelopment (Rodney, 1982 revised edition). Dependency and underdevelopment theorists characterized the relationship between developed and underdeveloped nations as one of domination and exploitation, which was undermining development goals for the Third World.

The first UN Decade of Development, 1961 to 1970, made no specific reference to women as development was defined in largely economic terms and within those terms was defined as production by men. Though the Second UN Decade of Development, 1971 to 1980, had redirected its focus to meeting basic needs, women were still not viewed as constituents of development. Therefore, development programs were designed and implemented from the perspective of the women's role as reproducers and all other roles evolving around domesticity. The conceptualization of the constituents of development, and the problems and issues of development, were directly related to the solutions and programs formulated to foster development. Either the formulations ignored or mis-conceptualized the role of women in the development process and/or did not recognize them for their roles beyond reproduction and domesticity. Development was conceptualized in terms of male gendered roles and usually in terms of the lack of recognition of the multi-dimensional economic roles played by both genders in the development process (Rai, 2004; Peterson and Runyan, 1999; Kabeer, 1994, pp.23-27).

Women participated in the pre-Women in Development (WID) programs assigned to them by development planners who saw their role as primarily domestic. These welfare programs focused on nutritional training, home economics, maternal and child healthcare and family

planning. “Women entered them [development programs] passively, rather than actively, as recipients rather than contributors, clients rather than agents, reproductive, rather than productive” (Rai, 2004; Peterson and Runyan, 1999; Kabeer, 1994). Women were systematically denied access to new technologies, extension services and other productive inputs because of the perception of female domesticity. Most development agencies proceeded from a gendered view of women’s roles in the economic viability of the nation-state. This gendered perception of development contributed to and contributes to the process of underdevelopment for the nation and of women and children. One of the socioeconomic effects of colonialism was the augmentation of gender bias in national development (Snyder and Tadesse, 1995; Hoppe, 2002). According to Schraeder, (2004, p.73) “...the same Victorian values of European colonialism that fostered the political marginalization of African women also contributed to their economic marginalization.”

The International Year of the Women in 1975 gave women visibility and access to NGOs and to government officials from their perspective countries, though in a much more limited way than subsequent conferences. Helen Ware, as quoted in Kabeer (1994), and author of *Women, Demography and Development*, estimated that before 1975 and the UN International Year of the Women, less than one percent of standard textbooks on development referred specifically to women. Development was about men, by men and for men (Kabeer, 1994, p.xi).

The goal of the United Nations World Conferences on Women was “to bring together women and men to challenge, create and transform global structures and processes at all

levels through the empowerment and celebration of women.”(United Nations, 1995). Women and men used the World Conferences on Women as an international vehicle to galvanize, publicize and conceptualize the issues and problems of “development, peace and equality” and to formulate strategies for policy change that would redefine women’s roles in development and their access to the resources of development. The World Conferences helped to give women voice and agency and to make them visible to policymakers who just did not see women. Most development agencies analyzed, and therefore, based gendered roles on an unequal balance of power, disparity in opportunities and on a limited economic analysis of the role of women in the development process. “The first wave of official feminism within international development agencies sought, therefore, to make ‘women’ visible as a category in development research and policy. This has come to be characterized as the WID (Women in Development) approach” (Kabeer, 1994, p.xi).

The International Year of the Women was followed by the Second UN World Conference on Women held in Copenhagen, Denmark in 1980; The UN Third World Conference on Women in 1985 in Nairobi; Kenya and the Fourth World Conference on Women in 1995 in Beijing, China. The Beijing Conference drew an estimated 50,000 women from 186 countries, with an extraordinary number of NGO representatives, 4,000, attending the official government conference. This provided unprecedented contact, lobbying and exchange of ideas between government officials and NGO representatives (Timothy, 2005). The result was a document calling for global and local action and the identification of the most critical areas of concern, which respectively became known as “The Platform of Action” and “The Twelve (12) Critical Areas of Concern”: poverty, education, health,

violence, armed conflicts, economic disparity, power sharing, institutions, human rights, mass media, environment, and the girl child (Unitarian Universalist Service Committee, 1995).

The literature in this section reveals that UN economic development strategies in the 1960s and 1970s were gender bias based on their analysis of the role that men and women played in the economic development of developing or Third World countries. It was through the development of an international civil society and NGOs assessing UN processes, particularly the UN World Conferences on Women, that women's roles in economic development were re-assessed and re-defined. NGOs begin to participate in the governance process. Many had access on the international level to global public policy while having limited access at the national level to public policy. Access to global governance grew as the number of issue oriented NGOs interacted with government officials at the international level through the UN (United Nations, 1995).

The increase in issue oriented local and national NGOs/CSOs independent of government control was in part a manifestation of the "third wave" of democracy changing political cultural and political behavior, along with development of constitutionalism in the 1990s (Gyimah-Boadi, 2001). These factors as discussed in this thesis contributed the inclusion to women's rights in the human rights discourse and space and agency for women in governance as a part of the democracy wave.

1.6.4 Women's Rights, Democracy and Human Rights

The declaration that “women’s rights are human rights” is the attempt to fully incorporate women’s and girl’s lives into the concepts and practices of human rights. Mertus and Flowers(2008) point out that the denial of human rights is the denial of the fundamental components of being human. The denial of the fundamental components of human rights is to dehumanize women and girls and to make it acceptable for them to be the victims of discrimination, violence, economic exploration and “culturally rationalized restrictions on basic freedoms” (Mertus and Flowers, 2008). It is the principles and language of human rights that demand that women and girls are treated like full human beings and that they are protected from the abuses and the abusers. It is the viewing, the acceptance and the acknowledgement of the human rights of women and girls that has transformative potential (Love, 2011; MacKinnon, 2006; Evans, 1998).

The division of life into public and private spheres has been used to establish and justify women’s and girl’s status as peripheral to national and international issues and relations since in many societies they are relegated to the private sphere. This in turn means that issues such as violence perpetrated by an individual male or other family member against a woman or girl are private matters, which places the acts outside of the protection of the law, even where governments have established laws against domestic violence. Human rights violations “committed in the name of family, religion, and culture have been hidden by the sanctity of so-called private sphere, and the perpetrators have enjoyed immunity from accountability for their actions” (Mertus and Flowers, 2008, p.xii). Human rights issues that affect man have been the ones given the most attention, such as issues of freedom of speech,

political imprisonment and arbitrary detention. Other categories of identification interface with gender: race, class, age, religion, disability, culture, refugee and migrant status, creating multifaceted rationale for discrimination.

The struggle for women's and girl's rights to be recognized as human rights has become global with many factors playing a role. Viewing the issue of women's and girl's rights within a human rights framework provides the language and the tools to express incidents of violations of human rights and makes it possible to bring those incidents into the public sphere. Understanding discrimination and violence against women as human rights issues means that governments can be held accountable whether the act was committed in the public or private sphere (Appiah and Cusack, 1999).

Women are not a homogenous group therefore "the concept of women's human rights provides a common framework for collaboration around broad and similar concerns about the status of women, while also providing a way to articulate the diverse pressing human rights issues specific to particular political, geographic, economic, and cultural contexts" (Mertus and Flowers, 2008, p.xiii). The signing of international treaties, covenants and commitments by governments give advocates for women's and girl's human rights the tools to demand that governments move from document to implementation (Jain, 2005; Fraser and Tinker, 2004; Appiah and Cusack, 1999; Pietila and Vickers, 1996).

After fifty years of the Declaration of Universal Human Rights (DUHR), Tony Evans (1998) and the other contributing authors of *Human Rights Fifty Years in: A Reappraisal*, contend that most appraisals of the progress of the implementation of the DUHR overlook the disjuncture between theory and practice. They do not question the purpose of human

rights: the creation of “the conditions for individuals and peoples to lead dignified life[s]” (Evans, 1998, p.1), but rather they question the “modern manifestation of human rights” and the political, social and economic role of rights at this time in history. The contributing writers feel that past appraisals have focused on “utopian visions and legal solutions” without focusing on the social and political context in which human rights violations take place. Their argument is that to analyze the idea of human rights, one must include in that analysis the precepts of interest, power and hegemony. Politics and power are key to the discussion of the status of human rights in the past and in the future.

The authors examine the lack of inclusion of women in human rights documents and doctrine. Women cannot be protected by the doctrine of the Human Rights covenants, because they have not been configured into the human rights equation. The assumption is that the category of men is the norm and the concerns of men are generalized as universal. By this assumption, discussions of universal human rights are based on the concerns and perceived rights of men, as a result, constraints, exclusions and abuses experienced by women are not noted and therefore, not protected by universal human rights. Peterson and Parisi (1998) critique of human rights attempts to have gender taken more seriously in any discussion of social justice. They focus on the construction of human and the marginalization of women (Peterson and Parisi, 1998).

The elimination of violence against women continues to be one of the most challenging issues of the twenty-first century. It is not a situation that is inevitable or an issue that cannot be challenged and changed. It takes the political will and resources of States. This study, carried out by the office of the Secretary General, mandated by the General Assembly of the

United Nations and published in 2006, acknowledges that “The continued prevalence of violence against women is testimony to the fact that States have yet to tackle it with the necessary political commitment, visibility and resources” (United Nations, 2006, pp.iv-v). The study identifies and discusses the international norms and standards set and agreed upon by States, but yet to be implemented at the national level. One of the basic premises of this study is that there needs to be a larger database documenting the extent and forms of gender-based violence taking place in States, in order to better develop informed policies and strategies to combat, eliminate and compensate women who are victims/survivors of violence. This however, does not negate the recognition by the United Nations “that violence against women is severe and pervasive throughout the world” United Nations (2006, p.iv).

The international women’s movement, the Women in Development Movement (WID), as well as the international treaties, conferences and covenants have all been a part of recognizing that historically the roots of violence against women lie in the unequal power relations between men and women, as well as discrimination against women in both the public and private sectors. The solution requires that all stakeholders, including men, be a part of what has to be a diverse and complex process requiring a comprehensive and systematic response by the United Nations, States, and non-state actors (Jain, 2005; Fraser and Tinker, 2004; Peterson and Runyan, 1999; Pietila and Vickers, 1996).

As a result of the work of grassroots women’s rights activists around the world, and several decades of advocacy for women within the UN, violence against women was put on the agenda of the United Nations through several vehicles: “The World Plan for Action”

developed in 1975 at the World Conference of the International Women's Year in Mexico; the resolution on violence in the family adopted in 1980 at the Second World Conference on Women in Copenhagen; and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) recognized in 1982 violence against women as a human rights issue. The Third World Conference on Women in 1985 strongly noted the prevalence of violence against women in all forms in the document the "Forward Looking Strategies for the Advancement of Women"; the 1990 World Conference on Human Rights recognized, with the lobbying of women activists that women's experiences were not included in the human rights framework being developed into human rights law; the 1995 Fourth World Conference on Women, which produced "The Beijing Platform for Action" where violence against women was identified as one of the "Critical Areas of Concern" and refocused the issue as one of discrimination against women and an issue of human rights; and the 2000 Beijing+5 and Beijing+10 have focused on strategies for implementation of international standards and norms for States to follow (Shahani, 2004).

The number of entities, within the UN, which have violence against women as one of their areas of concern continues to increase, however resources and time given to ending violence against women remains low and the various entities lack coordination. *Ending Violence Against Women: From Words to Action* (United Nations, 2006) concludes with an emphasis on the role States must play in implementing the strategies agreed upon in the many treaties and conventions to end violence against women. Actions must be based on the direct and varied experiences of women and requires their involvement. The conditions that enable violence are socially produced and therefore can be changed (United Nations, 2006).

The focus of this section of the literature review is on the documents that emerged from each of the UN World Conferences on Women and other UN World Conferences that addressed human rights and ending violence against women. They are key factors in the struggle to address and end violence against women through the recognition of women as human. The literature brings together the various international covenants, conventions and treaties born out of the advocacy of an international civil society, NGOs and the international women's movement. These instruments of global governance and global public policy focus on the social and political context in which human rights violations take place and the vehicles set up to address violence against women, as well as the inclusion of women in the definition what it is to be human. The disconnect between global governance instruments and the domestication of global public policy into national public policy is noted by Appiah and Cusack (1999); Evans (1998); MacKinnon (2006); Mertus and Flowers (2008).

1.6.5 Governance and Violence against Women

The challenge is for an international civil society and NGOs to impact global governance and global public policy, in order to enable ideas and actions that can influence and transform political culture and political behavior. The goals are transformation for social change and social justice, and the formation and implementation of public policy that promotes women's rights and gender equity and gender equality in all spheres of governance. These ideas and ideals, according to the concept of global governance, are universal, yet according to the sovereignty of states, the integrity of the community directly responsible for implementation must be recognized and therefore amenable for and

amendable to local needs and aspirations.

February 21, 2007, saw the passing of the Domestic Violence Bill by Ghana's House of Parliament (Daily Graphic, 2007). It is a public policy step with the aim of political transformation towards social justice and social change for women. This step provided a legal and constitutional mechanism to implement what the international community, Ghanaians, and the government of Ghana have recognized as a basic human right for women, children and men, to live a violence-free life. The passage of the Bill also confirmed that domestic violence is not a private matter, but an issue of public concern. The effectiveness of the Bill will be determined by the understanding, implementation, and enforcement of the law by the many affected institutions, both public and private.

The Bill in effect, represents global governance and global public policy interpreted and adopted to national public policy. It is also an example of local organizing, local NGOs and government officials and representatives participating in, contributing to, and benefiting from, a transnational institution the United Nations, and twenty-first century transsovereignty.

Dolphyne (2005a) outlines the history of Ghana's participation in international governance through its representation in the United Nations (UN) and ratification of UN treaties. The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) was adopted by the UN General Assembly on December 18, 1979 and on September 3, 1981 officially set for enforcement as an international treaty. In 1998, Ghana along with 164

of the 169 members signed the treaty (Dolphyne, 2005a).

The principal objective of the Convention and one of the goals of the UN is to “re-affirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women” (Dolphyne, 2005a, p.38 quoted from the Convention document). The agenda of the Convention, equality, was affirmed in sixteen (16) articles. It is a comprehensive document challenging all aspects of discrimination on the basis of sex (Dolphyne, 2000a, p.39). Article 1 of the Convention defined discrimination as “any distinction, exclusion, or restriction made on the basis of sex...in the political, economic, social, cultural, civil, or any other field” (Dolphyne, 2005a, p.3 cited from Convention document). Article 3 directly mandates states to take “all appropriate measures, including legislation to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men” (Dolphyne, 2005a, p.38). The Convention addresses the area of culture and tradition as they impact equality between men and women. Article 5 calls for the modification of traditions and cultural practices that allow for the status of inferiority or superiority of either of the sexes or stereotyped roles for women and men (Dolphyne, 2000, p.39).

CEDAW was formed to serve as the Committee to oversee and monitor compliance, by member states, of the Conventions doctrines. Dr. Charlotte Charity Abaka was a member of the CEDAW Committee from 1990 to 1998 representing Ghana in an international forum of global governance set up to monitor compliance of global public policy on the national

level. Furthering the connections between national and global public policy, Dr. Abaka was Acting Chair and Chair from 1989 to 2000 of the National Council on Women and Development. The Council is a national secretariat set up in 1975 to oversee the implementation of the goals and objectives of the International Year of the Women and the subsequent United Nations Decade for Women and UN World Conferences' mandates. She was also a member of a NGO set up to represent women's development and empowerment, 31st December Women's Movement. There is much debate about the 31st December Women's Movement being an NGO independent from the government (Manuh, 2007a, pp.130-131).

Ghana was a prominent participant in several other international institutions of global governance. Dr. Charlotte Charity Abaka was one of the representatives on behalf of the Ghanaian government. She served as President of the African Regional Coordinating Committee (ARCC) for the Integration of Women in Development within the Economic Commission for Africa from 1989 to 1991; and in 1992 as head of the Ghanaian delegation to the 36th Session of the Commission on the Status of Women in Vienna, Austria (Dolphyne, 2000, pp.39-41).

The article informs us of the fact that Ghana, as a nation state, has been an active participant in global governance through the transnational system of the United Nations and other organizations such as the Commonwealth Conference of Ministries responsible for Women's Affairs. Ghana has been an independent nation state for over fifty (50) years and has been an active participant in global governance for almost as long.

Allah-Mensah's study, *Women in Politics and Public Life in Ghana* in 2005 focused on how Ghanaian women are faring in public life and in politics in the twenty-first century. Are women included in Ministries, in constitutionally mandated institutions and other key public offices? It was found that there has been some progress at the local level of government in terms of women running for elections and getting elected. At the national level, women were not making sufficient gains in the legislature, thereby limiting the opportunity for them to participate at parliamentary levels, where policy and economic decisions are really made, such as in standing committees and select committees. It was noted that though all the major political parties had manifestos that committed them to working towards gender equity, there was very little affirmative action being undertaken to bring those manifestos to fruition (Allah-Mensah, 2005, p.3).

The study surveyed the National Democratic Congress (NDC), the New Patriotic Party (NPP), the People's National Convention (PNC), the Convention People's Party (CPP) and the Great Consolidated People's Party (GCPP) (which did not claim a commitment to gender issues in its manifesto). Most parties have a women's wing as a part of the party structure in order not to be accused of failing to address the issue of gender and inclusion of women in the party. Most profess to the goal of improving women's access to education, healthcare, employment and other infrastructure and services (Allah-Mensah, 2005, p.36). They also stipulate the percentage of seats that should go to women, for example, NDC has committed to "forty (40) percent women's representation in executive positions and at all governmental levels" as well as made references to implementing the Beijing Plan of

Action, the African Plan of Action and the National Affirmative Action Policy (Allah-Mensah, 2005, p.37). These numbers have not been attained thus far. The NPP committed to repealing laws that impeded women's equal rights and to enacting laws that would assist in reinforcing women's empowerment and equal rights.

The NPP did establish the Ministry of Women's and Children's Affairs (MOWAC) with the National Council on Women and Development, a national secretariat set up in 1975 to oversee the mandates of the United Nations' International Year of the Women, as a department of the ministry. However, at the party level the percentages do not differ much from the NDC with eleven (11) percent of women in the national executive (Allah Mensah, 2005, p.40). All of the parties have rhetorical stances on inclusion and goals of greater numbers for future participation by women at higher levels within the party and government, but none has obtained those goals. None of the parties has addressed one of the greatest challenges for women running for public office which is money. The NPP requires GHC 11,000,000 (eleven million cedi) for nomination forms and contesting fees, in direct contradiction to the party manifesto of repealing laws that prevent women from being treated equitably (Allah-Mensah, 2005, p.41).

The study concludes that women's participation at the highest levels depends on the policies and manifestos of their parties, which is the governance framework designed to create policies, programs and projects. If the supporting machinery of the parties do not assist the women it will be difficult for them to participate in public life and public office. The study further notes that women's participation at higher levels within the state hierarchies is a part

of the developmental challenges for the country (Allah-Mensah, 2005, pp.106-107).

Breaking the Silence and Challenging the Myths of Violence Against Women and Children in Ghana edited by Dorcas Coker Appiah and Kathy Cusack(1999) is the result of a five year research project, which, included focus groups, interviews, data collection and analysis to produce a comprehensive report on violence against women and children in Ghana. The United Nations World Conferences on women, human rights and population were seen as vehicles for the advancement of the women's movement and for the affirmation that women's rights are human rights, which includes the right to a violent-free life.

The study was critical because there were no concrete figures on domestic violence or specifics on its victims. There were no clear definitions of what constituted violence against women and children in Ghanaian culture and a lack of established terms of reference when speaking of violence against women and children. Violence against women and children was often defined as the disciplining of women and children by men and women. Women and children are seen as the property of the husbands, fathers and parents and guardians and violence used for discipline as a private matter between family members and, in some cases, the community. Definitions of and data on violence had to be established in order to talk of and develop plans of action to stop violence against women and children. Takyiwaa Manuh defines gender work as:

“work done to create understanding about gender issues and their deconstruction in order to dismantle gender inequities and inequalities in whatever form or sphere they appear and at different levels: family, community, national, regional, and international. ...Gender work, then, is a political issue linked to the need to change the status quo... The ultimate aim is to attain a society that is equitable and free of social injustice and that recognizes the worth of both men and women”(Manuh, 2007 p.137).

Manuh contends that whatever the original source of gender as a working concept, it has become indigenized in Africa and is now being used to develop new agendas for social and political transformation. Gender workers are producing knowledge and creating theory in their “highly empirical” work. Manuh acknowledges that Ghana’s contemporary gender work is a part of a continental movement that has grown out of the UN Decade for Women (1975-1985) and what became known as WID (women in development) projects, development projects that included women as constitutes of the development process. The 1990s saw the founding of indigenous African research organizations with a focus on training, advocacy and research from an African and gender perspective. “Gender studies” having become a more acceptable term to “women studies”.

Manuh analyzes the process and significance of institutionalizing gender in Africa generally and in Ghana specifically. She points out that a critical part of institutionalizing gender in Africa was the founding of indigenous African research institutions that “decolonized” research on African women. The pioneering organizations were The Association of African Women for Research and Development (AAWORD) founded in Dakar, Senegal in 1977 by women with a feminist philosophy and the Council for the Development of Social Science Research in Africa (CODESRIA) founded in 1991 in Dakar, Senegal. In 1997 CODESRIA and members of AAWORD hosted a seminar on “Gender Analysis and African Social Science”. This seminar led to the publication of Engendering African Social Sciences edited by Ayesha Imam, Amina Mama and Fatou Sow. In the introduction Imam acknowledges the need to broaden gender studies to include “masculinities and femininities.”

Manuh points out that gender scholars and activists have organized throughout the continent. In 1996, the African Gender Institute (AGI) was established at the University of

Cape Town, now considered the most important institute for gender teaching, research and publishing on the African continent. Across the continent of Africa, the number of universities offering women and gender studies programs, institutes and departments are increasing, with the largest Department of Women and Gender Studies being located at the Makerere University in Uganda. In 2003, the University of Ghana's Institute of African Studies hosted AGI's first curriculum meeting.

Gender activism is growing in Ghana in spite of the western origins of the concept. Manuh argues that the "language of gender serves to address some of the imbalances that have come in with or have been accentuated by imported economic and political structures." Gender work in Ghana was once dominated by the National Council on Women and Development (NCWD) established in 1975 and later the 31st December Women's Movement. The late 1990s has seen a surge in NGOs addressing gender issues: The Ghana Association for the Welfare of Women, International Federation of Women Lawyers (Ghana), International Needs (working on the issue of trokosi), the Gender Studies and Human Rights Documentation Center, to list a few working on various aspects of gender equality.

Manuh conducted a survey, which looked at how academics and activists in Ghana investigate and view their understandings and motivations for gender work. The survey responses centered on five themes: the need for autonomy for gender work; individual understandings of gender and gender work; links among activism, teaching, and research on gender; opinions about the place of theory in gender work in Ghana; and Ghanaian views on

theories produced in Western-dominant discourses (Manuh, 2007, pp.135-142). In spite of the abundance of theories produced from Western-dominant discourses on gender Manuh is clear that gender work is developing in Ghana. There are a cadre of women activists and a small growing number of men who are looking at what the transformative process should be in terms of concepts and strategies and in terms of addressing issues of politics and power. Manuh closes by saying that "... In the mean-time African women activists and their (still) few male allies use gender in all its indecisiveness, uncertainties, and developing forms to do for themselves the necessary tasks of self-liberation and to create nurturing spaces to support each other and produce theory that speaks to their conditions" (Manuh, 2007, p.144).

In the global South CSOs have played a key role in expanding the concepts of rights and in pushing forward the democratization process. Adomako Ampofo (2008) notes, in her article "Collective Activism: The Domestic Violence Bill becoming Law in Ghana", that the impact of independent CSOs has been the furthering of the work addressing women's rights. She discusses the role CSOs are playing in the recognition of women's rights as human rights, and the recognition of human rights as being central to citizenship rights.

Violence against women and gender-based violence have become important arenas for CSOs to address the subject of women's rights and citizenship. Addressing the issue of violence against women is critical to addressing the human rights of women as "women are abused by colleagues, friends, family members and intimate partners" on a daily bases around the world (Adomako Ampofo, 2008, p. 395). Adomako Ampofo points out that laws

in and of themselves cannot stop gender-based violence, but they provide some options for legal recourse. They provide a clear stance by the state on what it defines as violence against its citizens. The passing of Ghana's domestic violence bill in 2007 made Ghana one of four African countries to have domestic violence legislation. The other countries were South Africa, Mauritius, and Zimbabwe (Adomako Ampofo, 2008, p.396).

Each of the authors in this section of the literature review document the reality of the impact of global governance and global public policy on the issue of violence against women, gender equity and gender equality in general and specifically in Ghana. The passage of the Domestic Violence Bill was a part of an historical process starting with the establishment of the Commission on the Status of Women (CSW), the first UN World Conference on Women (1975), the ratification of CEDAW, and for Ghana the establishment of the first machinery set up by a government in Africa to formally address issues of women in the development process. Justice Annie Jiaage, Dr. Charlotte Charity Abaka and Florence Abena Dolphyne were three women who contributed to women's inclusion in global governance, global public policy and national public policy. Justice Jiaage served on the UN advisory board whose role it was to integrate women into economic and social development policies during the UN's Second Development Decade (1970 to 1980) (Jain, 2005, p.53).

During this era at the UN the writing of CEDAW and the Beijing Platform for Action, two documents that directly addressed "women's issues" like violence against women provided a blue print for inclusion of women in the human rights agenda at the UN and in Ghana. They paved the way for the next generation of women as Beatrix Allah-Mensah, Akosua

Adomako Ampofo and Takyiwaa Manuh to continue to address the lack of inclusion of women in public policy, as well as the need to address gender inequity and gender inequality (Adomako Ampofo, 2008; Allah-Mensah, 2005; Manuh, 2009, 2007, 2005). Their works also address the role of governance in ending violence against women. Manuh (2007) asserts that gender work is not just a Western issue or concept, but also an African issue that must be addressed by Africans in Africa. She further notes that national governments have to make and enforce policy to end violence against women. This literature review contributes to the analysis of over thirty years of documenting the processes discussed and employment to address gender issues at the UN and in Ghana.

1.7 Importance of the Study

There has been little or no systematic analysis of the impact of global governance and global public policy in Ghana, particularly concerning the rights of women. This research focuses on the impact of global governance and global public policy on national public policy as a means of addressing human rights issues affecting women; namely, violence against women, gender inequity and gender inequality.

This research is significant in four ways. First, the study analyzes how UN processes transnational issues like the categorization of violence against women as a human rights issue, creates not only an opportunity but a binding obligation by states to prevent, protect, punish and eradicate violations against women and gender inequities and gender inequalities; and how states are then held accountable to enact laws to guarantee a violence-free life for women as a legal entitlement. Second, it contributes to an area of study that is

addressing global governance and global public policy as an aspect of governance in a democratic entity, the nation state. Third, this research examines how Ghana, “a developing country” and a “young democracy” of rising political significance in Africa and the world, has impacted and is impacted by global governance and global public policy and how national and local policy can play a transformative role in gender equity and gender equality. Fourth, this research examines how the rise of a social movement, the international women’s movement, and the development of an international civil society can contribute to the stimulation of a national civil society’s mobilization around a local, national, and transnational issue: violence against women, specifically domestic violence.

The study brings together the twenty-first century issue of governance in a globalized world, faced with transnational issues requiring trans-sovereign solutions to be implemented nationally and locally.

1.8 Location of the Study in Political Science

This study is located in the field of Political Science and the sub-fields of International Relations, Comparative Politics, Global Governance and Global Public Policy. The study incorporates twenty-first century variables: transnational actors, NGOs whose work focuses on transnational and trans-sovereign issues: gender equity, gender equality and violence against women; and the intervening variables: political economic environment and “third wave” democracy as they interface with the dependent variable: national public policy.

1.9 Research Methodology

1.9.1 The Scope of the Study

This study examines how global governance and global public policy interfaced with Ghana's national public policy, in order to address the transnational trans-sovereign issue of violence against women, specifically domestic violence.

1.9.2 Timeframe of Study

The timeframe is inclusive of the signing of the UN Charter in 1945 to the passing of the Domestic Violence Act, 2007 (Act 732). The time frame represents global governance and the development of global public policy by the United Nations, as it addressed human rights, gender inequity, gender inequality and violence against women.

1.9.3 Unit of Study and Population

The unit of study in this research is the individual who represents entities addressing violence against women. This research utilized the most commonly used unit of analysis in the social sciences, the individual human being (Crossman, 2014).

The population of the study consists of informants, who were recruited because they actively engaged in the process of advocating for the passage of the Domestic Violence Bill. They represent a board cross-section of stakeholders who came together to form the National Coalition on Domestic Violence Legislation and or are members of the Gender

Violence Survivors' Support Network. The population also includes a panel of experts made up of government, UN and NGOs/CSOs representatives. Informants and members of the panel of experts attended one or more of the UN four world Conferences on Women and or other UN Conferences that specifically addressed human rights, gender inequity and gender inequality, and violence against women.

1.9.4 Qualitative Research Method

Quantitative and qualitative research methods are both employed to collect and analyze data in the social sciences. The emphasis of the quantitative method is on objective measurements and numerical analysis of data collected. The focus of the quantitative method therefore is the gathering of numerical data and deriving generalizations from them. Unlike the quantitative method, qualitative research focuses on socially constructed reality, the intimate relationship between the researcher and what is studied, and the situational constraints that shape the inquiry. Qualitative research seeks answers to questions that stress how social experiences are created and given meaning (King, et al., 1994).

The qualitative research methodology enables the phenomena under examination to be described in great detail and in the original language of the informant/respondent. It is a recording/record of attitudes, feelings, and behaviors. The qualitative method was, therefore chosen as the methodology to examine the relationship between global governance, global public policy and national public policy; to examine correlations between global public policy and the engendering of national public policy; and to examine the interface between

Ghana's participation in global governance and its national public policy, specifically with reference to the formulation of Ghana's Domestic Violence Act (732) 2007.

Qualitative data was gathered through the use of an open-ended questionnaire utilized to conduct in-depth interviews with targeted informants and a panel of experts set up in the form of an international teleconference. For the research questions under examination (see section 1.3.1.) the qualitative method had several advantages: one, the qualitative method allowed for the use of open-ended questions and follow up probing questions, which gave informants the opportunity to respond in their own words, rather than choose from fixed responses. Two, the open-ended questions generally produced responses that were meaningful and culturally relevant and significant to the informant. The third advantage in using open-ended questions was that it produced responses not anticipated by the researcher making them more authentic and explanatory. In addition, this system of questioning proved to be flexible enough to allow for probing beyond the initial informant responses.

There are four basic types of qualitative research: phenomenology, ethnography, grounded theory, and case study (Hancock, et. al., 2002, p.4). Phenomenology is the method used in this study. Phenomenology is defined as the descriptive study of how individuals experience a phenomenon. Phenomenology is about how ideas impact policy. This thesis uses the descriptive study of the phenomenon of human rights and women right's as located in global governance and global public policy, and the link between global public policy and national public policy. There is an element of thinking within international relations and among ideas-based public policy scholars, which postulates that "changes in ideas help to account

for the ways in which individuals, groups, and states define their interests and, in this way, can shape policy in significant ways” (Delaet, 2006). Peter John (1998), in his book *Analyzing Public Policy*, further contends that the ideas, actors, agency bureaucrats, experts, legislators, politicians, and members of interest groups bring to the public sphere become the reasons for policy change and stability.

The use of the panel of experts in this research enabled a detailed study to be conducted of people, organizations, events, and critical incidents relayed by the informants, who themselves were actors in the interface between global governance, global public policy and national public policy. The value of a panel of experts is that it provides observational evidence, rather than experimental evidence, for the purpose of establishing causal claims (Benet and Colin, 2006, pp.341-354). To add to the gathering of the relevant data on the interface between global public policy and national public policy a panel of experts was convened for discussion which took the form of an international teleconference entitled “Women Impact Global and National Governance through International Dialogue: A Focus on Domestic Violence”. It was an interactive engagement with women who participated in one or more of the four UN World Conferences on Women and in some cases other international conferences, such as the UN World Conference on Human Rights in Vienna 1993; served as a government representative for the CEDAW Reports; and/or worked with NGOs focused on the issues of gender equity, gender equality and violence against women. The major common denominator was their participation in UN World Conferences, which enabled them to engage in global governance, as members of an international civil society, and how they interfaced that experience with direct action to end violence against women.

The panel of experts consisted of an international delegation of women, representing the entities outlined above. Each one of the informants returned from the UN Fourth World Conference and took up or continued to address the phenomenon of violence against women through their NGOs/CSOs work and or through their work in UN or government agencies.

The aim of the panel of experts is to have a discussion based on formal questions (see questions in Appendix B) that would produce data that outlined experiences, preferences and beliefs. The panel of experts discussion further facilitated idea generation and forecasting about the phenomena being examined: the impact of the UN World Conferences as vehicles of global governance on the transnational trans-sovereign phenomenon/issue violence against women, from those that are considered actors, experts and or informed individuals, and participants in the process of the interfacing between global governance, global public policy and national public policy.

In-depth interviews enabled the collection of data from key informants of NGOs/CSOs, ministries, departments and agencies of the Ghanaian government, who worked directly with the issue of violence against women (see Table 4.1). The data was collected by audio recording, transcribed and compiled into the original interview form. The questionnaire was designed to examine the relationship between global public policy and Ghana's national public policy, as a way of assessing to what extent global governance can address the trans-sovereign transnational issue of violence against women, and generally domestic violence. The interviews probed the ideas and experiences of the informants in reference to the

phenomenon of global governance and global public policy as a factor in engendering national public policy in general and its interface with the writing and passage of the Domestic Violence Act, 2007 (Act732).

Representatives from nineteen (19) NGOs/CSOs, ministries, departments and agencies of the Ghanaian government, were selected for the in-depth informant interviews, because they had identified themselves in their mission statements and literature as educational, research and/or advocacy organizations/ministries and departments with the goal, in whole or in part, to end violence against women and specifically domestic violence in Ghana. A second criterion was their participation in one or more of the UN World Conferences on Women and or other UN conferences addressing gender inequity and gender inequality and violence against women. A third criterion for the selection was their membership in the National Coalition on Domestic Violence Legislation (DV Coalition) and the Gender Violence Survivor Support Network, (GVSSN). The DV Coalition was founded in 2003 as an umbrella organization of approximately 100 human rights organizations and individuals. The DV Coalition had a single mission, which was to ensure the passing of the Domestic Violence Bill. The GVSSN was founded in 2001 as a network of service providers for survivors of violence (Manuh, 2007). The number of representatives of organizations interviewed represented ten (10) percent of the DV Coalition and fifty (50) percent of the GVSSN membership (see Table 4.1).

Informants included: Members of Parliament: Leadership of Women's Caucus of Parliament; Ministry of Women's and Children's Affairs, UN Gender Systems Office, Chair

and members of the Ghana/UN Committee for the Elimination of Discrimination Against Women (CEDAW); Chair of the Ghana National Council on Women; National Coalition on Domestic Violence Legislation (representatives), Gender Studies and Human Rights Documentation Centre, Gender Planning Consults Ltd., ABANTU for Development, Ark Foundation, Women’s Initiative for Self-Empowerment (WISE), International Federation of Women Lawyers (FIDA) Ghana, Women in Law and Development in Africa, (WiLDAF) Ghana, and Gender Violence Survivor Support Network (GVSSN).

The qualitative methodology was chosen as a method of data collection, because it allows for the investigation of issues that are complex and sensitive. It enables the researcher to go directly to people involved with an issue, in order to get an understanding of how they think about, perceive and react to the tenets of the issue. It also allows for detailed descriptions in the words of the interviewee. It allows the researcher to question “the assumptions of science, to analyze the politics of knowledge creation-in essence, [it allows for the] very epistemological foundations of what constituted knowledge [to be challenged]” (Fonow and Cook, 2005).

1.10 Limitations of the Study

The challenges encountered were access to materials and to informants for interviews, as many were government officials and heads and members of NGOs with very busy schedules. There was some reticence to accept interviews on the topic of gender equity, gender equality and violence against women. The topic of women’s rights draws

controversy and unfounded negative reactions from some members of the academy. However, these limitations were not significant enough to affect the integrity of the study.

1.11 Chapter Organization

This thesis is organized into five chapters as outlined below.

1.11.1 Chapter One – Introduction and Conceptual Framework

Chapter One includes the Introduction and Conceptual Framework, Literature Review, the Definition of Key Concepts, Statement of the Problem, Research Objective, Hypothesis, Importance of the Study, Location of the Study in Political Science, Methodology of the Study and Limitations of the Study.

1.11.2 Chapter Two – The Nation-State, Sovereignty and Global Governance

Chapter Two is an analysis of the origins of the nation state as a political entity that was not formulated for civic participation and that fostered and maintain gender inequity and gender inequality. Some of the questions to be address are:

1. To what extent can the sovereign nation state of the twenty-first century meet the challenge of ensuring its citizens' human rights and dignity in accordance with global governance?
2. In what ways can global governance and global public policy engender national public policy?
3. How does global governance, global public policy and national public policy interface regarding such transnational issues as domestic violence?

1.11.3 Chapter Three – Gender and Public Policy from Global Conception to National Policy and Implementation

Chapter Three analyzes global governance and global public policy as a political process that engages NGOs/CSOs, agents and an international civic society in decision making structures of governance. The following questions will be address are:

1. Is public policy affected by the gendered construction of the state and society?

2. What has been the impact of CEDAW and the UN World Conferences on Women and Human Rights on global and national public policy?
3. To what extent has global governance and global public policy engendered national public policy in Ghana?

1.11.4 Chapter Four – Ghana’s Domestic Violence Act: An Interface between Global Governance and National Public Policy

Chapter Four examines Ghana’s Domestic Violence Bill as an example of national public policy as it interfaces with global governance and global public policy. It addresses the following questions:

1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?
2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?
3. Is Ghana’s Domestic Violence Act a manifestation of global governance and global public policy?

1.11.5 Chapter Five – Conclusions, Summary of Findings and Recommendations

Chapter Five concludes by noting the socio-political and economic factors that impacted the formation of global governance and global public policy to address the transnational trans-sovereign issue of violence against women. Violence against women is a pandemic that has been a human rights issue continuing to be confronted by an international civil society and national civil societies. Over the past four decades, violence against women has come to be seen as a violation of human rights and an important concern for social policy.

Notes

¹ The **Cold War** (1947- 1991) was a state of political and military tension after World War II between powers in the Western Bloc (the United States, its NATO allies and others) and powers in the Eastern Bloc (the Soviet Union and its allies in the Warsaw Pact).

²The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979 by the UN General Assembly, has been called an international bill of rights for women. It consists of a preamble and 30 articles, which define what constitutes discrimination against women and sets up an agenda for nations to carry out national action to end such discrimination. (United Nations, The Division for the Advancement of Women, Department of Economic and Social Affairs, 2000).

³ In 1945 at the inception of the United Nations, it was affirmed that the mission included "faith in fundamental human rights, in the dignity and worth of the human person, and in equal rights of men and women" (United Nations Charter 1945). By 1947, the UN Commission on the Status of Women was established as a subsidiary to the UN Economic and Social Council, mandated to work exclusively for the promotion of gender equity and the advancement of women. The Commission is the principal global policy-making body on these issues. In 1972, the UN General Assembly proclaimed 1975 as International Women's Year. This led to the UN World Conference on the International Women's Year, which met in Mexico City, Mexico. The theme of the conference was equality, development and peace. The Conference produced the World Plan of Action, the first pact that "represents a global consensus on what should be done to improve the condition of women". The World Plan was adopted by delegates from 133 countries. The UN General Assembly adopted the World Plan of Action and established 1976-1985 as the UN Decade for Women. (United Nations Blue Book Series, (2000) "*The United Nations and the Advancement of Women, 1945-1996*").

⁴ In an interview conducted by this researcher for this thesis on May 4, 2010 with Dorcas Coker-Appiah, a lawyer, women's rights activist, Executive Director of the Gender Studies and Human Rights Documentation Centre, and the Ghanaian governments representative to the United Nations Committee on the Elimination of Discrimination against Women, at the time of the interview serving a second term, informed me that the World Conference on Human Rights in Vienna (1993) was where she and so many others at the conference were made aware of how pervasive the issue of violence against women is worldwide. She noted that many may have thought of the problem as unique to their own situation, their community or country, but it was and is an international issue that will require international, regional, and local responses.

⁵ Several non-governmental organizations were formed in Ghana with the mission of addressing violence against women and specifically to end violence against women and provide services for women, men and children who are victims of domestic violence. Many

of these organizations formed in the 1990s following the United Nations World Conference on Women. Some of the organizations include: The Women's Initiative for Self-Empowerment (WISE) a Ghanaian, non-governmental, non-profit organization with a declared mission of providing counseling and support services to women and children survivors of violence. Their stated vision "is to break the cycle of violence and sexual assault for women and children". The National Coalition on Domestic Violence Legislation in Ghana (DV Coalition) was created in 2003 representing a network of 100 activists and human rights NGOs, primarily women-focused, which work with victims of domestic violence. The mission of the DV Coalition was to form a network to address and lobby for the passage of a Domestic Violence Bill, and assist with providing Ghana with a legislative framework for addressing domestic violence. The DV Coalition activities included collaborating with government agencies, advocating, lobbying, and working with issues affecting women and children. Women in Law and Development in Africa (WiLDAF) was conceived in 1990 with a network, which has grown to include 31 countries, over 500 organizations and over 1200 individual members. WiLDAF Ghana's goal is to empower women by promoting their rights and increasing their influence in private and public spheres. The focus of their work is to use strategies that link law and development. WiLDAF Ghana's vision is for women's rights to be respected, promoted and protected.

⁶Huntington, Samuel P. (1991) "Democracy's Third Wave". *Journal of Democracy*. Vol. 2 No.2 Spring. pp.14-24. According to Huntington the "first wave" of democracy in modern history lasted over one hundred years from 1820 to 1926 with 29 democracies established. This period of democratization ended with the rise to power of the Italian dictator Mussolini. The number of democratic states was reduced to twelve (12) by 1942. There was a "second wave" of democracy spurred on by the victory of the Allied forces at the end of World War II. The second wave of democracy culminated with thirty-six (36) democratic states by 1962, only to be followed by a reverse wave away from democracy. The "third wave" of democracy came with the end of the Cold War, and the breakup of the Soviet Union. The Soviet Union was no longer interested or able to support proxy wars in Africa and maintain its own immediate sphere of influence. The Soviet Union's withdrawal from Eastern Europe made it possible for the expansion of democracy within those countries. The US ideology strategy changed direction No longer was communism the central strategy.

⁷ The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (African Women's Protocol) was adopted by the African Union (AU) in 2003. CEDAW had been criticized by some for being a Western orientated instrument. The African Women's Protocol is considered a "homegrown" document as it was written by African women for African women. The African Women's Protocol entered into force when Benin became the fifteenth (15) country to ratify it in 2005. It is an international human rights instrument, which declares and legitimizes the struggle against gender oppression as an African struggle; it addresses violence against women; and outlaws negative traditional practices. See Mukasa, Rosemary Semafumu, 2008, *The African Women's Protocol: Harnessing a Potential Force for Positive Change*. South Africa: Fanele.

Chapter Two

2.0 The Nation-State, Sovereignty and Global Governance

2.1 Introduction

In this chapter the origin of the nation state and the African nation state in particular are examined as the bases for analyzing the present state of human rights, gender equity and gender equality. Also examined is the role of the sovereign nation state in securing or violating human rights; and the role of global governance in establishing and protecting human rights. This chapter further examines the impact of global governance and global public policy on national public policy. The focus is on global public policy as a factor in engendering national public policy, and transnational actors, namely, the United Nations (UN) and International Nongovernmental Organizations (INGOs) also called international or global civil society organizations (CSOs), as factors, which impact and enable national public policy to be engendered.

This chapter explores the following questions:

- To what extent can the sovereign nation state of the twenty-first century meet the challenge of ensuring its citizens' human rights and dignity in accordance with global governance?

- In what ways can global governance and global public policy engender national public policy?
- How do global governance, global public policy and national public policy interface regarding such transnational issues as domestic violence?

2.2 The Rise of the Nation State System

One of the questions under review in this chapter is whether the sovereign nation state system is challenged by global governance and global public policy. Part of the answer lies in the historical and ideological foundation of the nation state. The nation state was not founded on an ideology of mass participation in public policy. Rather it was based on an assertion by a small elite of European men that the nation state system of governance would enable them to maintain political control over a specific territory, its people and resources, and later through colonial exploits external territories, their people and trade routes (Davidson, 2005; D'Anieri, 2009; Deng, et al., 1996; Boahen, 1985b).

The nation state system had its origin in the Thirty Years War, primarily fought in Central Europe lasting from 1618 to 1648. The War had two major goals, one to reestablish the Roman Empire, and two the desire to conquer rulers of different faiths for the purpose of converting their subjects (D'Anieri, 2009). What started as a religious war ended with the beginnings of the formal establishment of the sovereign nation state system. The 1648 Treaty of Westphalia which ended the war did not only establish the principle of sovereignty, the total authority of the state over a given territory; it also affirmed religious authority within the territory. This

meant that Europe would not be a single empire with a single religion. There would be pluralism of territory, more than one state, and pluralism of religion, giving states the right to determine the religion of their state. Internally this led to a lack of religious tolerance and the persecution of minorities, which became pervasive and brutal (D'Anieri, 2009).

The process of consolidating the nation state system of governance in Europe took over two hundred years as many areas were still made up of empires and kingdoms. Following the signing of the 1648 Treaty of Westphalia, wars with imperial ambitions continued, as for example, Napoleon of France's conquest of Austria and Prussia in 1812 and his attempt to conquer Russia (D'Anieri, 2009). Empires and the formation of nation states were often through wars, protracted battles and disruption of the local populations. In 1860 battles to overthrow the small kingdoms of what became Italy resulted in a new nation state in 1861. The nation state of Italy was born with the overthrow of several small kingdoms, but 'Italian' nationalism had to be created the idea of one nation had to be promoted and accepted by the "new Italians" (Davidson, 1996; Sernou, 2006).

2.2.1 The Nation State and Nationalism

The concept of a national consciousness and having loyalty to a national ideal was a nineteenth century development. Nationalism was not always embodied in the nation state. It was a doctrine invented in Europe that had not been heard of or considered in earlier times. It was debated, as later, the ideologies of capitalism and socialism were debated in Europe (Davidson, 1996). Nationalism proved to be a doctrine that could unite or divide groups along ethnic, racial, religious, and linguistic lines. The new Germany of 1832, which was reflective of

aspirations to revive the Holy Roman Empire, united around a national ideal that meant smaller states should be combined into a single ethnically and linguistically homogeneous state. Nationalism for Germany was a uniting factor: it was divisive and deadly when it became exclusive and repressive of ethnic, religious, and linguistic difference and fostered gender inequity and inequality (Davidson, 1996; Sernou, 2006).

Nationalism in Europe completely altered the global map and unleashed a massive revision of international politics. German nationalistic ambitions to expand the German empire dominated the European continent from 1900 to 1945. This helped to ignite massive deaths and destruction during World War I (1914 to 1918) and the holocaust of World War II (1939 to 1945) (D'Anieri, 2009; Davidson, 2005).

By the late nineteenth century the competition created by intense nationalism among European nation states helped to justify the extension of European imperialist incursion into African territories. The fear was that there would be no territory to grab under their national flag if they did not do so quickly. Colonial territories were primarily in the coastal areas with eighty (80) percent of Africa still under indigenous rule. However, these incursions did not occur without wars fought by Africans to maintain sovereignty over their lands.¹

European nationalism though mixed in its uses and outcomes, sometimes uniting territories and other times dividing people based on an identity: race, ethnicity, language, religion, age, class, and gender laid the foundation for African nationalism and the nationalist movements of the twentieth century (Davidson, 2005). For Africa the formation of nation states as political and

territorial entities began at the 1884 Berlin conference, and was done without African input and regard for local and traditional governance and community formations. These colonial and imperial formations, which became nation states, created fragmented communities dividing coherent groups of people and merging together disparate groups with distinct histories, cultures, languages and in some cases long standing rivalries.² Basil Davidson (2005) notes that the nation state system, which was imposed on Africa became the “Black Man’s Burden”, because “colonialism was an intrusion [on established systems of governance, trade and community] and its monstrous coercions wrecked the moral order” [creating corrupt systems of governance and administration] (Davidson 2005, p.298; Mamdani, 1995b; Ayittey, 1992). It disrupted in some cases and in other cases destroyed socio-economic and political order, and social relations among and between groups of people, created cleavages between ethnic and religious groups; as well as created discrepancies in equity and equality between men and women (Cornwall, 2005). Colonialism later created a new identity for Africans and nation states based on the languages of the colonizers: Francophone, Anglophone and Lusophone states (Nyerere, 1997).

The Treaty of Westphalia meant that the nation state was recognized as possessing sovereign power to make and enforce laws, as well as the right to the use of force for internal control and self-defense against external threat. The sovereign nation state continues to be defined by four key principles: clearly defined territory, permanent population, government with ultimate power over the territory and people, and recognition of its sovereignty and independence by other sovereign nation states (Nester, 2001). This definition underscores the principle of noninterference in the internal affairs of other states. Though the principle of sovereignty has

been breached over the years it remains the foundation of the present day international nation state system (D'Anieri, 2009).

2.2.2 The New Nation States of Africa

Nationalism has been a uniting and dividing factor for Africa as elsewhere in the world. In the 1950s and 1960s it was a uniting factor for Africans as they united around an Africanist identity in the struggle to end colonialism, western imperialism and the fight to become independent nation states. The new nationalists inherited the boundaries of the colonial partition, and all the ramifications of colonialism and neo-colonialism: ethnic and religious rivalry, corruption, poverty, weak institutions, disorganized civil society and gender inequity and gender inequality. The end of colonialism meant that the independent nation states of Africa had to build governments and conduct governance in politically, socially, culturally, linguistically and religiously fragmented societies with a created gender divide (Davidson, 2005; Ayittey, 1992).

Former colonies became sovereign nation states after nationalist movements fought for and won their independence. In some cases independence came after brutal and protracted struggles for independence from colonial rule.³ Nation statism was embraced and assumed to be the only alternative, for the new nationalists of the 1950s and 1960s, struggling to escape colonialism while attempting “to transform colonial territories into national territories they [nationalists] would find Africa’s wealth of ethnic cultures distracting and hard to absorb into their schemes” (Davidson, 2005, p.99).

The end of colonialism in the latter half of the twentieth century in Africa, Asia and other parts of the world did not mean that the colonies returned to their previous forms of government and governance. The nationalists rejected the idea of power being handed over to traditional rulers and some even rejected sharing power. The newly independent states remained in the nation state system, which to a large measure continued to be controlled by Europe and America as a result of economic and political ties (D’Anieri, 2009; Young, 2009; Davidson, 2005). The leaders of the national liberation movements were educated in either missionary schools or Western colleges abroad or both. These Western patriots, though a small percentage of the African population at the time, became the leaders of the liberation movements. They included, for example, the founder presidents and prime ministers of Ghana, Kwame Nkrumah; Senegal, Leopold Sedar Senghor; Tanzania, Julius Nyerere; Nigeria, Nnamdi Azikiwe; Cote D’Ivoire, Felix Houphouet Boigny; Malawi, Hastings Banda; and Kenya, Jomo Kenyatta, (Mazrui and Wondji, 1999).

Many of the leaders of the national liberation movements in Africa were much like the “Verandah Boys” of Ghana’s nationalist movement. They were educated members of the petty bourgeoisie, without an economic base to ensure their own political autonomy as a class or the political and economic autonomy of the newly independent nation states (Ninsin, 1989). This young nationalist leadership was in direct competition for political power with the traditional leadership of chieftaincy, and their allies in commerce and the professions, for control of the post-colonial reins of government (Davidson, 2005; Ninsin, 1989). They were in effect inheriting nation states as set up under colonialism with very fragile institutions that were

politically, economically and socially inept as structures and cohesive systems of governance. The major institutions that were developed to any level of functionality were the most repressive institutions of the state (Ninsin, 1989).

There was little time for the inheritors of the post-colonial state to prepare for independence in terms of developing human and financial resources. The private sector of the post-colonial state was weak, limited and underdeveloped making economic success for the elite directly dependent on the resources of the state. The state therefore became the road to personal wealth accumulation as it was the preeminent institution in the society. As noted by Edie (2003) in her monograph on the African state:

“... The state was the largest employer of labor and had access to domestic resources and international investment funds... Civil servants and bureaucrats realized that employment in the public sector gave them a privileged position over the distribution of resources: licenses, contracts, scholarships and leases giving them an important political tool. The state became a battle ground where elites competed for scarce resources. For the elites the loss of influence over the state meant the loss of everything. Losing an office meant not only losing political influence but also access to economic resources. The state had the power to determine success or failure of economic actors” (Edie, 2003, pp.65-66).

Some of the nationalists fighting for independence knew of their own vulnerability and of the fragility of the European model of the nation state in Africa. There were early attempts in the 1940s and 1950s to develop interterritorial federations, such as the multiterritorial Rassemblement Democratique Africain (RDA) in French West and Equatorial territories, and the Pan-African Freedom Movement in the British East and Central (PAFMECA) territories. These federations were seen as possible alternatives to the neocolonial nation state system and

in the case of PAFMECA they also focused on Pan Africanism and the promotion of independence for African states still struggling for independence. Davidson (2005) noted that the imperial powers feared these possible formations and worked to destroy them. However, this research also notes that it was in combination with the individual ambitions of some of the “new nationalists” working with the former colonial imperialist powers that ultimately led to the failure of the interterritorial movement.⁴

The late President of Tanzania, Julius Nyerere, noted in his speech delivered at Ghana’s Fortieth (40th) Independence Anniversary that African states are made up of artificial boundaries invented by colonialists. Africa should fight against the twin of colonization and balkanization of small unviable states. He believed that states should federate. He also noted with great disappointment that prior to Tanganyika’s (now Tanzania) independence there was a movement for the East African countries of Kenya, Tanganyika, and Uganda to form a federation and become independent together. He was convinced that if they received independence separately it would be harder to unite them.⁵ President Nyerere was emphatic about the inherited problems of the nation state for Africa and the creation of nationalism:

“I reject the glorification of the nation state [that] we inherited from colonialism, and the artificial nations we are trying to forge from that inheritance...We are all Africans trying very hard to be Ghanaians and Tanzanians. Fortunately for Africa, we have not been completely successful. The outside world hardly recognizes our Ghanaian-ness or Tanzanian-ness. What the outside world recognizes about us is our African-ness”. (Nyerere, 1997, p.15).

President Nyerere further noted that though the inheritance of the nation state after colonialism was not to be glorified, the solution was not to break up into tribal components and then try and

turn them into nation states. He concluded that would be a catastrophe for Africa and would end genuine development (Nyerere, 1997). Without the formation of federations, nationalist movements for independence meant that “colonial dispossessions would be an acceptable price of progress” (Davidson, 2005, p.298). In spite of the loathing of the balkanization of Africa by African heads of state, such as Kwame Nkrumah of Ghana and Julius Nyerere of Tanzania, the sanctity of the inherited borders was recognized and honored at the Cairo Summit of 1964 held by the recently formed Organization of African Unity. The principle of noninterference in the internal affairs of other African states was upheld together with respect for the inherited borders (Nyerere, 1997).

2.2.3 The Cold War and the Destabilization of the African Nation State

The Cold War was another factor that distorted and destroyed any possible non-neocolonial independent development of an African-centered nation state. Africa’s newly independent nation states were directly affected by the Cold War’s profound impact on African economic development and political stabilization/destabilization. It was a second scramble for Africa, between capitalism and communism/socialism. The West, the United States and Europe versus the East, the Soviet Union, aggressively fighting to establish their spheres of influence and control of Africa’s resources and markets (D’Anieri, 2009). In an attempt not to be forced to choose sides and to be able to negotiate their own political, economic and social interest, the Non Aligned Movement (NAM) was established in 1961 by President Josip Broz Tito of Yugoslavia along with President Kwame Nkrumah of Ghana, as two of the five founding members.⁶

In reality the newly independent nation states were aligned with one side or the other. The push for super power influence played a big role in the destabilization of African nations. Some African leaders were co-opted into participating in their Cold War strategies. It was British “Cold War policy” that there be a “resolute determination to oppose and if possible prevent any development, whether political or economic, that could seem likely to undermine Africa’s subordination to the ‘world market’: that is, to the continued postcolonial primacy of the relationship of the colonial era” (Davidson, 2005, p.194). Ghana’s independence meant the possibility of influencing others to go in a contrary direction and therefore that influence had to be isolated and destroyed (Davidson, 2005).

This Cold War scramble for Africa meant that there were assertive efforts to depose all “leftist regimes” by the West and by the East to influence and support regimes to follow socialist ideology. The Cold War was a war of containment as each side tried to contain the sphere of influence of the other. The battle for influence was fought through “proxy wars” between countries and civil wars within nation states (Sernau, 2012; Reno, 2009). Felix Houphouet Boigny, President of Cote d’Ivoire worked in collaboration and cooperation with France and the United States to undermine any government with or leaning toward a “socialist regime”. Muktar M. Omer describes Houphouet-Boigny’s relationship with France as one in which Boigny “blindfolded Ivory Coast and allowed France to rape it, without any intermission, for over three decades” (Omer, 2010, p.3). The investment laws established in 1959 in Cote d’Ivoire allowed foreign businesses to repatriate ninety percent (90%) of their profits back to their home country, resulting in economic growth without development for Cote d’Ivoire (Omer, 2010). France presently controls forty-five (45) percent of the land which produces the

country's cocoa and continues to lease the buildings of the Presidency of the Republic and the National Assembly in Abidjan to Cote d'Ivoire (Omer, 2010).

Houphouet Boigny had a long history of destabilizing actions that spread throughout the continent starting in 1965 with participation in the plot to overthrow Sekou Toure of Guinea; providing a staging ground in Cote d'Ivoire for the coup in 1966 that overthrew Kwame Nkrumah of Ghana; contributing to political tension in Biafra during Biafra's attempt to secede from Nigeria; participating in the attempted coup against Mathieu Kerekou of Dahomey (Benin) in 1977; suspected of being involved in the 1987 coup against Thomas Sankara of Burkina Faso; giving arms and aid to Jonas Savimbi of UNITA in the fight to stop the Marxist regime in Angola, which led to a protracted civil war; as well as giving arms and support to the anti-Communist RENAMO rebel militias fighting the Marxist FRELIMO regime that won independence in Mozambique (Edie, 2003). Nonalignment was almost unattainable during the Cold War as was the focus on independent nation building, and economic development.

2.2.4 Internal Struggles for Power

By the 1970s and 1980s many of the external struggles to end direct rule by colonial powers were replaced with internal struggles for power and control of the resources and people of the independent nation states. Nationalist regimes that won independence from colonial rule were replaced by regimes that successfully overthrew them, but were themselves not able to maintain systems of governance. These regimes were not able to foster a sense of national interest among the populations, which was needed to build stable governance, economic

growth and a cohesive nation state (Zartman, 2009). Many political leaders turned inward uniting and organizing around ethnic, religious and regional interest with their own ethnic group as their support base. This period was characterized by military rule and or one party governance. Party and government officials predominantly comprised the ethnic group of the head of state giving them dominance in government and military positions. This created animosity and resentment among other ethnic groups (Deng, et al, 1966).

Leaders, such as Mobutu Sese Seko took advantage of the Cold War rivalry of the East and West by professing to be a staunch opponent of communism, thereby attracting millions of dollars of support from the United States, France, Britain, the IMF, and other international financial institutions (Young, 2009; Edie, 2003; Heath, 1999). Mobutu announced immediately following his declaration of leadership that there would be no political party activity for five years. His party the Popular Movement of the Revolution (MPR), became the only legal political party from 1967 to 1990. All citizens were automatically members. Mobutu became one of the richest men in the world estimated to have accumulated assets of over five (5) billion dollars, while the per capita income of the majority of Zairians remained below \$200.00 between 1967 and 1997 (Edie, 2003).

Jean Bedel Bokassa I ruled the Central African Republic (CAR) from 1966 to 1976 as President of the Republic and from 1976 to 1979 as Bokassa I Emperor of the Central African Empire. The Bokassa's regime was known for extreme brutality of all groups and of the citizens. He also told his countrymen that he would give up his power after the communist threat had been eliminated, the economy stabilized, and corruption rooted out. In March of 1972 he declared himself President for Life. Before his regime was overthrown the economy was in ruins, with

large numbers of the population displaced and many of the educated and skilled abroad (Young, 1999; Decalo, 1973).

These regimes personalized and centralized state power in the office of the Presidency using unbridled executive power, having dissolved the constitution and limiting all legislative authority, giving themselves absolute access and declared right to the state treasury. They made themselves very wealthy men while serving as the head of state of some of the poorest countries in the world. The citizens were internally displaced, and became refugees in surrounding countries causing regional destabilization. Their regimes were further characterized by human rights abuses, political repression, ethnic persecutions, extrajudicial killings, nepotism and corruption at every level of governance and in civilian life (Edie, 2003).

Ghana also experienced a legacy of coups d'état, the suspension of the constitution, disruption of the economy and displacement of its citizens. Ghana has alternated between military authoritarian rule and theoretical democratic rule, with democratic governments unable to last more than thirty (30) months (Crawford, 2003). These regimes in post-colonial Africa exemplify the extent to which sections of the population were denied citizenship rights and had their fundamental human rights violated. As former colonial territories they received support in the form of money and weapons for their military for the purposes of “fighting the Cold War” and continued control of their resources (Edie, 2003).

Many of the post-colonial African leaders were heads of governments of “stayism”, characterized as “the long distance men” or the “big-men-who-won’t-go-away” (Omar, 2010; Van Wyk, 2007). They took power at independence and stayed in power for decades centralizing power in the office of the Presidency. They extended their terms in office by changing or even suspending the constitution (Van Wyk, 2007). Some of the oldest heads of state and longest to remain in office are in Africa. Jomo Kenyatta was almost sixty (60) when he became Prime Minister of Kenya in 1963; Sam Nujoma of Namibia was seventy-five (75) when he left office; the Cameroonian president, Paul Biya turned eighty (80) February 2013; and former President of Egypt, Hosni Mubarak, was eighty-three (83) when he was deposed. Some gave themselves royal and divine titles while others declared themselves “President for Life”, such as; Resident for Life and Emperor Jean-Bedel, Bokassa of the Central African Republic and, President for Life Mobutu Sese Seko, of Zaire”, respectively (Van Wyk, 2007).

Constitutions have been amended in order for presidents to extend their terms in office or to abolish term limits altogether: Namibia’s Sam Nujoma, and Zimbabwe’s Robert Mugabe. Paul Biya changed the constitution twice in order to stay in office in spite of public protest against the change. Kwame Nkrumah of Ghana was accused of promoting a personality cult, with the development of the concept of Nkrumahism. Felix Houphouet-Boigny, the patriarch of Cote d’Ivoire, ruled for thirty-three years from 1960 until 1993 (Omer, 2011; Van Wyk, 2007).

A long list of dictators, military and authoritarian leaders took complete control of the governmental, economic and social institutions of African nation states (McLaughlin, 2006). These leaders ruled without checks and balances on their policies and in reference to their use

of the states' resources. The people of the nation states found themselves given for the most part an imposed and unchosen identity based on a bounded territorial strip of land, where they became Ghanaian, Nigerian, Congolese, or Zairian. The new leaders did not honor traditional rule or leaders. During the post-colonial period, institutions that were at functioning levels were destroyed and economic development thwarted, as a result of over twenty years of coups and counter coups where the primary goal of political contestation was controlling the state and its resources.

2.3 Sovereignty with Responsibility and Global Governance

2.3.1 Sovereignty with Responsibility

In the latter half of the twentieth century, the sovereign nation state was still circumscribed as having total authority within state borders, and as having the legitimate use of force. The definition of state also connotes that there is no higher authority than the state and no other individual authority over the state. This underscored the principle of noninterference in the internal affairs of a nation state (D'Anieri, 2009). In this twenty-first century the sovereign nation state remains the system under which states operate and the nation state remains the center of world politics and the primary vehicle through which international relations are analyzed (D'Anieri, 2009). However, the nation state system has been and is being confronted by a transformation in the global political, economic, technological, and socio-cultural environment, which started at the end of the twentieth century. This process, which has become known as globalization is accelerating, as a result of the speed of communications/information

technology and economic and cultural interconnectedness. Globalization can threaten and in some cases limit the power of national governments though nation states continue to be vital actors in the international arena (Ninsin, 2012).

The post-colonial nation state during the regimes of Mobutu Sese Seko, Jean Bedel Bokassa and Idi Amin, are examples of how states exercised sovereignty without accountability and responsibility to the citizens of their respective nations and to the international community-at-large. However, they had external support from super powers and former colonial powers either overtly or covertly as they waged their coups, maintained their brutal regimes and drained the wealth of their nations to become wealthy individuals, along with their families and close supporters (Van Wyk 2007; Decalo, 1973).

These states, along with Rwanda during the genocide of 1994, in which it is estimated that 800,000 people were killed in 100 days, (BBC News, 2011) are an example of state collapse. Chad and Somalia both of which are in a perpetual state of civil war, rebellions and warlords fighting for power, are among the states that are defined as being either in a state of failure or collapse. State failure has been defined as the lack of the functioning of various state institutions. State collapse is defined as all major state institutions not functioning, the “structure, authority (legitimate power), law and political order [having] fallen apart” (Zartman, 1995).

When states experience failure or collapse, their internal developments impact the region by destabilizing neighboring states. For example, Liberia under Samuel Doe and later under Charles Taylor headed regimes that destabilized Sierra Leone, Guinea and Cote d’Ivoire and

had a negative economic impact on neighbors, such as Nigeria and Ghana, who hosted Liberian refugees. Charles Taylor came to power in 1997 in a rigged election and ruled by killing his opponents, destroying whole villages, organizing the rape of girls and women, recruiting child soldiers, torturing and holding public executions (Annan, 2012; Sernau, 2012).

The patriarchal leaders of such African nation states became a threat to the security of their citizens and society as a whole, to the socioeconomic and political development of the nation. Their assertion of total control over political structures is termed presidentialism, which means "the systematic concentration of political power in the hands of one individual, who resists delegating all but the most trivial decision-making tasks" (Bratton and van de Walle, cited in Edie, 2003, p.79). Presidentialism comes with clientelism - the reciprocal exchange of goods and/or services on a personal level between two unequal parties. A clientelistic system is based on the exchange of material rewards for political support (Edie, 2003).

As a result of their presidentialist rule, they became the purveyors of organized and random violence; circumventing democratic processes, suspending the constitution, killing and destroying the opposition and many of the educated elite, and looting the state treasury to enrich themselves (Edie, 2003). The regimes posed a grave threat to internal, regional and global security causing the international community to intervene in the affairs of these sovereign states to demand protection for their citizens and accountability to domestic and external constituencies for their actions.

In 2000 the Canadian government sponsored the formation of the International Commission on Intervention and State Sovereignty (ICISS) in response to destructive internal conflicts: insurgencies, repression, internal war and state failure causing thousands of deaths, internal displacements and migrations. The goal of the Commission was to establish global political consensus on when and how the international community should respond to internal crises that can result in large scale loss of life, human rights violations and or crimes against humanity. The Report declared that the international community has to take the responsibility of intervention in a nation state when it becomes clear that its citizens will suffer serious harm and when the state is unable or unwilling to protect its citizens. The ICISS principle became known as the Responsibility to Protect (International Commission on Intervention and State Sovereignty, 2000).

Deng et al. (1996) points out that sovereignty as responsibility has four main factors: conflict resolution, human rights protection, democracy, and sustainable development. Presently there is no replacement for sovereignty; therefore a redefinition must be established to address the fact that the principal source of human suffering is internal, within the nation state itself. Internal conflicts are the cause of human rights violations and massive destruction of civilian lives and greatly reduce productive capacity (Deng et. al, 1996). Internal crises and conflicts are worldwide, but it is disproportionately affecting Africa, as 16 million of the 30 million internally displaced persons are Africans and 7 million of the 20 million refugees worldwide are in Africa (Deng, 1996). Internal conflicts are “under-developing” Africa. The OAU’s Secretary General Salim Ahmed Salim in 1992 Dakar, Senegal, reiterated that internal

displacements and migrations make it impossible “to harness the energies of people and target them to development” (Salim, 1992, cited in Deng, 1996, p.xiv).

Charles Taylor’s reign of terror in Liberia and its regional impact, as well as the rule of the other heads of state mentioned above gave impetus and justification to the international community to call for a re-conceptualization of security as a global issue. The international community and international institutions like the United Nations under Secretary General Kofi Annan called for the recognition that sovereignty could no longer mean noninterference, when atrocities were being committed against citizens of nation states. He further asserted that the concept of noninterference is obsolete against the need to preserve human rights, which means that necessary “humanitarian intervention” must take place (Annan, 2009, cited in Deng 2009, p.98). Annan later adopted the term “responsibility to protect” noting that the Canadian Commission took the concept further, because the issue is that governments have the responsibility to protect their people and where they fail that responsibility falls on the international community (Deng, 2009).

2.4 The United Nations and Global Governance

The United Nations was officially launched in 1945 with 50 nations signing the Charter. It outlined areas of cooperation for the process of setting up international intergovernmental institutions able to manage international conflict. The goal was to avoid a World War III. The UN was to be "a general international organization to maintain peace and security (United Nations, 2015). When the United Nations was formed nation states were the primary political

body for governance. It was thought that governments would protect their citizens and work to improve their lives (The Commission on Global Governance, 1995). Governance on the international level was seen as an intergovernmental relationship needed in order to manage their mutual affairs and conflicts.

The end of World War II presented two overarching issues: one, the avoidance of a third world war and addressing and preventing human rights crises, in light of the devastation and massive loss of lives resulting from WWII. The war resulted in a death toll estimated at between sixty (60) million and seventy (70) million people, which represented 2.5 percent of the world's population at that time, making it the deadliest military conflict in history. Twenty (20) million Russians were killed (Sernau, 2012). The devastation affected countries around the world, including African countries with, for example, Ethiopia accounting for 100,000 deaths, 95,000 of which were civilians.

Like the League of Nations (1919) the United Nations was formed with a mission of helping to maintain peace (Sernau, 2012). In 1946 the United Nations Commission on Human Rights (UNCHR), now the United Nations Human Rights Commission, was established within the UN system. It was one of two "Functional Commissions" set up by the UN Economic and Social Commission (ECOSOC). The second was the Commission on the Status of Women. The UNCHR maintained a policy of focusing on the promotion of human rights and assisting states with the development of treaties, but the commissions did not investigate or condemn human rights violators. They maintained strict observance of the principle of sovereignty of nation state from 1947 to 1967. As decolonization of Africa and Asia began to take place and

internal abuses became apparent, as well as the human rights violations that were taking place in apartheid South Africa, segments of the international community began pressing for human rights violations to be addressed. The policy of interventionism was adopted in 1967 by the Commission. The new policy meant the commission would take a more proactive role by investigating and reporting on human rights violations (United Nations, 2015).

The formation of the United Nations was part of the realization by nation states that it required the political interaction of more than one state to solve problems that are trans-sovereign and transnational. In this post-Cold War era, in order to try and prevent or stop small scale conflict and fractional civil wars, affecting neighboring countries and destabilizing the region, networks of actors were constructed to address the absence of an international analogue to a domestic government. Thus after the end of the Cold War “African conflicts were no longer strategic and were largely ignored until the Rwanda holocaust of 1994” (Sernau, 2012, p.158). Such internal developments have since become the concern of the international community.

The international community was compelled by the human rights situation and generalized insecurity internally and regionally, to address the pervasive lack of political stability, economic development, and protection of civilians in conflict areas. The international community responded by developing a global governance system governed by norms and regulations, which was established through conferences and commissions, including those derived from treaties, conventions, protocols and declarations. The United Nations and other international organizations, such as the European Union have defined governance as conflict management and have invoked or developed international instruments, such as the Universal

Declaration of Human Rights 1948, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights. The latter two were adopted by the UN General Assembly in 1966, in order to establish normative codes and universal standards of human rights and human dignity (Deng, 1996). These three covenants make up the International Bill of Human Rights. By 1976 an appropriate number of states had ratified the Covenants making them part of the corpus of international law. The basic proposition of international human rights law as quoted in Deng:

“to qualify for the name of government, a government now has to meet certain standards, all of which involve restraints on the use of power: no torture, no brutalization; seizure of property; no state terror; no discrimination on the basis of race, religion, or sex; no prevention of people leaving a particular country...” (Deng, et. al., 1996, p.4).

International and regional organizations have to play a major role in the process of addressing conflict management, reconstructing failed and collapsed states, protecting human rights, and supporting democratization. The support of African countries, one to the other, is a key component in strengthening states and moving towards democratization. African international and regional organizations, such as the AU, the New Partnership for Africa’s Development (NEPAD), the African Peer Review Mechanism (APRM); as well as regional organizations as the Economic Community of West African States (ECOWAS), and the Southern African Development Community (SADC), have to ensure that leadership means sovereignty with responsibility, as well as the stabilization of African nation states, democratic leadership, processes and institutions (Deng, 2009).

Security and peace keeping are a major part of governance – managing conflict. An important issue for the AU and African regional organizations is the need to develop greater capacities for conflict prevention, diplomacy, peacekeeping, peacemaking, and post conflict peacebuilding. All of which are part of their respective mandates. The UN has the primary mandate to maintain international peace and security. However, in order for African states to partner effectively they must strength the capacities of regional organizations to ensure that the UN does not have to bare the bulk of the peace keeping burden (Ajayi, 2008).

ECOWAS' mission, when formed in 1975, was to focus on economic cooperation among member states for regional development and growth. The internal conflicts of the 1980s and 90s meant that ECOWAS had to address political conflicts that interfered with and prevented the possibility of economic development and integration and undermined regional stability. The civil wars in Liberia and Sierra Leone were very clear affirmation of the reality that without peace and stability, successful economic development and cooperation of nations in the region is impossible. Consequently, ECOWAS had to deploy troops under the aegis of its Cease Fire Monitoring Group (ECOMOG) to Liberia from 1990 to 1998 and again from 2003 to 2006; to Sierra Leone from 1997 to 2000; to Guinea Bissau in 1999 and to Cote d'Ivoire in 2003 (Ajayi, 2008) which meant that development resources had to go into conflict management and economic recovery. The ECOWAS intervention in the internal affairs of these nations showed emphatically that sovereignty subsumes accountability and responsibility to the internal and external community.

2.5 Conclusion

The origin of the nation state system, as outline in this chapter, was a system of governance, not based on the democratic principle of pluralism. It was a system set in motion for the distribution of territory, with claims to sovereign control of that territory, and without external interference and accountability. It was later decided that the manufactured creation of consciousness of belonging to that territory through the concept of nationalism was a necessary component to maintain the nation state.

The system was not created with the thought of civic participation or participation by women in the processes of governance. The imposition of the nation state on post-colonial countries, impact of the Cold War, destabilization of the newly independent states together led to a secession of coups d'état, civil wars, failed and collapsing states. Decades of authoritarian and masculinist military rule meant that there was little opportunity for women in public life, public policy or in leadership positions. These conditions did not allowed for more than a weak political and policy advocacy culture (Manuh, 2007a).

This polemic problematized the issue of social justice, democracy and good governance, as well as gender equity and gender equality. Global governance and global public policy are an attempt to address presidentialism, clientelism, and militaristic authoritarian regimes by calling for a reformulation of political and economic systems, participation of an autonomous civil society and the engendering of public policy.

Notes

¹ A series of wars waged by the Asante Empire, now a part of present day Ghana, against British incursions and attempts to colonialize their land and people lasted for almost a century. January 1, 1902 the Asante Empire was finally made a protectorate of the British crown. See Ekechi, Felix K. 2002. "The Consolidation of European Rule, 1885-1914." Falola, Toyin. ed. Africa Volume 3: Colonial Africa 1885-1939. Durham: Carolina Academic Press. Boahen, A. Adu. 1985. General History of Africa Vol. V11. Africa under colonial domination 1880-1935. Berkeley: University of California Press. The latter two books are both one in a series of volumes on various aspects of African socioeconomic and political history. These two volumes in particular give a detail analysis of Africa under colonial rule, including the battles to prevent colonial take over and struggles to end colonial rule.

²The Berlin Conference which took place from November 15, 1884 to February 26, 1885 ended with a plan to commit what turned out to be one of the most egregious and villainous acts of thievery and terrorism in the modern times. Fourteen Europe countries met in Berlin to divide the African continent into colonial territories. The countries included France, Germany, Great Britain, and Portugal as the four to claim the most territory, as well as the countries of Austria-Hungary, Belgium, Denmark, Italy, the Netherlands, Portugal, Russia, Spain, Sweden-Norway (unified from 1814-1905), Turkey, and the United States of America. In 1884 eighty (80) percent of the African continent was locally governed by traditional rule. At the time of the conference only the coastal areas were under colonial control. The plan was therefore to divide the interior. By 1914, fifty countries had been created fragmenting communities and destroying group cohesion. Death and destruction of various African communities was profound as for example The Congo Basin. A section of which became a part of the personal kingdom of the Belgium King Leopold II, under his rule over half of the region's population died. For an in-depth discussion of the impact of the Berlin Conference on Africa see Davidson, Basil. 2005. The Black Man's Burden: Africa and the Curse of the Nation-State. London: James Currey, LTD; Boahen, Adu A. ed.1985.General History of Africa Vol 11. Africa Under Colonial Domination 1880-1935. University of California Press, Berkeley and Förster, Steig, Wolfgang J. Mommsen, Ronald Robinson, eds. 1989. Bismarck, Europe, and Africa: The Berlin Africa Conference 1884-1885 and the Onset of Partition. Oxford: Oxford University Press.

³In 1951, the Mau Mau, Movement was formed in Kenya in order to put forth their demands and fight for access to their former land holdings and to get independence from the British colonial administration and in some cases demand for white settlers to leave Kenya. After thousands of deaths, arrest and torture mostly at the hands of the British Colonial government The Republic of Kenya was declared an independent nation state on December 12, 1964. The inhumane and brutal repression of the Mau Mau Movement, which included mass murders and pitting of ethnic groups against each other left the country with a weakened leadership base and underdeveloped institutions of governance. See Barnett, Donald and Karari Njama. 1966. "Mau Mau From Within: An analysis of Kenya's Peasant Revolt". Monthly Review Press, pp. 23, 71 to 72 and for article on update of Mau Mau veterans struggle for compensation for

wrongful imprisonment and brutal torture see, <http://www.guardian.co.uk/world/2012/jul/16/mau-mau-veterans-secret-documents>.

⁴The Rassemblement Democratique Africain (RDA) in the French West and Equatorial territories was a federation of African states formed 1946 in order to promote a pan African philosophy as the direction that should be taken at independence. They were rejecting the European model of the nation state. The RDA was made up of nationalist parties within French West Africa, such as the Parti Démocratique de la Côte d'Ivoire (PDCI, Democratic Party of Côte d'Ivoire) and the Parti Démocratique de Guinée (PDG, Democratic Party of Guinea), with prominent members, including in part Ahmed Sékou Touré, Guinea; Modibo Keita, Mali; Gabriel Lisette from Chad; and Maurice Yaméogo from Burkina Faso. It was the founder of the RDA, Felix Houphouët Boigny who later turned against the idea of an African federation and pan African movement, who later became President of Côte d'Ivoire on 1 May 1959, and who opted not for independence but for a careful transition within the “ensemble français”. In 1957 during Kwame Nkrumah’s, then Prime Minister of Ghana, visit to Cote d’Ivoire Houphouët-Boigny made it clear that he did not support pan Africanism. Felix Houphouët Boigny became a key figure in destabilizing Africa and a vehicle in the Cold War in destroying the new nationalist regimes who wanted any form of socialism, communism and had any connections to the Soviet Union or Cuba. In 1966 he allow the conspirators’ of the military coup in Ghana to use Cote D’Ivoire territory to stage the coup; he was a participant in the 1960 Congo crisis, which led to the torture and murder of Prime Minister Patrice Lumumba; and contributor to the rebel forces that fought against the newly independent regimes in Angola and Mozambique. See Mazrui, Ali and Wonji, Christophe 1999. Africa Since 1935: General History of Africa. Vol. VIII. Oxford: James Currey; and Davidson, Basil. Africa in History New York: Simon & Schuster, 1995.

⁵ Julius Nyerere 1997. “Without Unity There Is No Future For Africa”. New African. London: IC Publications. The Late President Julius Nyerere of Tanzania during his speech at the 40th anniversary of Ghana’s independence proclaimed the difficulty of uniting what he called “unviable states” once each one got their separate independence from colonial rule. “Once you multiply national anthems, national flags and national passports, seats at the United Nations, and individuals entitled to a 21-gun salute, not to speak of a host of ministers, prime ministers and envoys, you would have a whole army of powerful people with vested interests in keeping Africa balkanized.”

⁶The Non Aligned Movement (NAM) was founded in 1961 by the President of Yugoslavia Josip Broz Tito along with four other heads of state: first president of Ghana, Kwame Nkrumah; Indonesia’s first president, Sukarno; India’s first Prime Minister, Jawaharlal Nehru; and Egypt’s second President, Gamal Abdel Nasser. It developed out of the 1955 Bandung Conference of Asian and African states hosted by Indonesian president Sukarno. The mission of NAM was to assume a position of neutrality between the two blocks of the Cold War: Western Bloc (United States with NATO and allies) and the Eastern Bloc (Soviet Union with the Warsaw Pact and allies). Members of the movement pledged to work towards peaceful resolution of disputes and abstention from association with the big power military alliances and

pacts. Since the end of the Cold War in 1991 NAM has refocused its mission to a greater emphasis on disarmament, world peace and security. Twenty years after the end of the Cold War NAM is continuing to meet. One hundred and twenty heads of state met in August 2012 in Terhan, Iran. See Willetts. Peter, 1978. Reprint 1982. The Non-Aligned Movement: The Origins of a Third World Alliance. London: Pinter.

Chapter Three

3.0 Gender and Public Policy from Global Conception to National Perspective and Implementation

3.1 Introduction

The nation state system has established public and private spheres of governance in which women have systematically been relegated to the private sphere. In contrast, global governance has opened spaces for women's participation in international civil society. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) provided international legal standards for women's human rights. While the UN four World Conferences on Women: the UN World Conference on the International Women's Year in Mexico City 1975, UN Mid-Decade Review Conference in Copenhagen 1980, UN Third World Conference on Women in Nairobi 1985, and UN Fourth World Conference on Women in Beijing 1995, provided a vehicle for the dissemination and advocacy of ideas and information. This thesis poses the question, has the UN ratification of international legal standards for women's human rights and the formulation of ideas of gender equity and gender equality led to changes in public policy, political culture and political behavior in general, and in Ghana specifically?

According to Antonio Gramsci (2005) the opportunity to express and be exposed to ideas, which can create change in political culture and an expanded platform for public policy

dialogue cannot be underestimated. Gramsci (2005) notes that the ability to influence how goals are defined and what is seen as “normal” is more powerful than the ability to coerce. If the idea of women as inferior beings, as second class citizens, as imperfections to men’s perfections, can be normalized and traditionalized (D’Anieri, 2009) then that becomes the norm for both men and women and for boys and girls. The norm is then translated into gendered public policy, educational and health care systems, property rights, job opportunities, salary structures and above all in violence against women, which becomes so “normal” that it is often not seen as violence (INSTRAW, 2002).

Elisabeth Prugl (1999) notes in her monograph, *The Global Construction of Gender* that gender itself is an institution which codifies power, using rules that distribute advantages unequally. According to Tickner (2005, p.2180). “...it is the meanings given to reality that constitute gender” and defines the relationships between men and women. How gender is understood determines how it is constituted in global and national public policies. There is often a gap between global and national understandings of gender and issues of gender equity and gender equality, which the UN World Conferences on Women, Human Rights and CEDAW have attempted to address in their action plans, declarations, conventions and treaties. The gap between the global and national response to the specific issue of violence against women was addressed by the Commission on Human Rights in 1994, when it “demanded” that States be accountable for the implementation of actions to protect, prevent and eliminate violence against women (United Nations, 2005).

Arguably, in the latter half of the twentieth century and the beginning of the twenty-first century, globalization has problematized “the meaning of politics: evidence of oppressions that women face worldwide negates the claim that politics is only possible within territorially bounded states” (Peterson, 2001, pp.103-104). Nonetheless, after international treaties are agreed upon, signed and ratified it becomes the responsibility of national governments to formulate and implement national public policy in accordance with the treaties. Public policy can be defined as what governments choose to do or not do (Dye, 1984). Governments allocate public resources and determine who gets what, where, when and how. Governmental action is a major determinant of the quality of life for its citizens (Conway, et al. 2005). The latter half of the twentieth century saw the rise in transnational actors participating in the formulation and implementation of global public policy and states signing on to treaties requiring their domestication into national public policy. The results have been global public policies embedded in national policies and demanding action or implementation by governments.

The United Nations has declared violence against women to be an international pandemic requiring transnational and trans-sovereign responses, and has called on nation states to domesticate and implement global public policy to end it (United Nations, 2006). The Republic of Ghana’s Ministry of Women and Children’s Affairs (2006) produced a report presented at the CEDAW Committee meeting, which exemplified the cross fertilization of global governance and national public policy. The report outlined issues that have been addressed or are to be addressed by the government as mandated by CEDAW and the documents from the UN four World Conferences on Women: The World Plan of Action

(Mexico 1975), Programme of Action (Copenhagen 1980), Forward-Looking Strategies for the Advancement of Women to the Year 2000 (FLS) (Nairobi 1985), and Beijing Platform for Action (Beijing 1995).

NGOs often act as the bridge between the global and the national policy spheres. They produce shadow reports, which at times contradict and/or point out areas not fully addressed by the government. They also play the role of unofficial monitors of governments' plans and implementation of commitments. Network for Women's Rights in Ghana (NETRIGHT) is a Ghanaian NGO assuming this role. NETRIGHT is a coalition of NGOs and individuals who work on issues around gender equity and gender equality and violence against women. They produce a shadow report each year evaluating the progress the Ghanaian government has made in addressing and implementing international mandates for human rights and social justice, specifically with regards to women.

The subject of this chapter is gender and public policy from global conceptions to national perspectives and implementation. We examine the following questions:

1. Is public policy affected by the gendered construction of the state and society?
2. What has been the impact of CEDAW and the UN World Conferences on Women and Human Rights on global and national public policy?
3. To what extent has global governance and global public policy engendered national public policy in Ghana?

3.2 The Gendered Construction of State and Society

“More than any other kind of human activity politics has historically borne an explicitly masculine identity. It has been more exclusively limited to men than any other realm of endeavor and has been more intensely, self-consciously masculine than most other social practices” (Brown, 1998 in Peterson, 1999, pp.51-52).

The nation state system as described above is a system developed in the 1600s based on the need to manage inter-state conflict, war, and power consolidation in Europe and later by European powers over other territories of the world. It was a system designed by European men and thought of as the domain of men. It is a gendered hierarchical system that was spread throughout the world through the imposition of colonialism and by historical default inherited by leaders of the newly independent nations.¹

3.2.1 Constructing a Gendered Nation State System

The gendered construction of the nation state system has been promulgated as a natural evolution of the modern state (Rostow, 1960). The role of women in the public sphere defined by the modern state is cited as a cultural phenomenon (Brown, et al. 1966), as opposed to an imposed historical evolution of ideological thought conceptualized and embedded in the nation state system through colonialism and imperialism. Aristotle (384-322 BC) and St. Augustine (354-430 A.D.) were early political theorists and later Thomas Aquinas (1224-1274 A.D.) whose philosophies and teachings defined women as being imperfections to men both biologically and perceived D’Anieri, (2009). These philosophies and theories have been the intellectual basis of western thought on who is capable of

occupying leadership roles in governance. Leadership as defined by gender now forms the basis of the global gendered construction of the nation state system.

3.2.2 Ghanaian Women in Pre-Colonial Society

As discussed in chapter one there is no pre-colonial historical record of the treatment of women based on gender. Van Sertima (1984), for example, notes that the gendered world system of governance is the result of the intrusion of colonialism and imperialism. Sudaska (2005) attributes the creation of gendered hierarchies, which took the place of complementary relationships, to the onset of colonialism and capitalism. Both Van Sertima and Sudaska assert that women played an active role in the governance of pre-colonial African communities and that their role was valued as complementary to that of men. Reacting to the assertion that women's absence in governance and public policy is primarily a cultural phenomenon Van Sertima (1984) argues that it is rather a political manifestation.

In pre-colonial Ghana women enjoyed an autonomous identity from their husbands, because they enjoyed certain socio-economic rights regardless of whether they were from a matrilineal or patrilineal system. Akan women could maintain their own name and were able to hold property independent of their husbands. The paternity of the children was acknowledged while they were members of the matrilineal family. Women had political responsibilities that determined leadership in the village. It was, for example, the responsibility of the Queen Mother of the Ashanti to nominate, advise, and guide the chief and to publically rebuke him when necessary. She was a co-ruler and helped to manage the

affairs of the community. She also had constitutional, legal and religious responsibilities. The heads of the matrilineage constituted the village councils, which were made up of the male village chief (odikro) and the female co-ruler (obaa pinyin with the odikro), as well as the men and women elders of the village. (Kesson-Smith and Tettey, 2003). Furthermore, before the late seventeenth century, Anlo women could inherit land from their mothers and fathers. They could bequeath the land to their children in spite of the patrilineal system. Women also played an important role in the political process. For example, older women participated in decision making concerning the community as a whole and their families. (Kesson-Smith and Tettey, 2003).

Kesson-Smith and Tettey (2003) and Manuh (1997), on the other hand, point out respectively that in spite of the political and economic independence and high status of women in pre-colonial society, gender inequities existed in the institutions of the community. In the institution of marriage, specifically the practice of polygamy, allowed for many wives for men while it was inconceivable for women to have more than one husband; and land and other property inherited was usually smaller for women than for their male siblings in both matrilineal and patrilineal systems (Kesson-Smith and Tettey, 2003). It is in the context of this ambiguity that Amadiume (1997) notes that patriarchy and matriarchy have always been a source of articulation and manipulation in the power struggle between interest groups in indigenous African societies.

Despite the gender inequalities that existed, the marginalization of women became entrenched under colonial rule. The “patriarchalism that characterized metropolitan Britain

blinded colonial authorities and Eurocentric scholars to the relatively high status that women enjoyed in ‘traditional’ Ghana Kesson-Smith and Tettey, (2003). An English anthropologist, writing in the 1920s, illustrates how profound his misinterpretation was regarding the role of Ghanaian women, when he inquired why he was not corrected when he failed to understand and recognize the role of the Ashanti Queen Mother. The response from the indigenes of whom he inquired exposed the cultural chauvinism and disconnect of this colonial “scholar”. As quoted by Kesson-Smith and Tettey (2003, p.311) “...The white man never asked us this. As you have dealings which recognize only men, we supposed the European considered women of no account, and we know you do not recognize them as we have always done.”

For Hoppe (2002) a major impact of the colonial process was the change in women’s access to the public domain. Women were excluded from political and economic power. “In the formulation of customary law and indirect rule, colonial states ignored institutions of women’s power” (Hoppe, 2002, p.233). In British-controlled colonies in West Africa, control of markets by councils of market women was transferred to all male town councils. Women were removed from positions of leadership, laws were put in place that prohibited land inheritance and a woman’s right to her children. Colonialism was able to establish itself through an alliance with African men and through the church, legal codes, and the colonial education system. The upshot is that colonialism disempowered African women as it dismantled women’s organizations, misinterpreted customary laws, and redefined women’s roles politically, economically and socially.

3.2.3 The Nation State an Inheritance of Independence

The postcolonial state, an inheritance of the newly independent states of Africa, according to Basil Davidson, has not been productive, protective or liberating for its citizenry (Davidson, 2005, p.233). The nation state system dismantled most aspects of pre-colonial systems of governance brutally separating rulers and ruled (Davidson, 2005). Amadiume (1997) describes the leadership that developed under colonialism as “European reproduced elite(s)” that would inherit a colonial state and a machinery of violence “which would eventually divorce itself from the traditional systems of accountability” (Amadiume, 1997). Davidson quotes Chinua Achebe, as describing aspects of the inheritance of the nation state to include massive corruption, subservience to foreign manipulation, and second-class, hand-me-down capitalism. These tendencies are the result of the failure of the rulers to reconnect with the poor and dispossessed (Davidson, 2005). Women make up the largest group of the poor and dispossessed.

In many of the newly independent states, immediately following independence, economic and political decision making processes were not based on mass/popular participation. Development strategies were top-down “where the few used the many for their purposes” (Davidson, 2005, p.293). As Claude Ake (2003, p.293) notes, everything was done “to prevent the expression of popular interest, and to ensure acquiescence in policies which were hostile to the public interest”. Mass/popular participation was not considered in the original design of the post-colonial nation state and women were not considered to be constituents of governance and public policy decision making. Mass/popular participation, including

participation by women, has been a slow evolutionary process undertaken by various groups within some nation states of Africa.

The lack of agency for women in decision making and public policy has been conceptualized and “culturalized” (accepted as a cultural phenomenon) at the national and local levels of governance. State to state relations have primarily been formulated and implemented by men in times of war and peace. In the words of Enlow (2000, p.4) “Perhaps international politics has been impervious to feminist ideas precisely because for so many centuries in so many cultures it has been thought of as a typically ‘masculine’ sphere of life. Only men not women or children have been imagined capable of the sort of public decisiveness international politics [national or local politics] is presumed to require.”

3.3 National Public Policy Engendered by Global Governance and Global Public Policy

Since the latter half of the twentieth century the nation state system has been challenged by the number of non-state actors that are now a part of international transactions and decision making systems, and specifically by the impact of the United Nations System. Non-state actors have become part of an international network of global governance. The proliferation of transnational actors working across borders, with some having economic assets greater than many nation states, is estimated to be around 60,000 multinational corporations, 16,000 transnational nongovernmental organizations, 250 international organizations, and a growing number of international civil society organizations compared to about 200 nation states (D’Anieri, 2009, p.103).

3.3.1 Engendering National Governance

Engendering national governance is the process of opening spaces and facilitating agency for men and women to actively participate in the public and private sphere of decision making. The need to engender national public policy is exemplified in the 1997 report of the United Nations Development Program (UNDP), which states that “no society treats its women as well as its men”(United Nations Development Program, 1997, p.39). Women have been working to engender the gendered nation state system of governance since its inception.

In 1776, Abigail Adams wrote a letter to her husband John Adams, the second President of the newly formed United States of America and a leader in the American Revolution, asking that women be included and protected in the new code of laws being developed for the new nation state (Conway, 2005, p.205). “In the new code of laws which I suppose it will be necessary for you to make, I desire you would remember the ladies and be more generous and favorable to them than your ancestors. Do not put much unlimited power into the hands of the husbands. Remember, all men would be tyrants if they could. If particular care and attention is not paid to the ladies, we are determined to foment a rebellion, and will not hold ourselves bound by any laws in which we have no voice or representation” (Conway, 2005, p.205).

Abigail Adams was advocating for a legal change in the status of women, the power structure and the inclusion of women in the political processes that were being set up to govern a new nation. It was a call for a new political culture and an attempt to have gender equity and

gender equality in the public policy of the new nation, which was setting up a democratic government, “government for the people and by the people”. This new democracy as it was being developed excluded women, as well as freed and enslaved African women and men, who were considered in the U.S. Constitution as three-fifths of a human being.²

Over a century and a half after Abigail Adams called for the engendering of the nation state in the “New World”, the independence movements in the British colonies helped to spark the women’s movement of the time. During World War II, in which many African soldiers fought, ideas of liberation and freedom spread. These ideas became a force in the struggle for social change by those who were under colonial rule. The twentieth century women’s and development movement in Africa had its roots in the drive for independence from colonial rule. Women were central to the “politics of decolonization” of West Africa. They organized and mobilized women and youth at the grass roots level. The Rassemblement Democratique Africain (RDA) located in French West Africa and the Convention People’s Party (CCP) in Ghana were two political parties which were considered to possess the most radical and militant of women’s organizations. Those women organized on behalf of the party, campaigned, developed networks, spread propaganda, and represented the party when party leaders were jailed or exiled, as well as supported strikes and boycotts (Denzer, 2005, p.217).

Women’s participation in the struggles for liberation did not result in their inclusion in the newly independent governments. Few women were nominated to hold political offices, appointed to positions of decision making or given development contracts. According to Denzer (2005, p.217), “The constraints of European patriarchal policy reinforced the

patriarchal structures of traditional and Muslim African societies with the result that the wide varieties of women's indigenous political institutions were rapidly stripped of their former authority and status. During the phase of decolonization, African male political leaders adopted policies which accelerated this decline.”

In spite of the political environment, women activists and leaders emerged and struggled to participate in the political process. In Ghana, Mable Dove Danquah became an early supporter of the Convention People's Party (CPP) and an active member in the 1950s. She was a journalist who supported self-government for the Gold Coast (now the Republic of Ghana). She used her access to the print media to fight British rule and imperialism in the Gold Coast and to organize the women to support the CPP and self-government (Denzer, 2005).

In 1951 Kwame Nkrumah, head of the CPP, appointed Mable Dove to be the editor of the Accra Evening News making her the first West African woman to be in the editorial chair of an important national newspaper. The position gave her a tool to use for the party, the struggle for self-government and support of Nkrumah himself. In 1954, Dove ran and won a seat in the National Assembly of the Gold Coast, becoming the first West African woman to be elected by popular vote to a colonial legislature (Denzer, 2005, p.219). During her term in office she focused on two areas of concern of her constituents: clean water and good roads, and an area very important to her, the education of girls. She only served one term due to the lack of support by her party for the next election in 1956. In spite of not serving in the National Assembly she continued to be a strong supporter of the party. In 1957, when the

Gold Coast became the independent nation state of Ghana there were no women serving in the National Assembly (Denzer, 2005, p.222).

In 1960, the newly formed government of Ghana put in place the Representation of the People (Women Members) Act for women to fill specially created seats, which made it possible for ten women to be elected to the National Assembly (Ayensu and Darkwa, 2000). The goal was to give women an opportunity to be part of decision making in the new Parliament and to expose and prepare women to serve in Parliament and other governmental positions. One woman later became a Minister. However, the Act did not ensure sustainability of this form of inclusion. For example, it failed to provide for replacement in the event of death, resignation or expulsion of a woman member of Parliament (Ayensu and Darkwa, 2000).

Manuh (2007a) notes this was one of the first attempts at affirmative action to promote gender inclusion in national governance. She also notes that through this “top-down approach”, women gained access to education, employment and social life. However, the platform for these gains was through the ruling regime. Autonomous women’s organizations were not able to flourish until the end of the 1990s (Manuh, 2007a, p.129). As a result of the post-independence struggles for leadership, internal strife, coups d’état and counter-coups, many African political regimes were not successful in developing stable governments. Women were displaced and marginalized in those power struggles (Denzer, 2005, p.223).

3.3.2 Engendering Global Governance

The gendering of the United Nations in terms of language, if not implementation at its founding stage, came at the inception of the newly formed transnational body and with the efforts of the women who became known as the Founding Mothers. Minerva Bernardino, Dominican Republic, Bertha Lutz, Brazil, Wu Yi Fang, China and Virginia Gilder Sleeve, United States were called the Founding Mothers, because they were four among 160 signatories of the UN Charter, and because they worked to ensure that “women’s issues” were included in the text (Jain, 2005). Their numbers reflect the limited role and representation of women, yet through this beginning the struggle for gender equity began within the UN structure. At the inaugural meeting of the UN General Assembly in 1946 a sub-committee was set up to address women’s issues, which later became a full committee, the Commission on the Status of Women (CSW).

However, even with this beginning women were not regarded as bearers of human rights. Hence, women were/are continuously organizing, advocating and working to participate in a political system, the nation state system, which emerged on the basis of their exclusion as decision makers and had marginalized them as constituents of economic growth and development. In 1947 Bodil Begtrup of the UN Commission on Human Rights called for a country by country survey on the status and treatment of women. Begtrup felt that this would assist the Commission in their analysis of women’s issues and ensure that the equality of sexes was addressed (Jain, 2005).

3.3.2.1 The UN Charter and the Universal Declaration on Human Rights as Instruments to Engender Global Governance

The signing of the UN Charter in 1945 was followed by the signing of the Universal Declaration of Human Rights in 1948. The Declaration addressed the issue of human rights beyond those outlined in the Charter. Human rights as written in the Charter and the Declaration were primarily focused on the rights of men (Peterson, 1998), and on western men (Galtung, 1998). The atrocities of World War II were the backdrop for the Declaration. The congruent atrocities against the colonized that had been forced to fight for independence from colonialism and against women as constituents of human rights were not considered. Nevertheless, the establishment of the United Nations meant the formation of a transnational actor functioning as a part of a trans-sovereign process of addressing issues, such as peace and security and economic and social development across sovereign borders. It also provided a mechanism for the centralization of norms and the creation of global governance and global public policy (Nye and Donahue, 2000). The Declaration of Human Rights did not become binding on UN members states for several decades (Jain, 2005). The UN's focus was on the preservation of global security and getting the international community involved in pursuit of that goal.

The transmission of global public policy to national public policy that recognizes and promotes the development of national machineries to implement women's human rights has proceeded at an evolutionary pace. The process gained momentum within and outside of the UN institutions as a result of the women's movements and grassroots women's organizations (United Nations, 2006).

As part of the process of developing global policy addressing human rights, the UN declared violence against women and girls a human rights issue that has become a worldwide pandemic requiring specific policies and actions. The Universal Declaration of Human Rights explicitly refers to equal rights of men and women and also states that no one shall be subjected to cruel, inhuman or degrading treatment or punishment based on distinctions of race, sex, language or religion. The Declaration further states in its preamble: “human rights should be protected by the rule of law” (United Nations, 1948, p.1). However, because of the prevailing human rights violations against women worldwide the UN declared that other instruments must be put in place to address the violations; and called on nation states to honor their commitments made with the signing of the Charter and Declaration, to formulate and implement legislation that protects women from human rights abuses and creates space for gender equity and gender equality. The UN Commission on the Status of Women (CSW) extended the process of protecting the rights of women much further to the national policy space.

The UN Commission on the Status of Women (CSW) produced, among others, two historic documents: the Declaration on the Elimination of Discrimination against Women (DEDAW) 1967 and The Convention on the Elimination of Discrimination against Women (CEDAW) 1979. These documents had several intentions: first to define what discrimination against women meant and secondly, to address injustices against women. They also outlined new standards to measure the progress that nation states were making in regard to the rights of women, and provided a template for states to follow (Jain, 2005, pp.7-8).

Justice Annie Jiagge was a leading member of the Bar in Ghana when she was selected in 1962 to serve on CSW. In 1966, she was elected Rapporteur for CSW and in 1968, the year of the twentieth anniversary of the signing of the Universal Declaration of Human Rights and the Declaration's impact review, she became CSW's President. She was one of the chief architects of the DEDAW and later worked on CEDAW (Jain, 2005). During this time the UN called on governments to set up national machineries to help support the tenets of the Declaration and to implement the World Plan of Action that came out of the International Women's Year (IWY) Conference in Mexico City in 1975. The nation states were to put women's rights issues on the agendas of governments and to ensure that there were channels of communication between governments and women. They were to "study the condition of women, initiate programmes to promote the emancipation of women, and monitor progress" (Dolphyne, 2005, p.86).

Justice Annie Jiagge used her experience with CSW and as head of the Ghanaian delegation to the IWY Conference, to help set up one of the first national machineries in an African country. Under her leadership, and other Ghanaian women, the National Council on Women and Development (NCWD) was set up to implement and monitor the mandates of the International Women's Year Conference (Snyder and Tadesse, 1995). The formation of the NCWD meant addressing issues of women's development and gender equity at the national level. In their work, the NCWD found that they had to call on grassroots women to help define the issues and needs within their communities (Snyder and Tadesse, 1995).

The NCWD worked on many fronts for the empowerment of women and the community: helping women to access positions of policy and decision making; promoting women's participation in the electoral process as candidates for office; promoting the education of the girl child; enhancing the economic viability of women through income generating projects; assisting small scale women farmers in accessing land and credit; and promoting food processing and environmental conservation projects (Dolphyne, 2005).

The Second World Conference on Women in 1980 opened up space to civil society to play a greater role in global decision making within UN institutions and at UN conferences. This was ignited by Domitilla, a Bolivian activist fighting for the rights of miners, who organized a march, which drew thousands of women participants. The Domitilla March, as it became known, started from the NGO Forum to the official conference with demands that included miners' human rights, expanded to include women's human rights, labor rights, nuclear disarmament and other issues. Originally stopped by police, a small group was eventually allowed to present their demands to the delegates at the plenary meeting (Walker, 2004). This led to official meetings and exchanges between NGO Forum participants and official governmental delegations. The Domitilla March gave NGOs, civil society and, more especially women, unprecedented access to global decision making on a level that grew at each World Conference on Women, as well as at other UN World Conferences, such as the World Conference on Human Rights, Vienna and the International Conference on Population and Development, Cairo (Walker, 2004).

During the 1980s, at the end of the Second UN Decade of Development (1971 to 1980), development expectations for the “Third World” had not been met and women were still not integrated into development strategies as agents and beneficiaries of development. African leaders held regional meetings to address the continent’s socio-economic situation of growing poverty, lack of food security and escalating population growth. Two policy oriented strategies and plans came out of the regional meetings: The Lagos Plan of Action (LPA) and the African Priority Programme for Economic Recovery (APPER). African women also held regional conferences to address issues pertaining to the lack of development. One was held in Arusha, Tanzania (1984) and another in Abuja, Nigeria (1989). A major issue on their agenda was Africa’s deteriorating economic situation. Women attending these regional meetings developed their own plans of action. In 1985 at the UN Third World Conference on Women, the women who attended the regional meetings found their plans of action to be in accord with other women at the world conference indicating that their issues and concerns were global. Also, global solutions could be formulated and domesticated (Snyder and Tadesse, 1995). They focused on the implementation of CEDAW and the development of the “Forward Looking Strategies” that came out of the Conference.

3.3.2.2 Violence against Women Placed on the Human Rights Agenda

There was a push to complete the Convention on the Elimination of Discrimination Against Women (CEDAW) following the IWY Conference. Adopted in 1979, CEDAW addressed forms of discrimination against women, set international standards for women’s rights, and became known as the Women’s Bill of Rights. It combined, into a single instrument, international standards enunciating the equal rights of men and women. In 1981 it was

ratified as a comprehensive and internationally binding instrument to eliminate discrimination against women. “It [also] centered on initiating certain institutional arrangements at the national, regional, and international levels, empowering women to be able to adopt issues to the level of decision-making in government and courts”.³ However, it did not have specific language on violence against women as an international pandemic that negates women’s human rights.

In 1992, to directly address the issue of violence against women the CEDAW Committee proposed General Recommendation 19.⁴This document states that gender-based violence is a form of discrimination that inhibits women’s ability to enjoy rights and freedoms on equal basis with men. It further states that family violence is an insidious form of violence.(United Nations, 1992). In 1993, the UN Conference on Human Rights at Vienna officially recognized violence against women as a human rights violation. It also called for mainstreaming a gender perspective within the United Nations system. In that same year, the General Assembly adopted the Declaration on Elimination of Gender Violence Against Women to further strengthen CEDAW.

The ratification of CEDAW, the push to place women’s human rights and violence against women on the world agenda bolstered activists within the global women’s movement to initiate a strategy of developing and pushing for public policy “that would protect and support women in their local communities”(Walker, 2004, p.97). In the early 1990s, the International Women’s Tribune Centre (IWTC), an organization founded to work in association with the UN and the World Conferences to network linkages with women

activists globally, spearheaded an effort to ensure that women's human rights and violence against women would be a major focus of the Vienna Conference.

Before the start of the Vienna Conference, IWTC proposed circulating a petition worldwide that would have a simple resolution asking all countries to take action to end violence against women and to pass legislation that would assure women of their basic rights. A million signatures were collected worldwide by the start of the Conference.(Walker, 2004). It was a move to focus on nation states' responsibility to enact legislation with the goal of recognizing women's human rights and affording women equal protection under the law.

In 1994, the Vienna Declaration and Program of Action and the UN Declaration on the Elimination of Violence Against Women led to the creation and appointment of a Special Rapporteur on violence against women, and contributed to the work of developing the 1995 Beijing Platform for Action. The Beijing Declaration identified violence against women and girls as one of the twelve critical areas of concern (United Nations, 2003). Following the Beijing Conference, the UN continued to identify violence against women as an on-going critical concern. Each of the above declarations, treaties and conventions is an instrument of global governance and global public policy and a critical tool to be utilized by NGOs and civil society to advocate for nation states to formulate legislation to end violence against women and to engender their national public policy.

3.4. Teleconference - The Impact of International Instruments on National Public Policy: CEDAW - Beijing Platform for Action and UN World Conferences

The women's movement, of the latter half of the twentieth century, became an international movement when women began to act on the fact that their issues: access to education, food, health care, decision making, gender equity, gender equality and putting an end to violence against women were not unique or personal. They were experienced by others and must be addressed through global and national public policy. Issues that are defined as transcending the personal become issues that must be addressed by governments (Conway, 2005). Global governance became a mechanism to create public policy instruments, such as, CEDAW and General Recommendation 19. Once international conventions and treaties are signed and ratified by nation states the next step is to develop national laws to comply with international law, that is domesticate international law. The third step is national and local implementation. The Fourth World Conference on Women (1995) produced the Beijing Platform for Action and the Beijing Declaration. Along with CEDAW, the Beijing Platform for Action became one of the most explicit documents outlining strategies for action to change gender inequities and inequalities and also addresses specific areas of concern with a blueprint for action by nation states.

In order to investigate the impact of the above instruments of global governance on engendering national public policy, and on the issue of violence against women, an international teleconference with women from Ghana and the United States, was held on June 10, 2009.⁵ The teleconference, "Women Impact Global and National Governance

through International Dialogue: A Focus on Domestic Violence.” had four questions of inquiry:

Question One: *What has been the significance of the United Nations four World Conferences on Women, specifically the Fourth World Conference, Beijing Platform for Action, Beijing Declaration and CEDAW to women’s development, gender equity and gender equality?*

Question Two: *Has the United Nations served as a vehicle for women to impact global governance and global public policy?*

Question Three: *Have the ideas and experiences translated into the Platform for Action, the Beijing Declaration and CEDAW impacted the national and local public policy of Ghana?*

Question Four: *Have the ideas and experiences translated into the Platform for Action, the Beijing Declaration and CEDAW impacted the national and local public policy specifically in reference to the development and implementation of legislation around domestic violence in Ghana?*

The questions were presented to eight (8) panelists, who together have over 200 years of experience working to address issues of women and development, gender equity and gender equality, and violence against women. They worked with the United Nations, within their local governments, and as members and heads of NGOs. In these capacities they discussed the impact and use of instruments of global governance to address the issues of gender equity and gender equality, and violence against women (see Video Conference Program and Biographies in Appendix B). The responses of members of the panel to the four questions are analyzed below.

3.4.1 Question One: United Nations: a Vehicle for Women to Access Global Governance

Corann Okorodudu,⁶ has worked with NGOs and the UN since 1992. She cites the international women’s movement as the most transformative movement of the twentieth

century. She noted that there has been a reciprocal relationship between the women's movement and developments in the United Nations. Women's activism has shaped conceptions and approaches to women's empowerment, development, and peace at the United Nations, and in turn, developments at the United Nations have further energized the women's global movement.

Specifically, Okorodudu notes that the four UN World Conferences on Women can be credited with:

- providing the intellectual and political space in which women could work together, with governments, and with UN agencies for change; where disagreements could be aired and negotiated; and where women could educate each other and create networks across differences;
- creating international standards and mechanisms, including CEDAW, to respect, protect, and fulfill the rights of women;
- altering how United Nations issues are perceived and how agendas are established for action, and nudging governments to rethink national interests from a woman's and gender perspective; and
- mobilizing women as a political force worldwide and acknowledging women's rights as human rights.

Okorodudu also noted that some of the most crucial global public policy developments have been those that have led to increased attention to violence against women and girls in the family and the recognition that violence against women is a human rights concern. The Universal Declaration of Human Rights is a global policy document that explicitly refers to equal rights for men and women and in terms of violence it states that no one shall be subjected to cruel, inhuman or degrading treatment or punishment. The second global policy document that specifically addresses women's human rights is CEDAW. In order to

explicitly address violence against women General Recommendation 19 was added to CEDAW. General Recommendation 19 states that gender-based violence is a form of discrimination that inhibits women's ability to enjoy rights and freedoms on the basis of equality with men. It further notes that family violence is a critical factor in determining the level of violence in the community.

The other global policy document that addresses violence against women includes the Vienna Declaration and Programme of Action of the World Conference on Human Rights (1993). The 1993 Vienna Conference officially defined human rights violations and declared violence against women as a human rights violation. It also calls for the mainstreaming of gender perspectives within the United Nations system. In that year (1993), the General Assembly adopted the Declaration on Elimination of Gender Violence against Women to further strengthen CEDAW. In 1994, the Vienna Declaration and Program of Action and the UN Declaration on the Elimination of Violence Against Women led to the creation and appointment of a Special Rapporteur on violence against women, which then led to the 1995 Beijing Platform for Action, where violence against women and girls was identified as one of the twelve critical areas of concern.

Joana Adzoa Opare⁷ served for five years in a joint capacity working with the Ghanaian government and the United Nations Programme to Promote Gender Equity. She attributes the success of Ghana's work for gender equity and the passage of the Domestic Violence Act in 2007 as the direct result of the UN's Four World Conferences on Women and CEDAW. Opare identified four areas that pertain to the issues of domestic violence in Ghana and how these conferences have impacted Ghana.

First is the issue of institutional response to violence against women. There is a high degree of tolerance for violence against women predicated on the belief that domestic violence is a private or family matter and not a serious crime. Second, there is a misunderstanding or confusion as to what constitutes violence and what the various causes of violence are. Third, is the lack of mechanisms established and adhered to as a means of addressing perpetrators of violence. And, fourth, as studies have shown there is a lack of respect for women who are victims of domestic violence. These are four critical areas of concern when addressing the issue of violence against women, specifically domestic violence.

Opare notes that Ghana has been very good at ratifying conventions (see Appendix A for a partial listing of UN Treaties and Conventions signed by the Republic of Ghana specifically addressing issue of human rights) and complying with national reporting obligations, especially in the case of preparing reports for CEDAW and launching the reports nationwide. Ghana has also submitted reports to the Africa Peer Review Mechanism. In the key area of institutional response to violence against women and gender equity, Ghana has strengthened its institutions. In 2001 a Ministry of Women and Children's Affairs (MOWAC) (now Ministry for Gender, Children and Social Protection) was established. MOWAC is a central management agency of the state charged with the responsibility of formulating policies, promoting gender equality issues, looking at social and economic empowerment of women, as well as promoting the protection, survival, and holistic development of the Ghanaian child.

Opare further notes that there are a number of vibrant NGOs and human rights networks, which are also advocating on the issues of domestic violence and gender equality. MOWAC, NGOs, and civil society in general have been able to advocate and work together for the passage in Parliament of the Domestic Violence Act. This put in place a law that will handle domestic violence issues, along with this law; there is a plan of action to actually implement it. This was accompanied by amendments to the criminal codes, as well as the passage of the Human Trafficking Act (2005). All of these activities can be directly linked to CEDAW and the Beijing Declaration.

3.4.2 Question Two - Women Impact Global Policy Formulation

Marian Tackie,⁸ a thirty-year veteran working in the public sector on gender and development both nationally and internationally for the Government of Ghana, notes that the UN has served as a vehicle for women to impact global governance and global public policy; it has also empowered women to do so. Starting with the establishment of the UN in 1945 and its various organs, such as the General Assembly, the Security Council, the Economic and Social Council, all of which promote gender equality and a coordinated global policy.

In 1948 the Universal Declaration of Human Rights was adopted, which upholds the promotion and protection of the human rights of everyone, including women. Again, the promotion of gender equality was targeted by the UN in 1975 with the Declaration of the International Woman's Year. In that same year, UN member states were mandated to establish national machineries to promote gender equality, and to enhance the status of women in all phases of life. As a result, member states established councils, bureaus, and

departments. In the case of Ghana, a full-fledged ministry to champion the cause of women and development is now in place.

The UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), which was adopted in 1979, was actually drafted by women. And in Ghana, a very prominent Supreme Court judge, Justice Annie Jiagge, was instrumental in the drafting of CEDAW. A lot of women participated under the auspices of the UN Committee on the Elimination of all Forms of Discrimination against Women. Women actively participated in the drafting of the UN Declaration on Elimination of Violence against Women which has been translated into law in various countries including Ghana, which now has a domestic violence law.

The Vienna Conference on Human Rights, where the rights of women were acknowledged as human rights, led to the removal of discriminating practices and clauses in statutes and law in member states. In the case of Ghana, the criminal code was amended, and harmful cultural practices, such as Female Genital Mutilation (FGM), ritual servitude, and harmful religious practices, among others, are being eliminated. Women were also instrumental in drafting the Declaration and the Plan of Action for the International Conference on Population and Development (ICPD), which has been translated into national policies and plans of action to promote reproductive health, reproductive rights, and first motherhood initiatives, in order to reduce maternal deaths. Women participated in drafting the international global policy document, the Beijing Platform for Action and its various documents and declarations. In Ghana, plans of action were/are being developed to address". The Twelve Critical Areas of

Concern” from the Beijing Declaration. They have been translated into national plans and strategies.

According to Tackie the Millennium Development Goals is another international global policy, which the UN facilitated and which is being implemented internationally and nationally. All these conventions, protocols, and declarations have been translated into national policies. The UN was instrumental in serving as a vehicle for women to participate in global policy formulations and putting issues and challenges on the global and national agendas. The UN has served as a vehicle to enhance the status of women in development and to ensure the protection of their human rights. Member states have been encouraged and urged to take concrete action to enact laws to address issues of gender inequality, discrimination and violence, to address the low representation of women in decision making. Some examples of progress made in Ghana include an increase in women’s access to education, healthcare, and participation in the labor force. These are all as a result of global policies and women’s participation in formulating such policies.

3.4.3 Question Three - National Policies Emanate from Global Governance

Hamida Harrison⁹ the Senior Programme Officer for ABANTU for Development, a women’s rights organization focusing on policy advocacy for gender equality, notes that CEDAW and the Beijing Platform for Action have been very important for public policy initiatives in Ghana. The women of Ghana have every reason to celebrate though they might not be completely satisfied with the level of implementation. What CEDAW, which is now over

thirty years old, and the Beijing Platform for Action did was to make recommendations that centered on initiating certain institutional arrangements at the national, regional, and international levels, empowering women to be able to adopt issues to the level of decision making in government and the courts.

Several benefits have accrued to women in Ghana from the public policy initiatives that have been taken by the government. In the area of healthcare there have been policy initiatives to help women to access healthcare services and health facilities. Other legislative initiatives include the passage of the domestic violence bill, which has been a landmark legislation and very significant for all those who fought for the bill and for all those who will benefit from the bill. In terms of human rights for women there has been the passage of the law against trafficking and the law against female genital mutilation (FGM). The setting up of the Domestic Violence Victim Support Unit within the police service by the government has been crucial in addressing the issue of domestic violence.

All of these actions can be attributed to CEDAW and the Beijing Platform for Action. Most of the policies that have affected women have come through the Beijing Platform for Action and the fact that the government itself has signed all these international conventions and protocols means that they are committed to them. Ghana has a woman Chief Justice, Head of Immigration, Speaker of Parliament, and Attorney-General and Minister of Justice. These are all initiatives that have been implemented as a result of the mobilization of the women of Ghana to get government to implement the Beijing Platform for Action.

3.4.4 Question Four - CEDAW and the Beijing Platform for Action and the Legislation on Domestic Violence

Dorcas Coker Appiah, Esquire,¹⁰ is serving her second term as a member of the United Nations Committee on the Elimination of Discrimination against Women. She is Executive Director of the Gender Studies and Human Rights Documentation Centre, which conducted a five year study on domestic violence in Ghana. Coker Appiah notes that it is important to recognize that violence against women was a hidden problem all over the world, which is why it did not surface as an issue in 1979 when the UN adopted the Convention on the Elimination of Discrimination against Women. It was through the CEDAW Committee, who in their eleventh session identified violence as an issue and asked all member states to provide information on violence against women, as well as what they were doing to address it.

The CEDAW Committee adopted General Recommendation 19 to specifically address the issue of violence where CEDAW had not originally done so. This acknowledged the issue of violence against women to be a global issue. General Recommendation 19 provided a definition of violence against women and also, by its adoption, situated the issue of violence against women firmly in the human rights discourse. The issue continues to be difficult to address in various countries. Never-the-less, the adoption of General Recommendation 19 has become an instrument for women around the world to use as they work on the issue of violence against women in their various countries. The same is true for Ghana. It was very difficult to address the issue. However, different international instruments and treaties signed

by the government of Ghana have helped those working to end violence against women, specifically domestic violence.

The adoption of General Recommendation 19 was followed by the 1993 UN World Conference on Human Rights in Vienna, where the Declaration on the Elimination of Violence against Women was adopted. It was at the Vienna Conference where, for the first time, many who attended came in contact with the issue of violence against women. Women's rights organizations worked at the conference to make it clear that violence against women was a human rights violation, and women's rights are human rights. This was the first recognition of the global magnitude of the problem of violence against women. In 1994, a Special Rapporteur was selected to focus on violence against women. This was followed by other important events such as the Global Tribunal on Violence against Women, at which there were testimonials by women who had been victims of violence, as the so-called "Comfort Women". These Korean women were considered to be military supplies for the Japanese military during WWII to use as sex slaves.¹¹

Coker Appiah made the linkage between the international issue of violence against women and the local situation in Ghana, which led to the setting up of a legal aid scheme for women and families. The question arose whether violence against women was a prevalent problem in Ghana. In order to begin documenting and identifying whether violence against women was a problem questions were added to the application form for legal aid services. The question asked was whether people had ever been subjected to violence. The information returned

presented a serious revelation that violence against women was a problem in Ghana. It was a hidden problem that needed to be addressed; and something needed to be done.

This period was followed by the 1995 UN Fourth World Conference on Women and the Beijing Platform for Action, which identified violence against women as one of the “Twelve Critical Areas of Concern.” NGOs had taken up the issue and were pressing for the government to address it. Shortly after the Beijing Conference, Ghana adopted an action plan that was to address violence against women. The Gender Studies and Human Rights Documentation Centre launched a five-year study, which culminated in the publication of *Breaking the Silence and Challenging the Myths of Violence against Women and Children in Ghana*. The study led to women’s rights organizations mobilizing around the issue of domestic violence, as well as working on the draft of the Domestic Violence Bill. The draft was presented to the Attorney-General whose office eventually came out with a draft bill based on the two drafts that had been previously submitted. It took six years to of mobilizing to finally get the Domestic Violence Bill passed into law in 2007 as the Domestic Violence Act, 2007 (Act 732).

The Act is linked to CEDAW’s General Recommendation 19 in terms of the recommendations made to governments and what it seeks to accomplish. It talks of promoting, protecting and preventing violence against women. Ghana’s Domestic Violence Act adopts these objectives, and is now considered a legislative document that can be used as a model for other countries, because it looks at not only prevention; it also offers protection

to the victim. CEDAW and the Beijing Platform for Action led to where Ghana is today with regard to actions to end violence against women.

3.5 Conclusion

Key to the analysis of addressing a gendered nation state system is an analysis of the origins of that system, the effects of that system on gender equity and gender equality and who the system benefits. The constructing of a gendered state society was an historical process starting with the 1648 Treaty of Westphalia whose goal was power and control of territory, resources and of religious beliefs to the destruction of traditional African systems of governance during European colonialism, as well as the continuation of gendered political, economic and social systems post-independence.

Chapter three further analyses the development of global public policy on human rights, gender equity, gender equality and ending violence against women. These issues were addressed through a series of UN world conferences, the development of an international civil society, the development of the international women's movement, and international, national and local NGOs/CSOs working on topic specific issues as the girl child, infant mortality rates and ending violence against women. International standards of human rights were developed through conventions, covenants, and treaties signed by nation states agreeing to not only the principle of international human rights, but agreeing to the domestication of these rights into national public policy.

Ghana and other global South countries, from the beginning of their membership in the UN, played a direct and vital role in global governance and in the formulation of global public policy, specifically women's rights as human rights and issues, such as ending

violence against women. Justice Annie Jiagge of Ghana served at the UN on behalf of Ghana as a member of the CSW from 1962 to 1972. In 1968 she served as CSW's chair. Her contribution included participating in the UN Interregional Meeting of experts on the Integration of Women in Development 1972. She played a critical role in the development and drafting of the Declaration on the Elimination of All Forms of Discrimination Against Women (DEDAW) and later in the drafting of Convention on the Elimination of Discrimination Against Women (CEDAW) (Jain, 2005, pp. 65-68). Justice Jiagge was also instrumental in setting up the first machinery in an African country to address "women's issues" and doctrines of the World Conference of the International Women's Year, and subsequent UN world Conferences on Women. In this capacity she served as the founder and first chair of Ghana's National Council on Women and Development. (Dolphyne, 1991; Jain, 2005). "Women were able to forge a political identity on the basis of the discrimination they faced universally, in spite of diversity and divisions. They emerged as a global social entity" (Jain, 2005, p.69).

The Teleconference brought together women who participated directly in the global governance process as participants of UN World Conferences, as representatives of the Ghanaian Government to UN agencies focusing on women's human rights, and as a Delegate on the CEDAW Committee, which reviews country reports on the status of their implementation of CEDAW. They also represented NGOs whose work focuses on issues of human rights for women and ending violence against women. They utilized international instruments, such as CEDAW and the Beijing Platform for Action in formulating drafts of the Domestic Violence Bill and in the writing of the Women's Manifesto for Ghana. They connected global public policy with the issues of gender equity, gender equality and violence against women as they lobbied and advocated for public policy that addresses these issues.

Notes

¹The point has been discussed in detail in chapter two. See the following references Davidson, Basil. 2005. (reprint from 1998). The Black Man's Burden: Africa and the Curse of the Nation-State. London: James Currey, LTD; Frank, Andre Gunder. 1967. Capitalism and Underdevelopment in Latin America: Historical Cases of Chile and Brazil: New York: Monthly Review Press. Rodney, Walter, 1982. How Europe Underdeveloped Africa, Washington, D.C.: Howard University Press, revised ed., with a postscript by A. M. Babu; Wallerstein, Immanuel, "Dependence in an Interdependent World: The Limited Possibilities of Transformation within the Capitalist-World Economy," African Studies Review, 17 no.1, 1974.

² In 1787, the Three-Fifths Compromise was reached between the North and South at the Philadelphia Convention at which was decided how to count enslaved Africans for the purposes of tax collection and the number of representatives that a state would have in the United States House of Representatives. Africans would be counted as three-fifths of a human being. It was a compromise that enabled the North to check the power of the South, but because of the sheer numbers of slaves it still gave additional seats in the House of Representatives to the South. The US Constitution did not condemn or prohibit slavery. Willis, Gary, 2003. "Negro President": Jefferson and the Slave Power. Boston: Houghton Mifflin; Walton, Hanes, Jr.; Smith, Robert C. 2006. American Politics and the African American Quest for Universal Freedom (3rd Edition), New York: Pearson Longman.

³Hamida Harrison, June 10, 2009. "National Policies Emanate from Global Governance." An International Teleconference: Women Impact Global and National Governance through International Dialogue: A Focus on Domestic Violence. Held simultaneously at Cheyney University of Pennsylvania and the American Embassy - Ghana.

⁴ General recommendations are made by the Committee on the Elimination of Discrimination against Women in order to add to the protection of women and to further strengthen the instrument's ability to prevent, protect and respond to acts of violence. General Recommendation No. 19 was formulated in 1992 at the eleventh (11th) session of CEDAW in order to focus specifically on violence against women. The Convention in article 1 defines discrimination against women. The definition of discrimination includes gender-based violence, that is, violence that is directed against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty. Gender-based violence may breach specific provisions of the Convention, regardless of whether those provisions expressly mention violence. General Recommendation 19 is a detailed recommendation which outlines all forms of gender-based violence including "culturally" based acts of violence. See CEDAW, Division for the Advancement of Women, Department of Economic and Social Affairs <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm>.

⁵ Nyahuma, Tahiya McCoy, Convener, June 10, 2009. An International Teleconference: “Women Impact Global and National Governance through International Dialogue: A Focus on Domestic Violence”. Held simultaneously at Cheyney University of Pennsylvania and the American Embassy - Ghana.

⁶ Okorodudu, Corann, June 10, 2009. “An Overview: The Significance of the UN four World Conferences and CEDAW to Women’s Development, Gender Equity and Gender Equality.” An International Teleconference. Women Impact Global and National Governance through International Dialogue: A Focus on Domestic Violence. Held simultaneously at Cheyney University of Pennsylvania and the American Embassy - Ghana.

⁷ Opare, Joana Adzoa, June 10, 2009. “The Case of Ghana: The Significance of the UN four World Conferences and CEDAW to Women’s Development, Gender Equity and Gender Equality.” An International Teleconference. Women Impact Global and National Governance through International Dialogue: A Focus on Domestic Violence. Held simultaneously at Cheyney University of Pennsylvania and the American Embassy - Ghana.

⁸ Tackie, Marian, June 10, 2009. “United Nations: A Vehicle for Women to Impact Global Policy Formulation.” An International Teleconference: Women Impact Global and National Governance through International Dialogue: A Focus on Domestic Violence. Held simultaneously at Cheyney University of Pennsylvania and the American Embassy - Ghana.

⁹ Hamida Harrison, June 10, 2009. “National Policies Emanate from Global Governance.” An International Teleconference: Women Impact Global and National Governance through International Dialogue: A Focus on Domestic Violence. Held simultaneously at Cheyney University of Pennsylvania and the American Embassy - Ghana.

¹⁰ Appiah, Dorcus Coker, June 10, 2009. “CEDAW and the Platform for Action lay the Ground Work for Legislation on Domestic Violence.” An International Teleconference: Women Impact Global and National Governance through International Dialogue: A Focus on Domestic Violence. Held simultaneously at Cheyney University of Pennsylvania and the American Embassy - Ghana.

Choi, Imja, June 10, 2009. “National Policies Emanate from Global Governance.” An International Teleconference: Women Impact Global and National Governance through International Dialogue: A Focus on Domestic Violence. Held simultaneously at Cheyney University of Pennsylvania and the American Embassy - Ghana.

¹¹ Chou, Imja, June 10, 2009, “CEDAW and the Platform for Action lay the Ground Work for Legislation on Domestic Violence.” An International Teleconference: Women Impact Global and National Governance through International Dialogue: A Focus on Domestic Violence. Held simultaneously at Cheyney University of Pennsylvania and the American Embassy - Ghana.

Chapter Four

4.0 Ghana's Domestic Violence Act, 2007 (Act 732): An Interface between Global Governance and National Public Policy

4.1 Introduction

Gender is used here as a category of analysis because gender differences have been institutionalized worldwide and are a major factor in structural inequalities in world politics (Peterson and Runyan, 1999). Though the context of gender varies from society to society and culture to culture, gender has been established as a social relation of inequality.¹ The level of violence against women is a major consequence of gender inequality. The UN report titled *Ending Violence Against Women: From Words to Action* (2006) noted that violence against women is a pandemic affecting every country in the world (United Nations, 2006). The UN, through its treaties and conventions, has called for transnational and trans-sovereign actions to end violence against women. This analysis uses Ghana's Domestic Violence Act, 2007 (Act 732) as a manifestation of how global governance and global public policy impacted the process of engendering Ghana's public policy and addressed the issues of prevention and criminalization of violence against women, specifically domestic violence.

Ghana's public policy is examined because Ghana is an active participant in global governance having ratified a number of international instruments. Ghana has in some cases embedded global public policy in its national public policy by setting guidelines for the

domestic ratification of various multilateral treaties, conventions and agreements.² In The Republic of Ghana Treaty Manual it is stated that “...as a dualist state, the Republic is required to ratify a treaty internationally and then proceed to ratify the treaty, in accordance with the Constitution. Two steps are required, the international intervention followed by the domestic process in order to transform the treaty from international law to domestic legislation” (Republic of Ghana, 2008). Ghana has developed mechanisms for participation in and ratification of global public policy thereby, turning an instrument of global governance into domestic law as in the case of the Domestic Violence Act, 2007 (Act 732).

The qualitative method is used to explore the hypotheses of this research. As stated in chapter one, “Ghana’s Domestic Violence Act, 2007 (Act 732) is a manifestation of a local issue - domestic violence, as well as an international issue linked to global governance and global public policy. The intervening variables, the political environment and “third wave” democracy enhanced the opportunity for NGOs and civil society to interface between global governance and national public policy. Women’s participation in global governance and global public policy through the United Nation’s four World Conferences on Women, CEDAW and other UN international conferences, has opened space for and empowered women in Ghana to contribute to effecting change in national public policy. The implementation of the Act is part of the process of mainstreaming gender equity and gender equality with the aim of preventing and protecting women, children, and men from domestic violence.

This chapter addresses the following questions:

1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?
2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?
3. Is Ghana's Domestic Violence Act a manifestation of global governance and global public policy?

4.2 Informant Interviews

NGOs/CSOs have been defined as the third sector within the realm of bodies of governance. Government and business are the first and second sectors, respectively (D'Anieri, 2009). The rise of NGOs/CSOs has been important to the process of democratization of nation states generally and of African nation states specifically (Gyimah-Boadi, 2001). They provided an arena for complex and sensitive issues to be addressed and to be brought before the government, business sectors and civil society as a whole. They enable and, in some circumstances, demand that governments act to address issues that civil society has identified as a public concern (Fallon, 2008).

In the 1990s, the democratization of Ghana enabled the development of organizations that were autonomous from the government-affiliated women and development organizations, such as the National Council on Women and Development and the 31st December Women's

Movement (Manuh, 2007a). This period was also characterized by the international women's movement and the globalization of the transnational and trans-sovereign issue of violence against women. NGOs/CSOs expanded their focus from income generating and legal reforms to a broader range of issues challenging the status quo, such as customary and traditional practices that are harmful to women and negate their human rights (Manuh, 2007a). The new era civil society organizations have begun to address change through public policy and connected transnational issues to trans-sovereign solutions through the use of instruments of global governance, such as CEDAW and the Beijing Platform for Action.³

The pandemic of violence against women and specifically domestic violence has been brought to the forefront as an issue of international concern, as well as an issue of local and national concern. In Ghana civil society organizations mounted a campaign for reform (Adomako Ampofo, 2008; Manuh, 2010). Some of the organizations which participated in the campaign included NGOs/CSOs, such as the Gender Studies and Human Rights Documentation Centre, Gender Planning Consults Ltd., ABANTU for Development, Ark Foundation, Women's Initiative for Self-Empowerment (WISE) International Federation of Women Lawyers (FIDA) Ghana, Women in Law and Development in Africa, (WiLDAF) Ghana, and Gender Violence Survivor Support Network (GVSSN). These organizations are members of the National Coalition on Domestic Violence Legislation (see full list of organizations represented in informant interviews in appendix C).

Democratization has also meant redefinition of old governmental machineries and the establishment of new government machineries with the mandate to address issues identified

by civil society. In some cases this requires the use of global governance and global public instruments domesticated to address national and local issues to oversee the implementation of public policy.

In order to investigate the relationship between the independent variables of *global governance* and *global public policy* and the intervening variables of *political environment* and “*third wave*” *democracy* in Africa, with the dependent variable *national public policy*, specifically the Domestic Violence Act, 2007 (Act 732), nineteen (19) informant interviews were conducted. The interviews were conducted with two distinct groups: NGOs/CSOs whose mission included ending violence against women and domestic violence; and with representatives of government machineries established to address the issues of gender equity, gender equality and other economic and social justice issues as domestic violence.

Table 4.1 denotes which NGOs/CSOs are international, national/local, coalitions, organizations, and or national machineries.

Table 4.1 NGOs/CSOs and National Ministries, Departments, and Agencies that Address Gender Equity, Gender Equality and Domestic Violence

NGO/CSOs and National Machineries	International Coalition	International NGO/CSOs	National Coalition	National/Local NGO/CSOs	Governmental Machinery
ABANTU for Development		✓		✓	
Action aid Ghana		✓		✓	
ARK Foundation				✓	
Gender Development Institute				✓	
Gender Studies & Human Rights Documentation Centre (Gender Centre)				✓	
Gender Violence Survivor Support Network, (GVSSN)				✓	
International Federation of Women Lawyers (FIDA)		✓		✓	
The Network for Women's Rights (NETRIGHT)			✓		
National Coalition on Domestic Violence Legislation in Ghana			✓		
Women in Law and Development in Africa (WILDAF)		✓		✓	
Women's Initiative for Self-Empowerment (WISE)				✓	
National Machineries					
Ministry of Women and Children's Affairs					✓
Secretariat for Domestic Violence, Ministry of Women and Children's Affairs					✓
Ministry of Women and Children's Affairs, Greater Accra Secretariat					✓

NGO/CSOs and National Machineries	International Coalition	International NGO/CSOs	National Coalition	National/Local NGO/CSOs	Governmental Machinery
Ministry of Women and Children’s Affairs, International Women’s Desk					✓
Central Regional Minister, Regional Co-Coordinating Council, Cape Coast, Ghana					✓
Formerly the National Council on Women and Development					✓
Government of Ghana/United Nations System Programme for Promoting Gender Equality					✓
Office of the Head of Social Services, Police Hospital, Member of GVSSN					✓

4.3 Summary of the Informants Perceptions and Analysis from Interviews

The informant questionnaire is titled “Engendering National Public Policy through Global Governance: an Assessment of Ghana’s Domestic Violence Legislation as a Trans-Sovereign Issue”. The informant questionnaire consisted of four sections and a total of twelve (12) questions. The sections and questions are listed below with abbreviated summations of responses of informant interviewees. See Chapter five for the analysis of summations (see Appendix C Exhibit 1 to 19 for the full questionnaire of each informant with answers to all

twelve questions). Section One - Organizational Background Information is presented at top of questionnaire.

4.3.1 Global Governance and Global Public Policy

In answering the questions below in Section Two the interviewees discussed their perception and analysis of how global governance and global public policy has enabled the engendering of national public policy, as well as affected the transnational and trans-sovereign issue of violence against women. They noted that the UN World Conferences provided an arena for women's issues and proposed solutions to be placed on an international agenda.

Section Two - Global Governance and Global Public Policy – Questions one and two

1. Can global governance and global public policy engender national public policy?
2. To what extent has global public policy impacted national public policy and the transnational issue of domestic violence?

Hamida Harrison, Senior Program Officer of ABANTU, observed that global policy has a way of forcing governments to be accountable. The existence of international laws gives civil society a platform to stand on as they call on governments to address certain issues particularly issues such as violence against women (see Appendix C, Exhibit 12, Section 2).

Hillary Gbedemah, Women in Law and Development in Africa (WiLDAF Ghana) notes that Ghana has been part of the formulation of global public policy by its signing of treaties and conventions, and is therefore, dually and morally bound to domesticate and incorporate the

policies agreed upon into national policy. Gbedemah reiterates that the experiences of the participants in the various UN conferences and conventions are reflected in the formulation of the policies that come out of them. If the policies did not connect with the experiences of people from various countries there would be no buy-in to the signing of these conventions and treaties and the use of them in the formulation of other instruments. National policy has been informed based on CEDAW, the Millennium Development Goals (MDGs) and before these documents the Universal Declaration of Human Rights. These documents have been translated into the Ghanaian Constitution. She cites the examples of The Human Rights Section of the 1992 Constitution, which she notes draws on the UN human rights instruments, such as the Universal Declaration of Human Rights and CEDAW. From the Constitution, specific laws have been formulated, such as the women's rights section and the property rights sections, which then contributed to the formulation of the Domestic Violence Act, 2007 (Act 732) (see Appendix C, Exhibit 11, Section 2).

The Ghanaian 1992 Constitution, the supreme law of the land, and other national laws, are consistent with the doctrines of international conventions.

Some of the provisions that interface with international law are:

1. Article 16(1): "No person shall be held in slavery or servitude"
2. Article 16(2): "No person shall be required to perform forced labor"
3. Article 15(1): "The dignity of all persons shall be inviolable"
4. Article 15(2): "No persons whether or not he is arrested, restricted or detained be subject to (a) torture or other cruel, inhuman or degrading treatment or punishment"

(b) any other condition that detracts or is likely to detract from his dignity and self-worth as a human being"

5. Article 25(1): "All persons shall have the right to equal educational opportunities and facilities"
6. Article 28(4): "No child shall be deprived by any other person of medical treatment, education or any other social or economic benefit by reason only of religious or other beliefs. (WiLDAF, January 2013).

Adwoa Bame, Executive Director of WISE, notes that global governance has opened up space for women to engage the processes of governance at a high level. Members of CSOs and individuals are able to dialogue directly with government representatives and challenge the validity of the content of government reports presented at UN meetings as the CSW. These interfaces have given women the opportunity to translate what they see as affecting gender equity and gender equality into issues recognized as global and national policy issues (see Appendix C, Exhibit 15, Section 2).

Deborah Tayo Akakpo, Co-coordinator of GVSSN, noted that African regional institutions have acknowledged that gender equity and equality are essential for African development and that there must be regional efforts to address gender issues. The Economic Community of West African States (ECOWAS) has officially acknowledged that there cannot be full development in Africa and the ending of poverty, without gender equity; as a result the ECOWAS Gender Development Centre (EGDC) was set up in 2003. It is housed in Dakar, Senegal.⁴ Akakpo reported that as a participant in the ECOWAS meeting on women's affairs

in 2008, held in the Gambia, one area delegates lobbied for was joint sanctions against states that did not adhere to the terms of the treaties.(see Appendix C, Exhibit 3, Section 2).

Akakpo also noted that several countries, including Ghana, have signed on to the African Peer Review Mechanism (APRM) established by the African Union for the purpose of self-monitoring of political, economic, corporate and social governance.⁵ The self-assessment is reviewed by peers. In 2006, Ghana was the first country to make a presentation to the APRM in which it was revealed that the attainment of gender equity remains a serious concern. As a result of the assessment of Ghana's slow progress in the area of gender equity, the Government of Ghana responded to observations made by CSOs requesting that they address the issue by hosting workshops with CSOs and government officials on gender equity. According to Akakpo it was the force of global governance that drove the initiative of the Ghana government to move forward on a national initiative with CSOs around gender equity (see Appendix C, Exhibit 3, Section 2).

As attested to by both Chris Dadzie of FIDA and Adolf Awuku Bekoe of the National Coalition on Domestic Violence Legislation in Ghana, the UN Fourth World Conference on Women, known as the Beijing Conference, gave a boost to the recognition of specific areas of concern for women globally. Violence against women was one of the issues identified as a major issue hindering sustainable development, driving up health costs and violating women's human rights, which had to be addressed.

Dadzie notes that FIDA is an international NGO that has been engaged in international processes working for human rights and women's rights. As mentioned above, FIDA has been working with UN institutions due to their consultative status. In 1974, FIDA Ghana was officially established by women lawyers who had as individuals worked on human rights issues and with indigent women. FIDA members were very active in galvanizing women to be a part of the UN Fourth World Conference on Women held in Beijing, China. Out of these international conferences and those with a focus on women came the National Council on Women and Development [a government machinery to work on women's inclusion in development]. Ghana has been a member of the UN since its independence in 1957; it has always been involved in the global movement on human rights.

Joining the global movement on the issue of human rights, through FIDA International, gave women lawyers in Ghana a vehicle through which they could communicate, network and gather information globally so that they could better affect change locally. FIDA Ghana members were very active in the advocacy work for the Domestic Violence Bill and in the whole process to promote the gendering of public policy (see Appendix C, Exhibit 7, Section 2).

Adolf Awuku Bekoe was one of the several hundred males who attended the UN Fourth World Conference on Women and is Coordinator of the DV Coalition. He observed that the conference helped to define concepts and language to use in order to address the issue of concern, violence against women. It gave those working on the phenomena of violence against women, [along with the 1993 Human Rights Conference], the tools to assist the

community to tackle the issue. The Beijing Conference emboldened and energized those in attendance to proceed forward and was part of the stimulus to conduct research on the depth and magnitude of the problem of domestic violence in Ghana(see Appendix C, Exhibit 6, Section 2).

Dorcas Coker-Appiah, Executive Director, of Gender Studies & Human Rights Documentation Centre (Gender Centre), Founding Convener and Member of The Network for Women's Rights in Ghana (NETRIGHT) and two term Ghanaian Government Representative to CSW, noted that global governance and global public policy have played a major role in engendering national public policy starting in 1975 with the first UN World Conference on Women [officially called International Women's Year Conference]. One of the outcomes of the conference was a call to governments to formulate national strategies, targets and priorities to address women's concerns and for governments to set up national machineries. Ghana responded by being one of the first countries to set up an organization to specifically address the issues of women: The National Council on Women and Development.

This was a direct link between global governance and local and national policy and implementation. The outcome of the 1994 Population Conference in Cairo, Egypt, was the production of a document on women's reproductive rights and other women's health issues, as well as implementation strategies. The Beijing Conference produced the Beijing Platform for Action, which outlined the Twelve Critical areas of concern. The Platform for Action served as a reference document as Ghana adopted portions of it for its national action plan

and implementation strategy and as a basis for developing legislation to end domestic violence and violence against women in general.

Ghana was a signatory and a state party to the CEDAW Convention. The issues under CEDAW have been translated into national policies and laws. An example would be the inheritance rights in Article 16 of CEDAW, which correspond with the succession laws of Ghana. These laws have made it possible for women to inherit property (see Appendix C, Exhibit 9, Section 2).

Naa Atwei Victoria Owusu representing the ARK Foundation emphasized the impact and importance of global public policy documents, such as CEDAW and the Platform for Action for the engendering of national public policy in Ghana. She pointed out that Ghana has been an active member of the UN and as such has participated in the development of these instruments and has drawn from them. Ghana is also an active member of regional intergovernmental institutions as the AU. The AU has produced the Africa Women's Protocol, which maps out specific doctrines on ending violence against women in Africa (see Appendix C, Exhibit 15, Section 2).

Patience Adumua-Lartey, Women's Rights Policy Advisor for the Ghana ActionAid described the passage of the Domestic Violence Act, as a result of the struggles of the women's movement and participation of the Ministry of Women and Children's Affairs. MOWAC having its roots in the National Council on Women and Development [one of the first machineries] set up by the government in an African country to address women's issues

and many of the various women's rights organizations, which gained their awareness from the outreach work of FIDA to create awareness on women's rights. Adumua-Lartey noted that in the late 1980s and early 1990s discussions around women's issues were not very common in Ghana. Participation in international conferences helped women to gain knowledge of women's rights. The ratification of CEDAW by the government of Ghana made CEDAW an instrument to be used in advocating for the Domestic Violence Act, 2007 (Act 732). Ghana's ratification of the Convention on the Rights of the Child was the impetus for the drafting and passing of the Children's Act, 1998 (Act 560) (see Appendix C, Exhibit 2, Section 2).

Apostle Dr. Queronica Q. Quartey, a Consultant to ActionAid and a former employee of the National Council on Women and Development, brought a unique perspective to the informant interviews as a former employee of one of the first African machineries set up to address women's issues: the National Council on Women and Development (NCWD). She recalled that the NCWD was established as a result of a global directive by the International Women's Year Conference and the UN Commission on the Status of Women (CSW) to set up women's machineries for the integration of women into all aspects of development and to engage women in the decision making processes of development. The Council organized a series of seminars and workshops for women in the formal and informal sectors based on the themes of the United Nations Decade for Women (1976-1985): development, peace and equality. These activities increased the momentum in Ghana for women to be included in development and subsequently for the recognition of gender issues (see Appendix C, Exhibit 16, Section 2).

Wilbert Tengey, Chief Executive Officer of the Gender Development Institute is in the unique position of being a male who has started an NGO/CSO, which focuses on gender equality. According to Tengey, Ghana has played a significant role in global governance by its signing of international treaties and conventions. The Ghanaian government took great pride in being the first country to sign the UN Convention on the Rights of the Child, and the first country to ratify the convention. The Ghanaian government has demonstrated that it has the political will to participate in international law by setting up the national machinery [NCWD] and by adhering to the international reporting procedures and sending representatives to the international conferences and conventions. CSW identified domestic violence as a major global issue giving civil society organizations the impetus to move their local struggles forward. The local process met with difficulties as the cultural dimensions for domestic violence were used as justification for the practice. Tengey noted that it was the international conventions and conferences, which helped to bring international attention to the issue of domestic violence (see Appendix C, Exhibit 19, Section 2).

Vivian Fiscian an active member of the DV Coalition observed that one of the major impacts of the two documents, CEDAW and the Beijing Platform for Action, is that they have set global standards for defining and addressing women's rights issues. The results of these global policies has been local activities focus on addressing women's rights. Fiscian cites the Millennium Development Goals (MDGs) as a key global instrument that was internationally developed and accepted for the purpose of sustaining development and eliminating poverty worldwide. MDGs consist of eight goals and one of which includes ending violence against

women. Countries and NGOs have to be in line with the goals. MDGs are to be used by donor organizations to help determine levels of support to governments and NGOs who are not meeting the eight goals. For example, if a national NGO, such as the Ark Foundation of Ghana, wants access to resources from the United Nation's Populations Fund (UNFPA), in order to reach women who are victims of domestic violence, then the probability that they will get UN funding is higher, because they are addressing one of the eight Millennium Development Goals, ending domestic violence and violence against women (see Appendix C, Exhibit 10, Section 2).

Elvis Bawa Sadonga noted that all global movements start with individuals working on an issue in their community, such as reproductive health, violence against women or domestic violence. These individuals are brave enough to break with cultural traditions that have become cultural barriers. They tell their own stories against the odds and the system. They sometimes face prosecution. They form movements and pressure international organizations to look at these issues. At the international level there was the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) [1979] followed by the Declaration on the Elimination of Violence against Women [1993],⁶ as well as the four United Nations World Conferences on Women. All of these events were working to end violence against women.

CEDAW and the Beijing Platform for Action played a critical role in Ghana when the First Lady of Ghana Nana Konadu Agyeman Rawlings formed the 31st December Women's Movement [initiated in 1982]. It was essentially a part of the government and was therefore

able to push for policy changes. The Women and Juvenile Unit was formed, today called Domestic Violence Victim's Support Unit (DOVVSU). During this same time period the Children's Act [1998 (Act 560)] was passed and the Criminal Code Amendment Act [2003 (Act 646)], which removed all [legal] barriers to the achievements of women's rights.

Sadonga collaborated the findings and experiences of the other informants when he noted that by the end of 1998 the political environment allowed for the development of NGOs independent of the government. These NGOs were primarily run by women focusing on women and children's rights, organizations such as WISE and the Ark Foundation, which focused on women's rights and domestic violence. By 2000, a new government was in office and created the Ministry of Women and Children's Affairs. The Ministry provided an even wider platform for national and international NGOs. Women were at the forefront of interacting with governance (see Appendix C, Exhibit 17, Section 2).

Joana Adzoa Opare notes that it is states that form the [basis] of the international community. Ghana has been an active member of the UN ratifying conventions and treaties on good governance. Ghana has prepared reports for and acceded to peer review mechanisms. The reports have included issues of women's participation in governance and decision making, as well as, the implementation of CEDAW, the Nairobi Forward Looking Strategies and the Beijing Platform for Action. Women have to now hold their governments accountable to these instruments of international governance. CEDAW, the Nairobi Forward Looking Strategies (1985) and the Beijing Platform for Action all have provisions in them that directly address domestic violence. All of them were used in what turned out to be a participatory

process between government, civil society and the general citizenry to pass the Domestic Violence Act, 2007 (Act 732)(see Appendix C, Exhibit 14, Section 2).

The Honorable Ama Benyiwa Doe, Regional Minister of the Central Region, notes that in a world that is getting smaller and smaller as a result of computers, the speed of information transfer and human travel across the globe, global governance has a bearing on national governance. Another factor is the end of the Cold War. Since the end of the Cold War era African governments have been incentivized to institute democratic reforms in order to receive resources from “developed” countries. It has virtually become a global decision. Demands have been placed on “developing” countries to reform in order to get resources. When such demands are made one has to respond at least in part in order to be a part of the new world order.

In the case of domestic violence and rape we [people and government officials of Ghana] knew it was taking place, but women were not empowered to report it and to address the issue. Women have become emboldened by the global trends. NGOs and others have played a big role in sensitizing and educating the public. Women were stigmatized and intimidated when they attempted to report rape and abuse. The police are primarily men and they have a chauvinistic orientation. Women did not feel free to report cases of rape until the rise of NGOs focused on women’s rights, many of which developed out of the global movement to empower women (see Appendix C, Exhibit 8, Section 2).

The Honorable Juliana Azumah–Mensah, Member of Parliament and Minister of Women and Children’s Affairs noted that Ghana has been in the forefront of global governance as a member of the UN and the AU. Both of those organizations had an impact on legislation for domestic violence, human trafficking and for the protection of children. Domestic violence is a global issue and a transnational issue. Ghana’s Domestic Violence Act, (Act 732) comes with a local and a global understanding that there is a need to end domestic violence. Ghana has used global public policy to engender the issue of domestic violence, as well as a tool to address gender inequality and women’s empowerment (see Appendix C, Exhibit 4, Section 2).

Marian Tackie, International Women’s Desk of the MOWCA, a thirty-five year veteran civil servant working with women and development within the government machineries, notes that it was the UN Declaration on the Elimination of Violence Against Women that was the impetus for the government to commission a study on the nature and incidence of domestic violence in Ghana. The study revealed that the level of violence was very high and that women who reported acts of domestic violence were often sent back home to resolve the problem. The study also showed that there was a need to back the signing of the Declaration with a national law to help ensure the protection of women, children and men who are victims of domestic violence.

The study was a lengthy one designed to solicit views from around the country. There were consultations with traditional authorities, the House of Chiefs, Queen Mothers, civil society, politicians, parliamentarians, opinion leaders, and women's groups throughout the country.

The study supported evidence on the ground that domestic violence has no respect for persons; it does not matter if one is educated or illiterate, rich or poor, many suffer one form or another of domestic violence. It can be verbal, physical, and/or emotional. The law actually gave a comprehensive definition of what domestic violence is and those who are vulnerable to it. Men can also be victims of domestic violence, but the overall majorities are women and children. So this is the premise on which the law was promulgated.

The law provides for provisions of what is illegal or criminal. Therefore, there is a National Action Plan that outlines objectives for addressing and implementing the law. It gives specific assignments and roles to the relevant stakeholders, for instance, the specific role of the police, medical practitioners and social workers, as well as individuals within communities and within homes. Some institutional frameworks have been put in place, as the Domestic Violence and Victims Support Unit (DOVVSU) within various police stations where victims can go and report cases to be heard and to be prosecuted. Within the DOVVSU are counselors, to assist people who are traumatized when they go through one form or another of domestic violence. [However], there are few shelters for victims (see Appendix C, Exhibit 18, Section 2).

Theodora Mohenu, Secretariat for Domestic Violence notes that as signatories of CEDAW and the Beijing Platform for Action we have attempted to implement these policies. Ghana's participation in global governance for the purpose of engendering national policy and programs is exemplified by the participation of the Ministry of Women and Children's Affairs in the annual Commission on the Status of Women's (CSW) meetings [held in New

York]. MOWAC prepares a report each year on the challenges, what has been done to affect change for women in Ghana and the way forward. They also bring back information on what they have learned from others in attendance. Upon their return from the CSW meetings MOWAC hosts a program, with others who attended, in order to share the findings from the meetings and the reports presented on behalf of Ghana (see Appendix C, Exhibit 13, Section 2).

Comfort Esi Ablometi MOWAC's Department of Women, Regional Director of the Greater Accra Secretariat affirmed that CEDAW and the Platform of Action were two international documents ratified by Ghana and that both played an important role in the development of the Domestic Violence Act. Some of the tenets of CEDAW and other ratified conventions are imbedded in the constitution and in other public policies. The ratification of conventions and treaties means binding yourself to them and to being held accountable for implementation (see Appendix C, Exhibit 1, Section 2).

4.3.2 Gender and Public Policy from Global to National Perspectives

The informant interviewees, male and female, in answering the questions below noted that the public domain has not been open to women and that public policy is affected by the gendered construction of society. They further noted that gender composition in public policy decision making can determine which policies are supported and who the beneficiaries will be of those policies. International instruments, such as CEDAW and the Beijing Platform of Action are instruments of public policy that have been signed by Ghana and other nation states to address the engendering of public policy and specifically the issue of violence

against women. Once signed, nation states must domesticate these global policies into national policies. Interviewees discuss below the impact of international instruments on national public policy and specifically on the passing of the Domestic Violence Act, 2007 (Act 732).

Section Three - Gender and Public Policy from Global to National Perspectives

1. Is public policy affected by the gendered construction of the state society?
2. What has been the impact of CEDAW, Beijing Declaration and the African Women's Protocol on global public policy?
3. Has national public policy been engendered by CEDAW, Beijing Declaration and the African Women's Protocol?

Harrison's observation is that policy is not gender blind and impacts men and women in different ways. If gender is not taken into account the result and the outcome of the policy may not be what is wanted. Policy makers have to look at both sides. An example of the failure to take gender into account has been in developing the Ghana Poverty Reduction Strategy (GPRS). There were two parts of the GPRS. Part one did not look at gender at all as it tried to address the needs of farmers. The question is which farmers: women farmers or men farmers? The policy did not benefit both women and men farmers. This was pointed out by women's organizations and some changes were made for part two of the GPRS. As long as policies are made without disaggregating the data and knowing the needs of men and women the concerns and issues will not be properly addressed. Loans and financing were made available for export farmers. The government loan program did not include small crop

farmers which were primarily women. They were unable to get bank loans to finance their businesses and were, therefore, further marginalized. The issue is not gender blind and must be looked at as to how to get the appropriate assistance to farmers, both men and women.

CEDAW, Beijing Platform of Action and the African Women's Protocol [through the conferences and conventions] provided an open atmosphere for the discussions of issues as domestic violence, which in our history [Ghanaian History] had been one of silence. The effect of global policy was a global voice resonating into Ghana. CEDAW laid the foundation for the passing of several bills, such as the Disability Bill, which had stayed in Parliament for a long time; and the passage of the Domestic Violence Bill and laws pertaining to inheritance were addressed. Inheritance has been problematic for many women who can be left desolated by their husband's deaths. CEDAW is a global policy to promote women's rights, the African Women's Protocol looks at cultural and traditional constraints that may not have been considered in the UN Declaration on Human Rights and CEDAW. The African Women's Protocol has incorporated many of the issues in CEDAW with a concentration on issues that are particular to African Women.

Governments are not necessarily benevolent and have their own interests. Citizens have to be empowered to push governments to implement the policies on the books. The pervasiveness of lack of education and low literacy rates are not helping global policies trickle down to the local level and be implemented in a way that benefits all of us. It is taking time, but one is happy for the existence of these laws, because one can always stand on that platform and call

on the government and say it has ratified CEDAW now it must be implemented by law(see Appendix C, Exhibit 12, Section 2).

Gbedemah points out that the Domestic Violence Act, 2007 (Act 732) (DV Act) exemplified the issue of a gendered state society. Many men and some women do not have a gendered approach to looking at the law. Some saw the law [the Domestic Violence Act] as being for women against men, taking power away from men. Many women supported the law, because they had experienced domestic violence, not because they had gendered lenses. Some women came out against the law on cultural and religious grounds. These issues reflect the gendered construction of society. They were all mirrored in the reaction to the Domestic Violence Act.

CEDAW, the Beijing Platform for Action, the African Women's Protocol are instruments created globally that governments, such as Ghana, signed and agreed to domesticate. CEDAW is directly reiterated in the Ghanaian constitution, as well as the Domestic Violence Act, 2007 (Act 732), which is grounded in CEDAW and other international instruments. National public policy is engendered by these instruments (see Appendix C, Exhibit 11, Section 2).

Bame reiterates that the policy making environment and structures in Ghana have not been gender sensitive. Efforts are being made to engender structures and policy making institutions. Civil society and other organizations are advocating for policies that are gender sensitive or supportive of the needs of the stakeholders. CEDAW, the Beijing Platform for Action, the African Women's Protocol have been the backbone to the passing of laws like the

Domestic Violence Bill and the impetus for the research carried out in 1999 by the Gender Centre in order to provide “scientific evidence” [in reference to domestic violence]. Global policies are not made in a vacuum from the needs of the global community. As Ghana has participated in the signing of these international treaties they cannot be said to be foreign so we are asking whatever proclamations that are made internationally should be made locally (see Appendix C, Exhibit 5, Section 2).

Akakpo notes that public policy is affected by the gendered construction of state and society. During the work to get the Domestic Violence Bill passed the then Minister of Women and Children’s Affairs Gladys Asmah made it known in Parliament that she did not support the Bill. Having a woman in place does not necessarily mean the policies that benefit women are supported. Gender sensitivity is needed by both men and women. Currently, the small number of women in Parliament makes it more difficult to pass legislation that can affect change for women. There is a need to sensitize both men and women to [gender issues] in order to influence policy for the good of all [stakeholders].

CEDAW, the Beijing Platform for Action, and the African Women’s Protocol are documents that helped CSOs to take government to task to fulfill their commitments made by the signing of these documents and other treaties. They are like our white papers. We [CSOs] produce shadow reports and present them at local, regional and international conferences. Governments may say what they think the situation is and we give our version based on our work on the ground. If it were not for these documents there may not be a Domestic Violence Act today (see Appendix C, Exhibit 3, Section 2).

Bekoe noted that public policy is greatly affected by the gender composition [of the state] and determines how expeditiously something will be done depending on the perceived beneficiaries. During the advocacy for the DV Bill, the issue of the repeal of Criminal Code Section 42 of Ghana's Criminal Code (Act 29) came to the forefront. The Criminal Code essentially says that for the purpose of marriage one could use force [in sexual relations]. Section 42 did not recognize marital rape as rape. A woman therefore was not able to present the charge of rape on her husband (Manuh, 2007). This almost derailed the signing of the DV Bill. The attitude of the members of Parliament can be attributed to the fact that the majority of them are males and they were also worried about their male constituents.⁷ The two issues had to be separated in order to get the Bill passed.

It seems that [some in the] national government do not take national issues seriously until they reach global dimensions. The process of advocating for domestic violence legislation started seriously post Beijing. Many organizations played an active role in the international women's movement for example, FIDA – Ghana, during this time period (see Appendix C, Exhibit 6 Section 2).

4.3.3 Ghana's Domestic Violence Act: A Manifestation of Global Governance and Public Policy

In answering the questions below the informant interviewees noted that global governance gave women the opportunity to participate directly in global public policy. They noted that an international civil society and INGOs have been able to flourish as the World Conferences

sensitized men and women, and empowered women to speak to women's issues as human rights issues that could be addressed through the legislative process. They emboldened women to join and/or organize NGOs to address specific issues, such as domestic violence. International instruments were used as the basis of constitutional changes and as a means of addressing domestic violence as a public policy issue. The interviewees noted that commitment of government entities to the allocation of resources for implementation of policies, such as the Domestic Violence Act, 2007 (Act 732) remains a challenge.

Section Four - Ghana Domestic Violence Act: A Manifestation of Global Governance and Global Public Policy

1. Can gender-based violence, specifically domestic violence, be addressed through global governance and global public policy?
2. How have local NGOs/CSOs impacted global and national public policies and the transnational issue of violence against women?
3. To what extent is Ghana's Domestic Violence Act a manifestation of global governance and global public policy?
4. What has been the impact of Non-State Actors (NGOs/CSOs) on formulating and helping to get the Domestic Violence Bill Passed?
5. Did the development of a Women's Manifesto and the work of other coalitions, such as DV Coalition, NETRIGHT and coalitions around VAW help in the process of women gaining entry into political participation; specifically did they impact the Domestic Violence Act passing?
6. To what extent is there a gap between international treaties to end violence against women and the actions of local and national governments:

- a) public policy
- b) political capital and resources to implement
- c) training for police, health workers and social workers

Coker-Appiah noted specific examples of how global governance can impact gender-based violence. At the international level jurisprudence is making a difference on how judges in the courts interpret and apply the law. For example, at the International Criminal Court, one of the first cases put [before the court on the Rwanda tribunals] addressed sexual violence in conflict. The Court described sexual violence within conflict as genocide and a crime against humanity. The Court was clear on that, thereby, making it more difficult if someone is being trialed within the national context for a similar offence to ignore the fact that an international tribunal has held that sexual violence is a crime against humanity.

Another example took place with a Turkish case that was put before the European Human Rights Court on violence against women. The European Court ruled that the state had not carried out its responsibilities and due diligence in protecting the [women] from the violence of the man, which had been reported on several occasions. Another example comes from Austria, where a woman put a case before the European Human Rights Court, who was relying on an earlier communication decided by the CEDAW Committee. The woman, after several ignored complaints of abuse by her husband, was eventually shot and killed by him. The CEDAW Committee stated that due diligence had not been taken to protect the woman's human rights, which override personal rights. The state has a responsibility to protect women against violence. The CEDAW Committee set a precedent for the discussion of states'

responsibility to ensure that states' activity protect the human rights of women. This allowed the European Human Rights Court to rule based on the precedent of the CEDAW Committee (see Appendix C, Exhibit 9, Section 2).

Tackie reiterated the role that the Beijing Platform for Action had in the formulation of the Domestic Violence Bill. The Platform for Action identifies twelve critical areas of concern, one of which is violence and specifically domestic violence. In the formulation of the Domestic Violence Bill, we [advocates in Ghana] looked at the preamble of the Beijing Platform for Action. We looked at the article that specifically deals with violence, and this was used to contribute to the formulation of the law.⁸

Tengey noted that the issue of domestic violence came to the fore because civil society organizations (CSOs) took up the issue. CSOs, mostly led by women, pushed the issue forward and the international conferences and conventions definitely made an impact on them. Women led CSOs took the lead in advocating against gender violence. ABANTU's Women's Manifesto was a document used to develop a framework to address the issues within the Domestic Violence Bill. CEDAW and Beijing Platform for Action were the international instruments used to develop Ghana's Domestic Violence Bill along with local instruments such as the Women's Manifesto (see Appendix C, Exhibit 19, Section 2).

Tengey further notes that there is a big gap between signing treaties and local implementation. For example, the Ministry of Women and Children's Affairs (MOWAC), receives about 1% of the national budget or even less. The budget allocation speaks a lot

about the seriousness of central government. MOWAC has to depend on donor funding [for their] budget. The Ministry must levy [the budget] to do what they want to do. Secondly, many people have not been trained about the issue of domestic violence. The personnel [in certain departments and ministries] have not been trained to handle domestic violence issues. There is some training for police, but there are not enough [trained] personnel to go around to all the police stations. So there are resources needed to train the police. Although there is legislation, actual implementation has fallen short. For example, the government talked about reserving 40% of seats for women in Parliament or in appointments but this figure has not been achieved. The fact that the President John Atta Mills said that he wants about 40% shows that he is thinking about it. He has some good intentions. Maybe he hasn't been able to do it because of pressure and other things.

Fiscian notes that policies to address issues like gender-based violence are first informed by local issues [experiences]. Depending on the context, anyone trying to address these issues [domestic violence] must try as much as possible to conceptualize the issues from the local perspective. The global [policy] is there to give the framework, but one must have country specific ways of addressing the issues. The issues are global, but the specifics are local. Domestic violence is universal. The ways of addressing domestic violence may be relative depending on the context and where one finds oneself.

Azumah-Mensah contends that the gap between international treaties to end violence against women and the actions of local and national governments boils down to resources; that is key in the implementation [of policy]. We have been lucky that the donor community has been

working with us on the issues of domestic violence. UNICEF and the Netherlands Embassy have helped us with resources. We set up a Secretariat specifically to address domestic violence. We have a Secretariat for human trafficking and with the issue of domestic violence; we have been training the police and social workers, the justice department, those who work with the law.

Azumah-Mensah also noted that Ghana has a special court for domestic violence cases. Even though we are having challenges in terms of resources, things are gradually being put into place and training on how to deal with domestic violence cases is being done. MOWAC recently opened a training session for police officers and social workers. We work with the Social Welfare Department, because we do not have that department in the Ministry. We have a Ministry of Employment and Social Welfare. We collaborate with a lot of agencies, NGOs, and Ministries to make sure that there is good implementation of the Domestic Violence Act.

Our main challenge is putting up shelters because when you have violence, you cannot send the victim back to the household set up or the same community. You keep them, temporarily, so that the psychologists and counselors can work with them. Then you gradually reunite them with the family. We have some private shelters that private people themselves have put up and they are working with us. They are set up by NGOs who are also working on the same cause. We work with them because of our lack of resources, though we support them as best we can. We are trying to put up a few shelters each year in order to cover the whole country.

Policy makers have set the ball rolling. The NGOs/CSOs and advocates are moving. The media are very critical in disseminating information. In actual fact, when public policy is made, then it is up to the media and other advocates to spread the news to the public, especially to the grassroots. Some of our people, the women, may not be highly educated, but there are a lot of ways you can let them know about their rights. This is very critical.

In terms of the issues of rights, we have to bring the men on board because if you do not, they will become very rigid. The new trend is to educate and sensitize the men, in order to stop the perpetuation of domestic violence of their wives and children. We make it clear that ending domestic violence is the law. We use the media as a very critical set of people to work with us; we work with them all the time. If we have a workshop, we call the media, if we go into communities, we call the media. We have to bring them on board because they are the people that will carry the message. They are one of the major stakeholders to send the message to the public [that gender-based violence] must end (see Appendix C, Exhibit 4, Section 2).

Sadongo offered a perspective as a male police officer and Head of Social Services at the Police Hospital. He noted that there is a gap between international treaties and local and national implementation. We never make resources available to enforce these laws [i.e. Domestic Violence Act, 2007 (Act 732) and the Children's Act (560)], which is why international NGOs and organizations fund most of the implementation. For instance, when

WAJU [formerly Women and Juvenile Unit now DOVVSU]⁹ was set up. UNICEF gave a vehicle, although it was a unit within the police service.

The Ark Foundation and WISE collaborated to provide training for the staff. They trained training officers in various parts of the country. FIDA and AULA put together some legal documents on domestic violence and organized training for police officers. There were sensitization workshops. This is how I became involved. I received additional advanced training in domestic violence and child abuse issues and became a lecturer. The International Labor Organization (ILO) also collaborated on issues of child trafficking. I consulted with them to set up the child labor monitoring system in Ghana. Most of this support did not come from the government. They say they don't have the resources but it's also a matter of prioritizing. There's still a need for more training and material resources. It is the NGOs who are distributing copies of the Domestic Violence Act and sending it to police stations. We don't have them.

There are a lot of males within the police service who do not see why they should involve themselves with issues that concern women. So this is another blockade, another barrier we have to scale. And women in the police service don't have much of a voice themselves. Women are very economical with their words when speaking because it can affect their careers.

Domestic violence is a very sensitive issue. Sensitive because we all suffer domestic violence: judges, lawyers, teachers, members of parliament. We have to get people to make an effort to understand the issue and make a personal commitment, which says I do not want

to do it and I will not encourage anyone else and to say yes to policies and laws passed against domestic violence. We must arrive at that level.

Most people in the press are trained and they were allies. It was not as if the whole of the media in Ghana was in favor of these issues. In fact in the beginning it was very difficult. Gatekeepers in the press houses would not push such issues. If you were lucky, they would give you a small page in the corner somewhere, otherwise they would just throw it off. We avoided buying space in the papers. Once you buy space for domestic violence issues then they will never address the issues without you paying for it. Even if they are state sponsored papers. So, instead, money was used to sensitize some of them and to train some of them on how to report these matters. We started with some of the horrifying stories of victims and survivors. And as these stories were catching on, especially in the newspapers and the radio, they were stories the public would like to hear and like to know what was being done. The papers started developing interest in reporting such stories and by extension, they started reporting issues of violence against women and children and domestic violence generally. That is how it worked for the media.

The CSOs were driving everything. They were steering the issue in the proper direction. But for the policy makers, it did not come naturally. There had to be pressure on the policy makers to make policy in regard to these issues. An example is how we had to come together to be able to get a legislative instrument on the law on domestic violence. We had to gather ideas from stakeholders and put them together in some legal language called drafting instructions. The drafting instructions have to be channeled through the mainstream. We have to put this into a letter and then sent it to the Attorney-General's Department drafting section.

They looked at it, asked questions, satisfied themselves, and then derived at the legislative instrument.

That also happened with the Children's Act, and now with the Domestic Violence Act. Other legislative instruments do not have to go through this process. So when it comes to women and children, there's always a struggle. [However], it is better to have a legislative instrument that has input from people who are passionate about the issue than to just let someone else sit down and imagine it anyway (see Appendix C, Exhibit 17, Section 2).

4.4 Conclusion

All of the informants felt that global governance and global public policy have and are interfacing with national public policy and have been a mechanism to engender national public policy. They each affirmed that global public policy has opened the processes of governance to an international civil society enabling it to influence national public policy. This was expressed by those that were a part of a NGO/CSO or a part of one of the national machineries represented in this research. Informants gave examples based on direct experience as attendees of UN conferences, members of NGOs/CSOs working with issues of gender equity and gender equality and violence against women, specifically domestic violence and/or as a representative in government machineries.

The direct value to the informants' participation in the international conferences was that they were a part of an assembly of nation states involved in the information generation and

knowledge processing. There was an overall consensus that membership and participation in the United Nations by the Republic of Ghana and the other member nation states, is an acknowledgment of the validity of the existence of a global village, due in large measure to changes in technology and communications in the latter half of the twentieth and twenty-first centuries.

In the UN conferences on women, human rights, gender violence and specifically domestic violence, was recognized as a global problem. However, it will take local initiatives to end violence against women. The UN notes that the most common form of violence experienced by women is intimate partner violence and that states inaction helps to foster violence against women and provides a safe space for violence to be committed against women (United Nations, 2006). The UN further noted that states need national plans of action that include a legal and policy frame work and an adequate budget for compliance. These legislative measures must include the principle of equality of men and women with a clear focus on ending gender based violence (United Nations, 2006, pp.90-94).

Civil society demands for citizenships rights has played a pivotal role in expanding the concepts of rights and are contributing to the democratization process and in Ghana contribute directly to national discussion on domestic violence, “Contemporary women’s movements and organizations constitute an area of prolific output” (Adomako Ampofo, 2008 p.395). In so doing, democracy and social justice are expanded allowing for citizen lobbying for laws to protect the human security of all citizens.

Notes

¹ There is an extensive pool of research on the impact of gender on socioeconomic and political relations, as well as historical analysis of the changing role of gender during various historical periods: pre-colonial, colonial and post-colonial Africa. Some scholars have looked at the role of women in pre-colonial Africa and argue that men and women roles were seen as complimentary and women were disempowered during colonialism: Van Sertima, Ivan. ed. 1984. *Black Women in Antiquity*, New Brunswick: Transaction Publishers. Roach, Ruth and Nuper Chaudhuri. eds., 1998. *Nation, Empire, Colony: Historicizing Gender and Race*. Bloomington: Indiana University Press. Hoppe, Kirk Arden. 2002. "Gender in African History", chp.12. Falola, Toyin. *Colonial Africa 1885-1939*. Durham: Carolina Academic Press.

Scholars have also critiqued what they view as the misinterpretation of the status and role of the African women, as well as the repositioning of African women in African society: Amadiume, Ifi. 1997. *Africa Reinventing: Matriarchy, Religion and Culture*. London: Zed Books, Ltd. Oyewume, Oyeronke. 1997. *The Invention of Women: Making an African Sense of Western Gender Discourses*. Minnesota: University of Minnesota Press.

Scholars have grappled with the concept of gender itself, asking such question as: what is the definition and usefulness of the concept in the African context and how relevant is it in addressing human rights and inequalities in Africa: Anfred, Signe and Bibi Bakare-Yusuf. et. al. 2004. *African Gender Scholarship: Concepts, Methodologies and Paradigms*. Senegal: CODESRIA Book Series. Oyewume, Oyeronke. 2004. "Conceptualizing Gender: Eurocentric Foundations of Feminist Concepts and the Challenge of African Epistemologies," *African Gender Scholarship: Concepts, Methodologies and Paradigms*. Anfred, Signe and Bibi Bakare-Yusuf. et. al. Senegal: CODESRIA Book Series. Oyewume, Oyeronke. 2005. *African Gender Studies: A Reader*. New York: Palgrave Macmillan. Pierson.

Others have explored the contextual use of gender as a concept for Africa in general and for Ghana specifically: Ardayfio-Schandorf, Elizabeth. 2004. *Bridges of Development: A Compendium of Gender and the Ghanaian Family*. Accra: Woeli Publishing Services. Cole, Catherine M., Takyiwaa Manuh and Stephan F. Miescher. 2007, *Africa After Gender*, Bloomington, IN: Indiana University Press.

² The former Attorney-General and Member of Parliament, Mr. Joseph Ghartey suggested that a comprehensive list of the multilateral treaties ratified and signed by the Republic of Ghana be organized along with guidelines on the procedures for the domestic ratification of treaties, agreements and conventions in accordance with article 75 of the Constitution. This he noted would aid the Ministries, Departments and Agencies with domestic ratification processes and procedures. An Inter-Ministerial Committee was established to develop the guidelines and to compile a list of treaties, agreements and conventions, which the Republic

of Ghana is a signatory and Parliament has ratified. The date of the deposit of the instruments of ratification was included. See The Republic of Ghana. 2008. *Republic of Ghana Treaty Manual*. Accra: Ghana Publishing Corporation.

³ Examples of these organizations can be found among the informant interviews of this research project, such as FIDA, NETRIGHT, The Ark Foundation, ABANTU, WISE and the National Coalition on Domestic Violence Legislation in Ghana.

⁴ “The ECOWAS Gender Development Centre (EGDC) is an ECOWAS specialized agency on gender and development set up during the 26th Session of the ECOWAS Authority of Heads of State and Government, held in Dakar in 2003 by Decision A/DEC.16/01.03. ECOWAS considers gender equality an engine of regional integration and a full-fledged development objective.” As quoted in the EGDC website “History”. Retrieved from: www.ccdg.ecowas.int. [Accessed 2.22.2013].

⁵ In March of 2003 the African Union initiated the African Peer Review Mechanism (APRM). It is a review of African governance by Africans, a mutually agreed upon instrument for self-monitoring, Four thematic areas are the focus of the review as strengths and challenges are identified: Governance on the African Continent: Democracy and Political Governance, Economic Governance and Management, Corporate Governance and Socio-economic Development. Thirty-three (33) countries are now members of APRM with seventeen (17) having completed the self-assessment and gone through the peer review process. The purpose of the reviews is to have a mechanism to help African leaders to evaluate their countries movement toward greater political stability, increasing economic growth, fostering sustainable development and accelerating sub-regional and continental economic integration. See the African Peer Review Mechanism website at <http://aprm-au.org/> for country reviews.

⁶*Declaration on the Elimination of Violence against Women* was presented to the UN General Assembly 85th plenary meeting, December 1993. Below are some excerpts from the Declaration which outline why the Declaration was adopted in spite of other existing declarations and conventions, such as the Convention on the Elimination of All Forms of Discrimination against Women. For complete Declaration see <http://www.un.org/documents/ga/res/48/a48r104.htm>. 2.22.2016

Recognizing the urgent need for the universal application to women of the rights and principles with regard to equality, security, liberty, integrity and dignity of all human beings. Noting that those rights and principles are enshrined in international instruments, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

Recognizing that effective implementation of the Convention on the Elimination of All Forms of Discrimination against Women would contribute to the elimination of violence against women and that the Declaration on the Elimination of Violence against Women, set forth in the present resolution, will strengthen and complement that process. Affirming that violence against women constitutes a violation of the rights and fundamental freedoms of women and impairs or nullifies their enjoyment of those rights and freedoms, and concerned about the long-standing failure to protect and promote those rights and freedoms in the case of violence against women.

Recognizing that violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men....

⁷ The sexual (male/female) composition of members of the Ghanaian Parliament from 2008—2012 was composed of 20 women which represented 8.7% of the 228 total membership. In 2009 one female Member of Parliament passed, Ms. Doris Asib Seidu, reducing the female members of parliament to 19. <http://www.ghanamps.com/ancillarylinks/index.php?id=259> *Composition By Sex (2008-2012)* 2/15/2016

⁸ Appendix C Exhibit 18, Section 4, p.109.

⁹ In response to the increasing number and an increasing awareness of abuse and violence against women and children the Women and Juvenile Unit (WAJU), now called The Domestic Violence and Victim Support Unit (DOVVSU), was established in 1998 by the Police Administration. See Ghana Police Service website for additional information on the work of DOVVSU to address domestic violence. http://www.ghanapolice.info/dvvsu/establishment_dovvsu.htm. 2.22.2016

Chapter Five

5.0 Conclusions, Summary of Findings and Recommendations

5.1 Introduction

This chapter summarizes the research findings, presents conclusions and offers recommendations on the premise that global governance and global public policy interfaced with national public policy, impacting the transnational and trans-sovereign issue of violence against women generally and specifically domestic violence, as exemplified by Ghana's Domestic Violence Act, 2007 (Act 732).

5.2 Summary of Research Findings

The majority of the world's nation states are members of the United Nations, a transnational organization, where they can discuss, address and formulate treaties, conventions and covenants for the purpose of establishing global public policy addressing transnational and trans-sovereign issues. In essence nation states participate in global governance and create global public policy, in order to establish mechanisms for international cooperation in the areas of economic, political, environmental, and social development and human rights. Nation states are willing to compromise a certain level of their individual sovereignty for international cooperation and in some cases in order to secure international aid.

The growing number of transnational actors, as well as the facilitation by the United Nations of interaction between governments, NGOs and an emergent international civil society have opened space for women to pursue their issues on the global agenda. Women's NGOs have been able to utilize global public policy to impact national public policy on transnational trans-sovereign issues such as, violence against women. This is a part of the changing face of international relations, from relations being defined as strictly between unitary states to a process of transnational organizations and an international civil society impacting international relations.

The United Nations is part of the process of addressing issues, which affect an international civil society across sovereign borders. This lends credence to the re-evaluation of the "inevitability" of a world of anarchy where states adhere to no central authority to that of a level of centralizing norms and establishing global public policy. Establishing global governance and global public policy has not meant the creation of a world government. Nation states adhered to the treaties, conventions and covenants at different levels of implementation, attention and resource investment. Some nation states add reservations to particular aspects of the instruments of international law. Several states submitted reservations to CEDAW in spite of having ratified it (United Nations, 2003).

To eradicate violence against women the United Nations purports that it will take the political will of the state and adherence to a human rights framework that provides a unifying set of norms that can be used to hold states accountable (United Nations, 2006). It will take enlightened leadership in nation states to address the negative impact of gender

inequity and gender inequality on economic, political, social, and environmental development and on the democratization process. The human rights framework requires states to take appropriate actions in response to violence against women, which means states must move beyond discretion to setting up and enforcing women's legal entitlement to prevention, prosecution of perpetrators and reparations (United Nations, 2006). As noted by the former Secretary-General of the United Nations, Kofi Annan "...this Women's Bill of Rights' [CEDAW] stands as a milestone. It reflects the principle of universal and indivisible rights shared by all nations, foreign to no culture and common to both genders" (United Nations, 2006, p.10).

The UN Charter and various treaties address the issue of balancing the rights of the nation state and the rights of all human beings. Human rights are outlined as the rights of human kind to be free from repression, ill treatment and genocide and to have equity and equality without regard to race, ethnicity, age, class or sex. The United Nations, as a transnational actor in world politics, has through the UN Charter, the Declaration of Human Rights, the UN World Conferences on Women and other world conferences and CEDAW, served as a vehicle for women to have a voice in the international arena of global governance and to be a part of an international civil society. NGOs, composed mainly of women, have become important actors in world politics. They generally focus on issues that transcend national borders but, heretofore, were not a part of international or national agendas, such as violence against women (VAW), gender equity and gender equality.

International civil society and local NGOs are impacting the engendering of national public policy by advocating, lobbying and supporting policies, which define and criminalize domestic violence. Domestic violence is an issue that affects one in three women in Ghana (Cusack, 2009) and has been recognized to be a pandemic by the UN, as well as the African Union (AU) (Mukasa, et.al. 2008). Local NGOs in Ghana have been critical of the slow process of moving forward the domestication of international treaties and of actual implementation of local legislation.

The international community was compelled to react to the state of the nation state in post-colonial Africa, which was besieged by, coups d'état and tyrannical leaders. The effect was destabilization of individual nations and the region creating large numbers of refugees and internally displaced persons. States, such as Chad and Somalia, were in varying stages of state failure, the lack of functioning state institutions; or state collapse, all major state institutions not functioning, respectively, as a result of perpetual civil war and rebellions with warlords fighting for power. States did not feel compelled to protect their citizens and were often the purveyors of violence and injustice against their citizenry, with women and children being the most vulnerable.

The international community in essence declared that sovereignty had to be redefined to connote responsibility and accountability. The result of this declaration has been the development of a global governance system that attempts to govern by the establishment of normative codes and universal standards of human rights and human dignity (Deng, et al, 1996). These international standards, norms and regulations were established through conferences, commissions, treaties, conventions, protocols and declarations. The United

Nations and other international organizations, such as the European Union, the African Union, and ECOWAS have since defined governance as conflict management and have invoked or developed international instruments of governance including the International Covenant on Civil and Political Rights (1966) and the International Covenant on Economic, Social and Cultural Rights (adopted 1966). These instruments along with the Universal Declaration of Human Rights (adopted 1948) make up what is called the International Bill of Human Rights. By 1976, an appropriate number of states had ratified the Covenants making them part of the corpus of international law.

In the latter half of the twentieth century, the basic proposition of international human rights law sifted to an understanding that governments are not free to govern without restraints on their use of power. They have to meet certain standards to be called a government. States cannot terrorize, brutalize and discriminate against their own citizens on the bases of race, religion or sex (Deng, et. al, 1996). The UN recognized and declared violence against women a pandemic that affects women and the sustainable development of every nation (United Nations, 2006). CEDAW (adopted 1979) with Recommendation 19 (1992) and the Declaration on the Elimination of Violence against Women (1993) are international instruments put in place to address the issue of violence against women. They also outline actions states must take to address, prevent, and protect women against violence.

5.2.1 Gender and Global Governance

Women, though in small numbers, were part of the founding of the United Nations. From its inception there were organized actions taken to include women in the UN Charter (1945)

and the Universal Declaration of Human Rights (1946). Women from the “Third World”/Global South, who had been a part of the independence and liberation movements in their countries, came to the UN with new ideas, knowledge and experiences. They were among the chief architects of declarations, conventions, and treaties calling for the inclusion of women in the strategies and plans of the UN Decades for Development, the World Conferences on Women and Human Rights. They called for the elimination of all forms of discrimination against women, the recognition that women’s rights are human rights and for the end of violence against women (Jain, 2005).

Women utilize the UN to address many issues: peace building, economic development, political participation, the eradication of poverty, access to healthcare, homelessness, violence against women, gender equity and gender equality. For women it has been the place to go to participate in global governance and in the formulation of global public policy. The UN has been the vehicle for women to launch and sustain an international women’s movement using the four UN World Conferences on Women and other world conferences, such as the UN World Conference on Human Rights (1993) and the UN International Conference on Population and Development (1994). The international conferences gave women space and agency to develop and advocate for issues that they identified to be of critical concern for survival and for quality of life (Shahani, 2004).

The UN opened space for women to advocate for access to governmental delegates, enabled the participation of NGOs/CSOs in international and regional meetings, as well as helped to enable the development of an international civil society. The gatherings were the impetus for the formation of institutions and NGOs that addressed various aspects of gender

inequity, gender inequality and violence against women. In 1975, at the International Women's Year Conference held in Mexico City the gathering gave birth to a new banking institution for women, Women's World Banking (WWB).¹ WWB was proposed by Ghanaian entrepreneur Esther Ocloo whose concern was the lack of opportunity for women to access investment capital. WWB was set up as a women's bank with the goal of assisting women with finance capital. The proposal was drafted and presented to the official government conference (Snyder, 2004). Justice Annie Jiaage, a delegate representing the Republic of Ghana at the IWY Conference and a supporting voice for the creation of WWB, had just successfully fulfilled one of the stated goals of the CSW by setting up the first national machinery in Africa, the National Council on Women and Development. This gave the Ghanaian government a vehicle to provide direct assistance for the purpose of addressing issues of development for women (Snyder, 2004). With significant proposals from the Republic of Ghana, the International Women's Year Conference produced the World Plan of Action, the first international plan to address women's rights.

The 1985 UN Third World Conference on Women, which closed the UN Decade for Women (1976 to 1985), called for policy change by member states and produced a schedule for them to remove legislated gender discrimination in national laws by the year 2000. Women and NGOs/CSOs have been able to use international instruments that address specific issues as violence against women to advocate for national legislation, such as Ghana's Domestic Violence Act 2007 (Act 732). Global public policy has been critical in increasing the attention given to the issue of violence against women and girls and to the recognition that it is a human rights issue. CEDAW, General Recommendation 19, and the

Declaration on Ending Violence Against Women (1993), along with the Universal Declaration on Human Rights have given NGOs/CSOs and international civil society the instruments to address gender-based violence as a form of discrimination, which inhibits women's ability to enjoy rights and freedoms on the basis of equality with men. The recommendations in CEDAW and the 1995 Beijing Platform for Action centered on initiating change for women at the institutional level, nationally and internationally. This empowers women to be able to address issues at the governmental level of decision making and in the courts.

Women participated in the drafting of global policy documents, such as the Universal Declaration on Human Rights, and the Plan of Action for the International Conference on Population and Development (ICPD), as well as various outcome documents, such as the Beijing Platform for Action. These instruments have been translated into national policies and plans of action. They have helped women address issues, such as reproductive health, reproductive rights, first motherhood initiatives to reduce maternal deaths, and violence against women. At the national level in Ghana, plans of action were/are being developed to address "The Twelve Critical Areas of Concern" from the Beijing Platform for Action, which has been domesticated into *The Women's Manifesto of Ghana* (2004) and, more recently, the Millennium Development Goals have been translated into national plans and strategies to increase the education, economic development and civic participation of Ghanaian women.

5.2.2 Ghana: An Active Participant in Global Governance

Ghana has chosen to be an active participant in global governance through its membership in the United Nations and ratification of international conventions and treaties (see Appendix A for partial listing of UN Treaties and Conventions signed by the Republic of Ghana). Ghana, as mentioned above, was one of the first nations in Africa to set up a national machinery, the National Council on Women and Development, in order to bridge the information and implementation gap between government policies and women's economic growth and development. This action opened avenues for women's participation in decision making and national public policy. It also meant the commitment of government resources directly focused on women's development.

The women who participated in the international teleconference, which convened June 10, 2009 titled "Women Impact Global and National Governance through International Dialogue: A Focus on Domestic Violence," presented empirical evidence gathered and documented from their personal experiences as representatives of the Ghanaian government, heads and active members of NGOs, and as a member of the CEDAW Committee. They documented the vital role women played in global governance and global public policy formulation and Ghana's specific role in using the instruments of global public policy to inform national public policy.

Coker Appiah, one of the teleconference presenters and CEDAW Committee Delegate, noted that CEDAW General Recommendation 19 (discussed above) provided a definition of violence against women and also," by its adoption, situated the issue of violence against women firmly in [the] human rights discourse" (Appiah, 2009). Appiah further notes that

General Recommendation 19 has made it easier for women around the world to address the issue of violence against women in their various countries including Ghana.

The knowledge and information gained from the severity of the problem of VAW worldwide was a part of the impetus to launch a five year national study on VAW in Ghana. The study was conducted by the Gender Studies and Human Rights Documentation Centre. The research findings led to mobilization around the issue of preventing domestic violence and developing a bill to formally provide legal recourse for victims as a means of addressing the issue. Other women's rights organizations and NGOs joined together to form the National Coalition on Domestic Violence Legislation. The Attorney-General produced a Bill that reflected many of the ideas of the two drafts that had been submitted.

After six years, 2001 to 2007, of advocating, lobbying and educating the general public and legislators about the pervasiveness and destructiveness of domestic violence, as well as processes to end and prevent domestic violence, the Bill was passed. The issue was for domestic violence to be recognized not as a private matter, but as a matter of public concern requiring public policy to address it as a crime with repercussions. The result was the passage of the Domestic Violence Bill in 2007. The Bill became the Domestic Violence Act, 2007 (Act 732). Other criminal codes affecting domestic violence issues were also addressed.

The DV Act is directly linked to CEDAW and General Recommendation 19 as both focused on protecting, preventing and promoting the ending of violence against women. Ghana's

DV Act is considered a model legislative document that any country can aspire to utilize, because it looks at not only prevention, but also at sanctions and ways to protect the victim.

The United Nations, the four World Conferences on Women, and other international conferences, and instruments of governance, such as CEDAW and the Beijing Platform for Action have been vehicles that have given women space and agency to address local, national and international issues, to identify the problems and to develop strategic plans of action. However, it is the development of women's NGOs/CSOs and an international civil society, working with government machineries, such as the Ministry of Women and Children's Affairs (now the Ministry of Gender, Children and Social Protection) put in place to address gender inequity and gender inequality, that are proving to be the vehicles to operationalize the international instruments. They are accomplishing this by advocating, lobbying, educating and contributing to the development of public policy and programs for implementation of policy decisions on issues, such as human trafficking, protecting children, and preventing domestic violence.

5.3 Conclusions from Qualitative Field Work

The conclusion of this thesis is that global governance and global public policy have been the arena in which women's issues, such as human rights and violence against women declared a pandemic, have been and are being addressed. Domestic violence has been acknowledged to be the most dangerous and treacherous form of violence against women. International instruments have been developed and are being domesticated in national public policies.

5.3.1 Global Governance and Global Public Policy

The informant interviewees and the panelists of the teleconference gave accounts of their interface with global governance and global public policy and how it impacted and impacts national public policy, as they experienced it in their perspective roles: representing government machineries, NGOs and civil society. They gave specific examples of the impact that global governance has had on addressing the trans-sovereign issue of women's human rights, specifically violence against women. They noted that global public policy instruments signed by the Ghanaian Government enabled them to utilize these instruments in their lobbying and advocacy work to get, for example, the Domestic Violence Bill passed into law. They were able to utilize the instruments of global public policy to construct national public policy to serve as a vehicle to criminalize and to work to prevent domestic violence.

Informant interviewees were asked if global governance and global public policy engendered national public policy and to what extent did global public policy impact national public policy and the transnational issue of domestic violence. All informants, whether a part of the national machinery to address gender equity and gender equality and domestic violence or a representative of a NGO/CSO addressing these issues, overwhelmingly asserted that global governance and global public policy have interfaced with national public policy and has been instrumental in engendering national public policy. They referred to two factors as key to the impact of global governance on the development of national public policy.

CEDAW is a compilation of a number of legal instruments formulated to protect the rights of women in areas where they were considered particularly vulnerable and is more comprehensive in addressing the issue of women's human rights. In 1979 the UN General Assembly adopted CEDAW and in 1981, having been ratified in 30 days by twenty member States, the Convention entered into force. It was put into force faster than any previous human rights convention "...thus bringing to a climax United Nations efforts to codify comprehensively international legal standards for women" (United Nations, 2009, p.15).

The Beijing Platform for Action is the document that came from the deliberations at the UN Fourth World Conference on Women held in 1995 in Beijing, China. It remains one of the largest UN conferences held with 50,000 women, men and youth in attendance (Walker, 2004). Unlike CEDAW and other conventions or treaties the Beijing Platform for Action is not a binding treaty. There are no mechanisms for enforcement or redress of wrongs.

...Nevertheless, it is a consensus document, and it is the most comprehensive statement about the issues concerning women the world has seen. It addresses a range of problems from human rights abuses to poverty. It recognizes the lack of gender perspective from governmental decision-making to educational systems. It asks people and organizations, from trade unions to international bodies, to commit to addressing the Governments that have embraced the Platform to take action on issues from researching gender issues in the media to eliminating violence against women (Minnesota Advocates for Human Rights, 1996, p. 2).

CEDAW, the Beijing Platform for Action and later the African Women's Protocol have been transformative documents in the struggle for women's rights and the recognition that

women's rights are human rights. The African Women's Protocol takes the issues defined in CEDAW and the Beijing Platform for Action and relocates the issues to address specifics within the African women's context and point of reference. CEDAW, which in essence indicates that states have to honor their obligation to ensure due diligence to protect women from violence and to protect their human rights, forced governments to look at the issue of violence against women (VAW). States that ratified CEDAW made an international commitment to address VAW nationally. The Beijing Platform for Action outlines "Twelve Critical Areas of Concern" and, therefore, outlined clear areas for redress, as well as presented language and the terminology that became tools enabling the addressing of the issues. CEDAW is directly reiterated in parts of the Ghanaian Constitution. The Domestic Violence Act 2007, (Act 732) is grounded in CEDAW. The Women's Manifesto is grounded in The Beijing Platform for Action.

Each informant interviewee acknowledged the connecting link between global instruments of public policy and national public policy. Several UN documents, conferences and conventions have had direct impact on addressing "women's issues". The two instruments that directly impacted women's human rights and the issue of violence against women were CEDAW and the Beijing Platform for Action. A third instrument cited was the UN Declaration of Human Rights. These instruments were cited as tools used in the development of Ghana's national public policy on the issue of human rights for women. It is noted that the Human Rights Section of the 1992 Constitution is informed by the Universal Declaration of Human Rights and CEDAW. The Constitution has in turn borne specific laws addressing human rights issues, such as the property rights of spouses and women's rights, as well as the Domestic Violence Act itself.

It is further noted that it is a reciprocal process, because these international instruments are borne out of the experiences of the nation states who contribute to the formulation of the global public policies created and institutions of global governance development. States have had different degrees of responsiveness to international instruments developed to address issues of gender inequity and gender inequality and violence against women. States are often guilty of not using the power of the state's legal/legislative mechanisms and or mechanisms set up to enforce the law, such as the police or army and the judicial system to protect members of its citizenry without regard for gender, race, class, religion, language or age.

Informant interviewees discussed the impact of the gendered construction of state society as an issue that affects laws and the implementation of public policy; and noted that previously the differentials between women and men and how policy can be affected had not been taken into account. This concern was addressed internationally by the UN agencies with the introduction of the developmental concept of gender mainstreaming and has been instilled in national policy and development frameworks though in varying degrees.

In Ghana, the affirmative action commitment of forty (40) percent women representatives in parliament and other decision making bodies in order to ensure a critical mass has not been fulfilled. Ghana is presently rated as 111th out of 189 states in terms of the number of women representatives in Parliament.² This directly impacted the legislative agenda and played a major role in the struggle to get the Domestic Violence (DV) Bill passed. The delay in the process of passing the Domestic Violence Bill can be equated to the lack of a critical mass of women in the legislature. During the debate on the Bill the voices of the

female members of Parliament were often crowded out because women represented 8.3 % of total number of parliamentarians.

Many nation states lack a human rights and women's rights tradition thus having to draw from a collective international experience for models of human rights and women's rights public policies. This is exemplified in the discussion in Chapter 3: "Gender and Public Policy from Global Conception to National Perspective and Implementation. The development of global public policy focused on the issue of human rights led to increased attention to violence against women and girls in the family and to the recognition that violence against women is a human rights concern.³

The interviewees in this research project acknowledged that they attended one or more of the UN four World Conferences on Women and or other UN World Conferences, such as the UN Conference on Human Rights, as well as represented the Ghanaian government as delegates on the CEDAW Committee and as a liaison to the gender equity division of the UN. All of the interviewees spoke of the significance of internationally established norms of human rights and women's rights, and of the importance of international instruments, such as CEDAW and the Beijing Platform for Action to the international and national legislative process.

CEDAW was the document that brought to a climax the UN's efforts to comprehensively establish international legal standards for women rights. Former Secretary of the United Nations Dr. Boutros Boutros-Ghali credits Justice Annie Jiagge, former President of the

CSW, for contributing her vision of full equal rights for all women to the development of the draft Declaration on the Elimination of Discrimination against Women. CEDAW was and is “the crowning achievement of the Commission's work in human rights law: the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the General Assembly in 1979” (United Nations, 1996). This single document set international norms and standards touching all aspects of the lives of women in every nation and every strata of society. It continues to be the main instrument defining women's rights.

NGOs in Ghana working to prevent and end domestic violence used the legislative process by lobbying and advocating for the passage of the Domestic Violence Bill. They collectively felt that law reform was a critical intervention strategy to help end violence against women and protect women’s human rights. CEDAW and the Beijing Platform for Action were integral documents to the development of the *Women’s Manifesto for Ghana* (written by the NGO ABANTU for Development), the Children's Act 560 (1998), the Human Trafficking Act (2005), and the Domestic Violence Act, 2007 (Act 732). The Ghanaian 1992 Constitution, and other national laws, are consistent with the doctrines of international conventions, covenants and treaties.

As informant interviewees noted there is a gap between international treaties to end violence against women and the implementation of laws nationally, such as the Domestic Violence Act, 2007 (Act 732). There is a lack of information and understanding of the issue(s), the law, and responsibilities of law enforcement, judiciary and peoples’ understanding of their rights. There is also a lack of resources for training of law enforcement officers, social workers, medical staff and resources for the dissemination of information to the public. The

gap is often between the passing of legislation and resources to invest in institutional capacity building of institutions as the Ministry of Women and Children's Affairs and Domestic Violence and Victim Support Unit (a unit within the Ghana Police Service). Institutions have to be empowered in terms of providing personnel, equipment, capacity-building, and logistics. There has to be a commitment to sustainability by having short term and long term planning.

Women's responses to their experiences of gender based violence (in war and peace) and gender inequity and gender inequality have combined with other elements, such as globalization of the women's movement and democratization thereby creating an environment for women to be on the cutting edge of change in international human rights as they resist their present status and treatment. Women have therefore had to organize international and local NGOs. These NGOs have made grassroots civil society a factor within international relations, global governance, global and national public policy (Mackinnon, 2006, p.1). NGOs and civil society will have to continue to organize as advocates for specific change, such as domestic violence legislation and continue to use the legislative process as a strategy to obtain human rights, end violence against women and to be stakeholders in the democratic process.

5.4 Recommendations

Globalization is an irreversible process requiring systems of global governance be developed, in order to manage trans-sovereign issues and conflict and the utilization of transnational solutions. Global governance has made space for actors other than the nation

state to bring different perspectives and issues to the international arena enabling input into global public policy and interfacing global public policy with national public policy. Research that enables all stakeholders to participate in decision making to end violence against women must continue.

The founders of the Westphalia system of the nation state are themselves seeking to minimize the balkanized nation state system of Europe as they create a more viable institution to address issues that are beyond one nation. The development of the European Union is providing greater financial, political and military security than any single member is able to harness alone, and membership requires responsibility and accountability. The nation state has not always been the system of international governance and may be challenged in its present form as a system that can protect all the stakeholders. The key tenet of the nation state system, noninterference in the matters of a sovereign nation state, has changed since the inception of the system and is being challenged to be sovereign with responsibility.

The engendering of public policy and the inclusion of women as participants in governance and public policy is a key factor in social justice, economic growth and sustainable development. The engendering of the institutions of public policy is vital to the ending of violence against women (VAW) in war and peace. Women have to be represented as a critical mass in legislative bodies of governing institutions in order to compel them to establish and implement public policy that takes into account the transnational trans-sovereign issues of gender equity, gender equality and VAW.

Therefore, twenty-first century research on governance has to address space and agency for stakeholders in governance, not just regardless of but inclusive of persons of varying identities, such as gender, race, religion, language, age, sexuality and class. Women and men in attendance at one of the four UN World Conferences on Women were embolden by their participation in a process which gave them access to global governance and global information, affording them the opportunity to be a part of an international civil society and the opportunity to join and or form NGOs. Ghanaian women who interfaced with global governance formed issue-focused NGOs. Using international instruments such as CEDAW and the Beijing Platform for Action they lobbied and advocated for the end of violence against women. They utilized the legislative process to bring to the public what had been considered a private matter, domestic violence, resulting in the passage of the Domestic Violence Act, 2007 (Act 732).

This thesis contends that global governance and global public policy interfaced with national public policy through the interaction of a transnational actor, the United Nations, which enabled the development of an international civil society and INGOs. This combined with the political environment of a developing constitutional democracy, Ghana post 1992, allowed for the development of local and national NGOs able to address the transnational and trans-sovereign issue of violence against women in general and domestic violence specifically.

Global governance and global public policy have established international standards and norms for human rights and have established women's rights as an issue of human rights.

These international instruments have been agreed to by nation states and therefore, interfaced with national public policy, as mandated by the act of becoming a signatory to the conventions and treaties. However, the implementation is in the hands of the nation state, which presents the question of the state of the nation state to domesticate, adhere to and implement global public policy. This leads to the question of state accountability and the issue of repercussions, such as sanctions, support for change of government, and the extreme answer to lack of accountability, wars fought internally and externally.

It has been demonstrated that Ghanaian women in specific and civil society in general are participating in processes to domesticate and formulate instruments for legislative, legal and social change, as for example, the NGO, ABANTU, which was the lead architect of *The Women's Manifesto of Ghana*. Women will have to continue to organize and maintain networks of civil engagement such as NETRIGHT and coalitions like the Domestic Violence Coalition, in order to push for the implementation of policies and to monitor their effectiveness.

Civil society organizations, such as, the Ark Foundation, WISE, the Gender Violence Survivors Support Network are needed to provide services for victims to aide them to become survivors. FIDA and WiDAF, which are international and national NGOs respectively, will have to continue to expand their services as providers of legal analysis and assistance to women who are victims of domestic violence. WiDAF's work must continue to link law, social justice and sustainable development. Civil society organizations will have to continue and expand their role in the process of sensitizing, educating and disaggregating

data for government, police, the media and the community-at-large, as does the Gender Studies and Human Rights Documentation Centre.

The NGOs mentioned above and civil society have interfaced with global governance and utilized instruments of global public policy to advance gender equity, gender equality and the ending of violence against women. They have been enabled in part by the “third wave” of democracy in Africa, which in turn created space for NGOs to have a new autonomy from state and international donor agencies.

5.5 Conclusion

The ideas-based approach to public policy purports that “... it is impossible to imagine politics without ideas....Ideas-based approaches in public policy contend that it is the ideas these actors bring to the public sphere that are the reasons for policy change and stability” (John, 1998, pp.144-145). Peter John, author of *Analyzing Public Policy*, further states that because people believe that there is a right course of action they try to influence policy makers to adopt particular policies. He asserts that “advocacy is a causal factor over and above the effects on policy of political institutions and interests” (John, 1998, p.145).

The UN World Conferences provided an arena for the development and expansion of the international women’s movement and the development of international NGOs focusing on women’s rights as human rights through the creation of global public policy. The conferences addressed transnational issues and purposed trans-sovereign solutions. Women have often been fearful or distrustful of the state and disconnected from the state as the vehicle for human security, but were now advocating for democratic institutions that would address their needs, such as gender equity and gender equality, health care, access to resources, education and ending violence against women. Global governance exposed an

international civil society to a means of information generation and acquisition and knowledge processing. The process delocalized violence against women and gender equity and gender equality.

It is this concept of globalizing public policy and implementation of the policies in principle and practice at the national level that is the focus of this research, specifically the impact of global governance and global public policy on gender equity, gender equality and violence against women. This thesis examined the relationship between global public policy and Ghana's national public policy as a way of assessing global governance and global public policy as factors able to interface with national public policy, and as a means of addressing the transnational and trans-sovereign issue of violence against women, specifically domestic violence.

This thesis presented four research questions and by examining them attempted to understand the dynamics of citizen participation utilizing the political tool of public policy for peaceful social change. The following is a summarization of the answers to the questions:

- (i) global governance responded to the need for international standards and norms to address gender inequity and gender inequality and violence against women, which in large measure was spearheaded by women from the South, as Justice Annie Jiajge of Ghana;
- (ii) international civil society worked to actualized international standards of women's rights as human rights;

- (iii) the impact of CEDAW and Beijing Platform for Action and the four World Conferences was the delocalization of violence against women, recognizing it as a pandemic; and
- (iv) national governments, Ghana one of the first African nations, to domesticate global public policy, addressed a local issue, domestic violence, while addressing a transnational and trans sovereign issue, violence against women.

Ghana through the passage of the Domestic Violence Act, 2007 (Act 732) gave the world a lesson in civil society participation in the pursuit of good governance for the acquisition of public policy that protects human rights. The research on good governance and citizen participation and social movements continues with the questions: does Ghana have a formula for peaceful civic participation in governance, even when the topic is politically and culturally sensitive, as well as a system of parliamentary tolerance for diverse input from its citizens? How was this achieved so soon after such a long historical roller-coaster from military to civilian rule over a span of just over fifty years? Does civil society embarking on changing social relations through public policy reflect a change in political culture and power of the dynamics of women's participation in social movements?

Notes

¹ Women's World Banking is the only microfinance network with an explicit focus on women. The network is now made up of 39 financial organizations from 28 countries—also known as microfinance institutions—located around the world, serving more than 19 million clients, 73 percent are women. WWB provides small loans, sometimes as modest as \$100, to people to start their businesses. Women's World Banking is focused on ensuring women have access to microloans. Retrieved from: <http://www.swwb.org> [Assessed 05/10/2010]

² Inter-Parliamentary Union (2013) 'Women in National Parliaments', Le Grand-Saconnex: Geneva: IPU. Retrieved from: <http://www.ipu.org/wmn-e/classif.htm>. [Assessed 02/26/2013]

³ Okorodudu, Corann, June 10, 2009. 'An Overview: The Significance of the UN four World Conferences and CEDAW to Women's Development, Gender Equity and Gender Equality'. *An International Teleconference. Women Impact Global and National Governance through International Dialogue: A Focus on Domestic Violence*. Held simultaneously at Cheyney University of Pennsylvania and the American Embassy - Ghana.

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APPENDIX A

Partial Listing of UN Treaties and Conventions signed by the Republic of Ghana

(This is Section C only noting the Treaties and Conventions on Human Rights Issues signed by the Republic of Ghana)

UN MULTILATERAL TREATIES AND CONVENTIONS ACTION TAKEN BY GHANA AS AT 2ND FEBRUARY, 2009

Title of Treaty and place of conclusion

Date of Conclusion

Action

Type

Date of Receipt

C. HUMAN RIGHTS

27. Convention on the Prevention and Punishment of the Crime of Genocide – New York
09/12/1948 Accession 24/12/1958

28. International Convention against Apartheid in Sports - New York
10/12/1985 Signature 03/04/1986

29. International Convention against Apartheid in Sports – New York
10/12/1985 Ratification 03/04/1988

30. Convention on the Rights of the Child – New York 20/11/1989 Ratification 02/09/1990

31. Convention on the Rights of the Child – New York 20/11/1989 Signature 02/09/1990

32. Amendment *to* article 43 (2) of the Convention on the Rights of the Child – New York
12/12/1995 Acceptance 29/12/1998

33. Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict – New York
25/05/2000 Signature 24/09/2003

34. Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography – New York
25/05/2000 Signature 24/09/2003

35. International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families - New York
18/12/1990 Ratification 07/09/2000

36. International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families – New York
18/12/1990 Signature 06/09/2000

37. Convention on the Rights of Persons with Disabilities – New York
13/12/2006 Signature 30/03/2007

38. Optional Protocol to the Convention on the Rights of Persons with Disabilities – New York
13/12/2006 Signature 30/03/2007
39. International Convention for the Protection of All Persons from Enforced Disappearance – New York
20/12/2006 Signature 06/02/2007
40. International Convention on the Elimination of All Forms of Racial Discrimination - New York
07/03/1966 Signature 12/03/1969
41. International Convention on the Elimination of All Forms of Racial Discrimination - New York
07/03/1966 Ratification 12/03/1969
42. International Covenant on Economic, Social and Cultural Rights – New York
16/12/1966 Signature 07/09/2000
- 16**
Cultural Rights – New York
43. International Covenant on Economic, Social and Cultural Rights – New York
16/12/1966 Ratification 07/09/2000
44. International Covenant on Civil and Political Rights – New York
16/12/1966 Declaration
07/09/2000
45. International Covenant on Civil and Political Rights – New York
16/12/1966 Signature
07/09/2000
46. International Covenant on Civil and Political Rights – New York
16/12/1966 Ratification
07/09/2000
47. Optional Protocol to the International Covenant on Civil and Political Rights – New York
16/12/1966 Signature 07/09/2000
48. Optional Protocol to the International Covenant on Civil and Political Rights - New York
16/12/1966 Ratification
07/09/2000
49. Convention on the non-applicability of statutory limitations to war crimes & crimes against humanity
- New York
26/11/1968 Accession
06/09/2000
50. International Convention on the Suppression and Punishment of the Crime of Apartheid – New York
30/11/1973 Accession 01/08/1978
51. Convention on the Elimination of All Forms of Discrimination against Women – New York
18/12/1979 Ratification
02/01/1986
52. Convention on the Elimination of All Forms of Discrimination against Women – New York
18/12/1979 Signature 03/09/1981

53. Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women –
New York
06/10/1999 Signature
24/02/2000
54. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment –
New York
10/12/1984 Signature
07/09/2000
55. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment –
New York
10/12/1984 Ratification 07/09/2000
56. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment –
New York
10/12/1984 Declaration 07/09/2000
57. Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading
Treatment or Punishment – New York
18/12/2002 Signature 06/11

APPENDIX B

Video Conference Program and Biographies of Panelist

PROGRAMME

An International Video Conference

“Women Impact Global and National Governance through International

Dialogue: A Focus on

Domestic Violence”



Wednesday, June 10, 2009,

10:30 am to 12 noon

Cheyney University of Pennsylvania’s

Conference Convener

Tahiya McCoy Nyahuma, University of Ghana

This historic event is facilitated and

sponsored by



Cheyney University of Pennsylvania

The American Embassy – Ghana



co-sponsored by

HealthLink International

International Caucus of Women of the African Diaspora :

Greater Philadelphia Caucus



Welcome and State ment of Purpose

Tahiya McCoy Nyahuma, Conf Convener

Welcome American Embassy —Ghana

Sue K. Brown, Deputy Chief of Mission

Welcome to Cheyney University

Barbara Simmons, Dean Graduate Studies

Conference Convener



Tahiya McCoy Nyahuma, organized and led a delegation of 143 women, men and youth to Beijing, China to participate in the United Nations' Fourth World Conference on Women in 1995. In 1996, she led a delegation of female entrepreneurs to Ghana to participate in the First Global Women Entrepreneur's Trade Fair and Investment Forum and led a Trade Mission to Egypt. Ms. Nyahuma has served as an Adjunct Professor at Rowan University, Community College of Philadelphia and Cheyney University of Pennsylvania, where she teaches Political Science, Africana Studies and Sociology. She is presently a full time Ph D student at the University of Ghana, in the Department of Political Science. She is the International Chair of the International Caucus of Women of the African Diaspora- ICWAD

Ghanaian Panelists



Joana Opare holds an MA degree in Population and Development from the University of Ghana. She has had other training in Management and Leadership and various aspects of Gender. Joana who is currently an intentional Consultant on Gender and Development also worked for the Government of Ghana/United Nations System Programme for Promoting Gender Equality in Ghana as the National Programme Manager from February 2001 to December 2005. Joana successfully co-ordinated the preparation of Ghana's 3rd, 4th and 5th CEDAW periodic reports and also Ghana's Progress report on the ten years of implementation of the Beijing Platform for Action.



Marian Tackie BA(HONS) Political Science with Philosophy University of Ghana, Legon in 1978. Masters Degree in Social Studies, University of Manchester (1991) A seasoned and experienced public servant, very diligent and dedicated to the course of women's empowerment and gender equality. A gender and development expert. Participated in high level national and internationally meetings and contributed immensely to the formulation of public and global policy formulation and their implementation. Has thirty years of working experience.



Dorcas Coker-Appiah, Esquire a lawyer by profession, is the executive Director of the Gender Studies and Human rights Documentation Centre, a women's rights advocacy organisation focusing on action-research as the basis of its programming, which she co-founded with three other colleagues. Dorcas is a member of a number of women's organisations, including International Federation of Women Lawyers, FIDA Ghana, Women in Law and Development in Africa and NETRIGHT. She is the current Chairperson of the WILDAF Regional Board and also a board member of Women in Peace and Security Network (WIPSEN). She is currently serving a second term as a member of the United Nations Committee on the Elimination of Discrimination against Women.



Hamida Harrison is a Senior Programme Officer with *ABANTU FOR DEVELOPMENT*, a women's rights organization focusing on policy advocacy for gender equality. She studied development administration and her area of concentration is women's participation in policy-making. Hamida has worked closely with women interested in local governance as well as women members of district assemblies in enhancing capacities. She has worked with women from post conflict environments in Ghana and in Liberia in skills training in policy advocacy for gender, peace and security. Hamida has attended all the post-Beijing review conferences at the United Nations in New York representing civil society.

United States Panelist



Augusta A. Clark, Esquire, (Moderator) a librarian, lawyer and legislator, served as councilwoman at large and majority whip on the City Council of Philadelphia, Pennsylvania. She holds the distinction of being the second black woman in the three-century history of Philadelphia to have served on the City Council. As majority whip, she managed legislation and served as an integral part of the City Council leadership team. In her more than twenty years of service, Clark compiled a distinctive record of accomplishments.



Dr. Corann Okorodudu is a Professor of Psychology and Coordinator for Africana Studies at Rowan University, where she has also served as Coordinator for Women's Studies and as Interim Associate Vice President for Academic Affairs. Since 1992, Dr. Okorodudu has been a Non-Governmental Organization (NGO) Representative for the Society for the Psychological Study of Social Issues and the American Psychological Association at United Nations Headquarters in New York City. In this capacity, she has worked in collaboration with other NGOs, UN personnel, and governments on education, research, policy development and advocacy relevant to a broad range of human rights standards, including women and gender, children, racism, and mental health issues.



Im Ja P. Choi is Founder and Executive Director of the Penn Asian Senior Service (PASSi), a non profit home health agency which serves over 100 frail Asian American seniors with limited English proficiency in the greater Philadelphia region. She was founding president of Women's Development Institute International (1996-2004), a non-profit which brought 23 educational and cultural events to the Philadelphia region including 5 Comfort Women events. While raising two children and working full time, she has been actively involved, in civic and community activities especially related to woman and ethnic minority issues. Currently she serves as a board member of the Temple University School of Health Profession, and the American Red Cross, Penn Jersey Region and Pennsylvania.



Gloria M. Gay has over 30 years of experience in working with corporate and human service agencies. Ms. Gay is the Associate Director of the Penn Women's Center. Ms. Gay was also a member of the Mayor's and District Attorney's Task Force on Domestic Violence. In 2004, Ms. Gay received the Shirley Chisholm Award and in 2006 the Martin Luther King, Jr. Award. This year Ms. Gay has served over 24 years at the University of Pennsylvania and has participated in International programs in Nigeria, Morocco, and Serbia.



Dr. Barbara Wheeler served as Director of Africana Studies and has been a Professor of Anthropology at Kean since 1987. She has taught at Columbia University, C.C.N.Y. and the University of So. Florida. She received her Masters and Doctoral degrees from Columbia University and her undergraduate work at the University of Maryland included three years of study in Munich, Germany. She teaches courses in Cultural Anthropology, archaeology, films of the African world experience, Emergence of the Modern World and an African Diaspora Travel Learn course.

PROGRAMME

Welcome and Statement of Purpose	Tahiya McCoy Nyahuma, Conference Convener
Welcome American Embassy—Ghana	Sue K. Brown, Deputy Chief of Mission
Welcome to Cheyney University	Barbara Simmons, Dean Graduate Studies
Introduction of Panelists	Dr. Dorcas Coker Appiah, Ghana Panel The Honorable Augusta A. Clark, US Panel

PRESENTATIONS

THE QUESTIONS OF INQUIRY ARE:

1). What has been the significance of the United Nations four World Conferences, specifically the Fourth World Conference held in Beijing, China in 1995 and CEDAW to women's development, gender equity and gender equality?

Joana Adzoa Opare

Dr. Corann Okorodudu

2). Has the United Nations served as a vehicle for women to impact global governance and global public policy?

Marian Tackie

Tahiya McCoy Nyahuma

3). Have the ideas and experiences translated into the Platform of Action, the Beijing Declaration and adopted by 189 nations, as well as CEDAW (ratified by Ghana in 1986), impacted the national and local public policy of Ghana and the US, respectively?

Hamida Harrison

Imja Choi

4). Have the ideas and experiences translated into the Platform of Action, the Beijing Declaration and CEDAW impacted the national and local public policy specifically in reference to the development and implementation of legislation around domestic violence?

Dr. Dorcas Coker Appiah

Gloria Gay

PANEL TO PANEL DISCUSSION

Augusta A. Clark, Moderator US

Joana Opare, Moderator Ghana

Audience open discussion

Panelists Summations

(2 minutes per panelist)

Summation of session

Dr. Barbara Wheeler

Acknowledgements

Tahiya McCoy Nyahuma

APPENDIX C

Table of Contents Appendix C (Chapter Four)

Appendix C Exhibit 1 Comfort Esi Ablometi, Ministry of Women’s and Children's Affairs, The Department of Women (formerly NCWD).....	230
Appendix C Exhibit 2 Patience Adumua-Lartey, ActionAid	235
Appendix C Exhibit 3 Deborah Tayo Akakpo, Gender Violence Survivors Support Network (GVSSN).....	243
Appendix C Exhibit 4 Hon. Juliana Azumah-Mensah, Ministry of Women and Children’s Affairs	249
Appendix C Exhibit 5 Adwoa Bame, Women's Initiative for Self-Empowerment (WISE).....	254
Appendix C Exhibit 6 Adolf Awuku Bekoe, National Coalition on Domestic Violence Legislation in Ghana.....	259
Appendix C Exhibit 7 Chris Dadzie, FIDA	266
Appendix C Exhibit 8 Ama Benyiwa Doe, Regional Ministry of the Central Region	274
Appendix C Exhibit 9 Dorcas Coker Appiah, Gender Studies and Human Rights Documentation Centre (Gender Centre)	279
Appendix C Exhibit 10 Vivian Fiscian, The National Coalition on Domestic Violence Legislation	286
Appendix C Exhibit 11 Hilary Gbedemah, Women in Law and Development in Africa (WILDAF)	291
Appendix C Exhibit 12 Hamida Harrison, ABANTU for Development.....	297
Appendix C Exhibit 13 Theodora Mohenu, Secretariat for Domestic Violence	306
Appendix C Exhibit 14 Joana Adzoa Opare, Gender Planning Consultants Limited	311
Appendix C Exhibit 15 Naa Atwei Victoria Owusu, Ark Foundation	316
Appendix C Exhibit 16 Apostle Dr. Queronica Q. Quartey, ActionAid.....	321
Appendix C Exhibit 17 Elvis Bawa Sadongo, Office of the Head of Social Services Police Hospital.....	326
Appendix C Exhibit 18 Marian Tackie, Ministry of Health (formerly with Ministry of Women’s and Children's Affairs)	333
Appendix C Exhibit 19 Wilbert Tengey, Gender Development Institute, Ghana	340

Appendix C Exhibit 1 Comfort Esi Ablometi, Ministry of Women’s and Children's Affairs, The Department of Women (formerly NCWD)

**Engendering National Public Policy through Global Governance:
an Assessment of Ghana's Domestic Violence Legislation as a Trans-sovereign Transnational Issue
Questionnaire for Informant Interviews**

The objective of the questionnaire is to survey representatives of government, NGOs/CSOs, and individuals in order to examine the relationship between global public policy and Ghana's national public policy, as a way of assessing to what extent global governance can address the trans-sovereign and the transnational issue of violence against women, specifically domestic violence.

NAME: M. Comfort Esi Ablometi TITLE: Regional Director of the Greater Accra Secretariat DATE: May 21, 2010
 ORGANIZATION/INSTITUTION: Ministry of Women’s and Children's Affairs, The Department of Women (formerly NCWD)
 ADDRESS: RCC, 3rd Floor (R.128), Adadraka, Accra / P.O. Box CT 1402, Cantonments, Accra
 PHONE NUMBERS: OFFICE: (+233) 21 241993 MOBILE: (+233) 244146279 / (+233) 264146279
 EMAIL: comfortablometi@yahoo.com
 INTERVIEWER: Tahiya McCoy Nyahuma, University of Ghana, Department of Political Science

Section One: Background Data	
1. Organization/institution mission	Is to implement and facilitate policies that are formulated in reference to the welfare of women, and to bring all stakeholders on board who address women's issues. Our vision is to integrate and enhance the participation of women fully into the development process.
2. When organization/institution was founded/created	The Ministry of Women’s and Children’s Affairs, the Department of Women (formerly National Council of Women in Development {NCWD}) has been a part of the women's machinery for 30 years. In 2000 the Ministry for Women’s and Children's Affairs was formed. When the Ministry was established the National Council on Women in Development became a department known as the Department of Women. Then the Ghana National Commission on Children became the Department of Children. We have a mother ministry who is the policy maker and we have these two departments who are the implementers of the policies of the government of Ghana. They serve ten regions, and every region has a Director of the Ministry.

3. Founders	Government of Ghana
4. Target constituents	There are ten districts in the Greater Accra region, and they serve all ten districts. They work with the District Assemblies and with the District Chief Executives. We have Gender Desk Offices in the districts.
5. Numbers served overall	N/A
6. Numbers served annually	N/A
7.	The ten regions of Ghana

Section Two: Global Governance and Global Public Policy	
1. Can global governance and global public policy engender national public policy?	There are some aspects globally that influenced the Domestic Violence Act. For instance, some of the issues of CEDAW and the Platform for Action were part of the Act. Though these conventions have been ratified, it hasn't been taken into the Ghanaian system. Some are imbedded in the constitution and some in other policies that we have. So, in some ways, yes, it helps.
2. To what extent has global public policy impacted national public policy and the transnational issue of domestic violence?	When you ratify conventions and treaties, you bind yourself and you are accountable. It's mandatory since you have signed that it be performed in your country. Recently, our Minister [for Women and Children's Affairs] attended the CSW [UN Commission on the Status of Women] in New York to give a report on what Ghana has done in the past four years in relation to the treaties and issues of violence against women. So, yes, there is an impact because you sign and are bonded to act accordingly.

Section Three: Gender and Public Policy from Global and National Perspectives	
1. Is public policy affected by the gendered construction of the state society?	In some ways. In Ghanaian Parliament, we have 19 women. We had 20. When one died, a man was reelected in her place. So if all the women in Parliament vote to pass a law, there is not enough to make the change by themselves. It depends if some of our men are genderized. And that's one of our big hurdles, to genderize the men, to bring the men on board to understand the term gender ,which means fighting for issues for men and women. We don't have a lot of women on board [as a result] it hinders certain policies being realized. That's why we are trying to train women in order to make our work easier. We need more women in order to make their vote more meaningful. Unless the men vote with them, many issues will not come to the floor, because the men don't see the need. Women's issues are seen as domestic issues, which doesn't need to be accorded national favour.
2. What has been the impact of CEDAW, Beijing Declaration and the African Women's Protocol on global public policy?	CEDAW, Beijing Platform of Action, and other treaties are reflected in the policies and laws in the country.
3. Has national public policy been engendered by CEDAW, the Beijing Declaration and the African Women's Protocol?	The Domestic Violence Act, CEDAW, and the Platform of Action, are talking the same thing in different languages. It's a universal language; whether women in Britain or in America, it's the same violence. CEDAW and other treaties are reflected in the policies and the laws in the country.

Section Four: Ghana's Domestic Violence Act: A Manifestation of Global Governance and Public Policy	
1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?	When you ratify conventions and treaties, you bind yourself and you're accountable to them. It is mandatory to perform in your country. Ghana has in the past four years reported on these treaties and specifically on violence against women.
2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?	Non-governmental organizations played a role in sensitizing the public, and went around the country to educate people when it was still a Bill. NGOs such as ABANTU and FIDA worked with the Women's Caucus in Parliament.

<p>3. To what extent is Ghana's Domestic Violence Act a manifestation of global governance and global public policy?</p>	<p>I think, when you view the Domestic Violence Act, vis a vis CEDAW and the Platform for Action, they're all talking about the same thing. Because it's a universal language, a universal thing, that wherever a woman is or whatever is done against a woman in Ghana or against a woman in Britain or in America, it's the same violence in the domestic setting. That's why I am saying that CEDAW and the other treaties are not taking holistic form. They are reflected in the policies and the other laws in the country.</p>
<p>4. What has been the impact of non-state actors (NGOs, CSOs) on formulating and helping to get the Domestic Violence Bill passed?</p>	<p>Yes, non-governmental organizations played a role in sensitizing the public when we [the Ministry] were going around the country to educate the public about the need for the Bill, we worked with the NGOs. We worked with the media, both print and electronic. We could not have done it alone.</p>
<p>5. Did the development of a Women's Manifesto and the work of other coalitions, such as NETRIGHT and Coalitions around VAW help in the process of women gaining entry into political participation, specifically did they impact the passage of the Domestic Violence Act?</p>	<p>NGOs such as ABANTU for Development, FIDA, as well as the Women's Caucus in Parliament and religious bodies, all played a role. The Manifesto was the document that helped to get the Bill passed. And the architects of the Manifesto are still waiting to see the effects of the Act.</p>
<p>6. To what extent is there a gap between international treaties to end violence against women and the actions of local and national governments a) public policy, b) political capital and resources to implement, 3) training for police, health workers and social workers.</p>	<p>I would say that there is a gap in the implementing process due to the lack of funds. We have to move around to sensitize the public because some people have heard of the law but do not know what it is. They know there's a domestic violence law, but what is in the law? For us working with the law, we have realized that there is a gap. When you're talking to DOVVSU [Domestic Violence and Victims Support Unit] people, there is more emphasis on perpetrators and the victim is left in the background. We have programs to arrest perpetrators and to the court and jail. But the aftermath and the psychological trauma gets little attention. DOVVSU is saying that they do not have shelters to care for people. So the Ministry is now in collaboration with the police service to get shelters or at least counselling.</p>
<p>7. To what extent are policy makers, civil society and the media aware of the Domestic Violence Act as a tool they can use to help prevent domestic violence?</p>	<p>Because domestic violence has been for so long seen as a domestic issue, some see the Act as coming to break the family. Because, when a woman was beaten, they would just be called together, told to apologise and embrace, and life goes on. But now the Act says 'No, beating your wife, breaking the jaw or hand or leg. If so, the law must take its course.' Some, especially illiterate chiefs, are finding it difficult to understand. And within families, in-laws and family members attack the woman for reporting her husband. So we are climbing a hill and a lot depends on education.</p>

Within the police department, when there's domestic violence issues, they go directly to DOVVSU. The police departments in rural communities have DV units, but in remote areas, it is the Assembly women or unit committee person, or the chief or the queen mother of the village that people go to. So they are being sensitized to act like a frontier to the police before the case is transferred to the nearest police station for action.

Men always act as if the Act is for women. It's for all. It's for anyone in a domestic setting and the domestic setting is made up of husband, wife, children, and other relations. The biggest problem is the chiefs, because the chiefs still see the Act [Domestic Violence] as a domestic issue and that reporting a perpetrator is breaking the family. They always want to take these matters back to their own courts and settle it, but the law is against it. And matters of domestic violence should not be settled at home. So we're always trying to educate them. And that is why, in remote areas, where there are no police stations, we're not sure whether cases actually get to the police.

Appendix C Exhibit 2 Patience Adumua-Lartey, ActionAid

Engendering National Public Policy through Global Governance: an Assessment of Ghana's Domestic Violence Legislation as a Trans-sovereign Transnational Issue Questionnaire for Informant Interviews

The objective of the questionnaire is to survey representatives of government, NGOs/CSOs, and individuals in order to examine the relationship between global public policy and Ghana's national public policy, as a way of assessing to what extent global governance can address the trans-sovereign and the transnational issue of violence against women, specifically domestic violence.

NAME: Patience Adumua-Lartey TITLE: Women's Rights Policy Advisor DATE: June 4, 2010
 ORGANIZATION/INSTITUTION: ActionAid
 ADDRESS: P.O. Box AN 19083, Accra-North H/No. 13 La Tebu Street, East Cantonments
 PHONE NUMBERS: OFFICE: Tel: + 233 302 764931, 764932 FAX: 233 302 764930 MOBILE: 233 302 4277707
 EMAIL: Email: Patience.Adumua-Lartey@actionaid.org Website: www.actionaid.org/Ghana
 INTERVIEWER: Tahiya McCoy Nyahuma, University of Ghana, Department of Political Science

Section One: Background Data	
1. Organization/institution mission	The goal is to end poverty. ActionAid believes that with the right opportunities, poor people will find their own solutions - and build new lives.
2. When organization/institution was founded/created	Ghana- ActionAid began operations in 1990
3. Founders	Ghana is the first country programme to become an Associate of Action Aid International
4. Target constituents	The poorest communities within a region
5. Numbers served overall	Works with more than 1,000,000 people in six out of the ten administrative regions of Ghana namely: Upper West, Upper East, Northern, Brong Ahafo, Greater Accra and Volta Regions.
6. Numbers served annually	Thirteen development areas which includes several communities in the six regions
7. Areas of the country served	Six out of the ten administrative regions of Ghana namely: Upper West, Upper East, Northern, Brong Ahafo, Greater Accra and Volta Regions.

<p>Section Two: Global Governance and Global Public Policy</p>	
<p>1. Can global governance and global public policy engender national public policy?</p>	<p>Well, definitely. If you look at the struggle which led to the passing of the Domestic Violence Act, it all started with the women's movements. When MOWAC (The Ministry of Women and Children's Affairs), then NCWD, National Council of Women in Development, and the various women's rights organization, here I'll have to mention FIDA, they started awareness creating on women's rights. That was some time in the 1990s or late '80s, when issues on women's rights were not very common in this country. And they attended international conferences and they came back with, knowledge on women's rights, which was disseminated nationally.</p>
<p>2. To what extent has global public policy impacted national public policy and the transnational issue of domestic violence?</p>	<p>In Ghana, when we started fighting for the Domestic Violence Act to be passed, we all referred specifically to CEDAW, because Ghana had ratified it. When you look at the Children's Act, the Children's Act was passed because Ghana was the first country to ratify the Convention on the Rights of the Child. So I must say that it has had a very positive impact.</p>

<p>Section Three: Gender and Public Policy from Global and National Perspectives</p>	
<p>1. Is public policy affected by the gendered construction of the state society?</p>	<p>Definitely, definitely, even if you look at our Parliament, 230 seater Parliament, only 19 women. So when they have to debate on policies, which will impact on the rights of women, it's very difficult, because the majority of the Members of Parliament are men, and most of them have not had any training in gender issues, most of them are not gender sensitive.</p> <p>Culturally, in Ghana, men and women were not seen to be equal. Men are supposed to rule and dominate and women are supposed to be subservient and be in the house and look after the home and be care-givers.</p>

	<p>We are talking about the dynamics of power. And people commit violence because of the need to control women, because of the need to control their partners. And it's more or less a power struggle. And in Ghana men have a lot of power, women have little or no power in all aspects of society. And we have a lot of men in key policy-making institutions, because men have had more opportunity to go to school and to build up their careers than women. Women have not had equal access to education as men, so women have lagged behind men politically, socially, economically. So when it comes to decision making, culturally men were brought up to take decisions, women were brought up to accept the decisions that men took. So we have a lot of male-dominated key institutions which take decisions. So most of the policies in the past have been in favour of men. And even currently, when a decision has to be made or when Parliament has to take a debate, because of the low female representation in Parliament, it becomes problematic.</p> <p>Well, currently, there's a lot of awareness for women's rights in Ghana. So whatever policy we come up with is gender neutral. If we look at the Domestic Violence Act, although women's groups and civil society work[ed] for the protection and enhancement of women's rights and fought for the Domestic Violence Act to be passed. In reality, the Act is gender neutral. It protects men from domestic abuse just as much as it protects women from domestic abuse. So [this policy is] gender neutral.</p> <p>We all know that it would have been easier having the Domestic Violence passed if we had more women in Parliament, because the women understood the issues. Despite the fact that civil society [organizations] organised training for Members of Parliament on the Domestic Violence Act and the importance of having the Act passed, the men felt that it was a law that was going to more or less take away their power as men. Whenever we talk about domestic violence, we are talking about power.</p>
<p>2. What has been the impact of CEDAW, Beijing Declaration and the African Women's Protocol on global public policy?</p>	<p>When the government of Ghana signed CEDAW, it was therefore obliged to come up with policies and laws which would lead to the equality of women in this country. So, with these women's rights meetings and with the signing of the CEDAW and the Beijing Platform for Action, it was more or less an awakening call for the government to sit up and enact legislation which was on par [with global public policy] .We signed CEDAW, and when we signed CEDAW, all member states which signed had to come up with national laws which would conform to CEDAW and all the international policies. So definitely, the answer is yes, to a large extent.</p>

<p>3. Has national public policy been engendered by CEDAW, the Beijing Declaration and the African Women's Protocol?</p>	<p>A very positive impact, I must say, a very positive impact. Because once state parties ratify these international treaties, they are obliged to come up with local legislation, which will conform to these public policies. And, more or less, it's like all eyes are on the state parties to see whether they are actually going to sit up to those tasks. So it has had a very positive impact. In Ghana, when we started fighting for the Domestic Violence Act to be passed, we all referred specifically to CEDAW, because Ghana had ratified it. When you look at the Children's Act, the Children's Act was passed because Ghana was the first country to ratify the Convention on the Rights of the Child. You see? So I must say that it has had a very positive impact.</p>
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<p>Section Four: Ghana's Domestic Violence Act: A Manifestation of Global Governance and Public Policy</p>	
<p>1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?</p>	<p>Yes, it can. Gender based violence, yes, because we have all these beautiful international treaties, and because of those treaties we are obliged to, as I said earlier, to come up with laws in conformity of these treaties. But we have realised that there has been a lot of delay. We are quick to sign these international treaties, but when it comes to performing the tasks demanded by the international treaties, it has proved problematic, because of our cultural perceptions and our prejudices on violence or on the rights of women,</p>
<p>2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?</p>	<p>Very, very positive impact. The Domestic Violence Act would not have been passed without the work of NGOs and CSO's, like the Domestic Violence Coalition, NETRIGHT, WILDAF and FIDA and ABANTU, authors of the Women's Manifesto.</p>
<p>3. To what extent is Ghana's Domestic Violence Act a manifestation of global governance and global public policy?</p>	<p>State parties ratify international treaties and are therefore obliged to implement local legislation which conforms to these public policies. They have had a very positive impact in Ghana as we were fighting the Domestic Violence Act to be passed, specifically CEDAW and the Beijing Declaration.</p>
<p>4. What has been the impact of non-state actors (NGOs, CSOs) on formulating and helping to get the Domestic Violence Bill passed?</p>	<p>[Civil Society Organizations and NGOs] have had a great impact, a phenomenal impact, on domestic policy in this country.</p>

<p>5) Did the development of a Women's Manifesto and the work of other coalitions, such as NETRIGHT and Coalitions around VAW help in the process of women gaining entry into political participation, specifically did they impact the passage of the Domestic Violence Act?</p>	<p>Overwhelmingly, it was just wonderful. The Domestic Violence Act would not have been passed without the work of the Domestic Violence Coalition, without the work of NETRIGHT, because there is power in numbers. If every organization is doing advocacy on their own, lobbying government, Parliament, it's not as effective. But I believe one of the successful strategies which led to the passage of the Domestic Violence Act was that we had one big front. All civil society organizations working on women's rights came together. There were a lot of meetings, we had a lot of funding from donor agencies, they came together, they formed these coalitions, and there was one big voice. There was a consensus, there was a critical mass of people. There is power in numbers. So, they had a very, very positive impact, very successful. Without these agencies that you've spoken about, the Domestic Violence Coalition, NETRIGHT, the Women's Manifesto, we wouldn't have been where we are.</p>
<p>6) To what extent is there a gap between international treaties to end violence against women and the actions of local and national governments? a) public policy, b) political capital and resources to implement, c) training for police, health workers and social workers</p>	<p>There had been a very big gap, a very, very big gap. Because it appears as if we need a lot of public education on these issues. We have signed all these international treaties, yes. Lawyers from the Attorney-General's Department who are signing all these treaties, because they have knowledge on the importance of these laws and the rights of women. But when we come down to the communities, the poor people that we work with, the women's groups, the men's groups, they don't understand these issues and culture is a very, very strong, Yes. Culture is something which is deep rooted. And it takes a lot of time to transform the minds of people to gradually accept the concepts under these international treaties. So yes, there is a very big gap.</p> <p>Yes, there is a very big gap but gradually, we are getting there. We can't do it in a day, Rome was not built in a day, but gradually we are getting there. We fought for so many years, but eventually we had the Domestic Violence Act passed. We are now fighting for it to be implemented. So, we will eventually get there.</p> <p>It's been very difficult. And as of now, I must say, we haven't done much. Three years after the passage of the Domestic Violence Act, critical issues still remain in connection with its effective implementation. Now, we need the legislative instruments, which will provide the framework for the implementation of the law. For instance, the legislative instruments will spell [out] the type of training that the police will have. It will spell [out] the curriculum for the training.</p>

The Domestic Violence Act provides for a Domestic Violence and Victim Support Fund, [which is supposed to provide] services for the survivors of violence.

If a man has abused his wife and he has to be imprisoned and he is the sole bread winner, the Act provides that whilst he's serving his jail sentence, the victims of the survivors be maintained financially until he comes out. And there are also provisions for free medical care for survivors of violence, but, to date, it has not been operational. So, there are many challenges. It is one thing having an Act passed and having it being effectively implemented. I believe that when the Act was being passed, resources should have been provided for its effective implementation.

Now, let's talk about the police, DOVVSU, let's talk about the police. If a wife or a daughter or any woman goes to the police station to report that she's been physically or sexually abused, it's difficult. The police lack simple logistics. I mean, there is the need for transportation to go and arrest the perpetrator. Most of the time, the police will ask the victim to provide money for a taxi to go and pick the perpetrator. Most of these victims are poor. As I've said, we work with a lot of poor people. And research has proven that violence occurs more within poor communities. So most of these people are poor, they cannot afford a taxi fare to go and bring the perpetrator.

When you talk about the implementation of the Domestic Violence Act, access to justice has become a very big issue. Legal aid is constrained. In the rural areas it's very difficult to get legal aid. It's very expensive to get the services of a lawyer to handle your case for you. And there's another issue that I need to talk about, which is the medical report. If somebody has been sexually or physically abused, they need to [pay for the medical report for the court] as evidence of their abuse. The law says that it should be free, victims should have free medical care, it should be free. But so far the necessary structures have not been put in place to enable victims to enjoy this free medical services. So you have a case where somebody has been raped, but because they can't afford the fee of the medical report, they are not able to prosecute their case, because when they go to court, they're not able to tender in their case. And they adjourn the case a couple of times and then nobody follows up the case. I believe that justice delayed is justice denied. It is critical that the government put in place the necessary structures to enable all victims of abuse to have the quality of services they need.

	<p>Number one, when somebody comes with any form of domestic violence, they're already traumatized. But the system is retraumatizing them, because we don't have the legislative instruments in place and we don't have the necessary structures in place to provide the social services or the healing services that these victims and survivors need.</p>
<p>7. To what extent are policy makers, civil society and the media aware of the Domestic Violence Act as a tool they can use to help prevent domestic violence?</p>	<p>The policy makers are aware because they are the ones who passed the law. The media played a very instrumental role in the passage of the Domestic Violence Act because, you know, they more or less joined civil society. And there was a lot of public education on radio, on TV, in the papers, there were a lot of articles. So, to what extent? I would say that to a very great extent. Policy makers, civil society, the media, they've made a very good impact. But we realised that three years after the passage of the Act, there are still some people in communities who have not heard about the Domestic Violence Act.</p> <p>There are some communities where they don't have access to radio services. We had a workshop yesterday, and they mentioned a community in the Volta region. Before you get there, you have to go through a lake. I think our Greater Accra office, they had a program there. They went there, they spoke to them about the Domestic Violence Act and nobody there had heard about the Domestic Violence Act.</p> <p>So, although I need to commend policy makers, civil society, media for the good work they are doing, there is still a lot of work to be done. We need to reach out to the outermost areas and make sure that everybody is aware of the Domestic Violence Act and everybody is aware of the rights of women, the rights of children, because, like I said, a lot of violence occurs in these remote rural communities, a lot of violence goes on. So, a lot of work has been done but there is still a lot of work to be done.</p> <p>We have a lot of IEC materials. By IEC materials I mean information, education, communication materials like posters. Many civil society organizations have come up with a lot of posters. You see a man beating a woman with a big 'no'. A man beating a woman and then there is 'no' or the police lift up the hand to catch the man. There have been a lot of, yes, IEC materials. And I'm also aware that WILDAF has simplified version of the Domestic Violence Act: "What is Domestic Violence? - When you beat your wife, when you have sex with someone forcefully." The Domestic Violence Act is a legal document and it's not easily understood, it's written in legal language. So they have come out with a very simplified version of the Act with pictures.</p>

But I'm happy to hear that the Ministry of Women and Children's Affairs is currently embarking on the nationwide campaign. They have translated the Domestic Violence Act into six local languages. And they're having programs on radio and TV in the various Ghanaian languages to disseminate the Act. They're aware that there are still some areas where they haven't heard in this country. Three years after the passage of the Act there are still many communities who haven't heard about the law. They're making plans to reach these far communities.

Appendix C Exhibit 3 Deborah Tayo Akakpo, Gender Violence Survivors Support Network (GVSSN)

**Engendering National Public Policy through Global Governance:
an Assessment of Ghana's Domestic Violence Legislation as a Trans-sovereign Transnational Issue
Questionnaire for Informant Interviews**

The objective of the questionnaire is to survey representatives of government, NGOs/CSOs, and individuals in order to examine the relationship between global public policy and Ghana's national public policy, as a way domestic of assessing to what extent global governance can address the trans-sovereign and the transnational issue of violence against women, specifically violence.

NAME: Deborah Tayo Akakpo TITLE: Co-ordinator DATE: April 22, 2010
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 EMAIL: dtayo@wise-up.org
 INTERVIEWER: Tahiya McCoy Nyahuma, University of Ghana, Department of Political Science

Section One: Background Data	
1. Organization/institution mission	To establish an organization that can provide information on services to survivors of domestic violence by developing a network of service providers, medical doctors, lawyers, social workers, clinical psychiatrists, psychologists, donor agencies, skills training providers, and anyone else who has support services for survivors.
2. When organization/institution was founded/created	2001
3. Founders	A collaborative effort between WISE and the Ark Foundation.
4. Target constituents	Survivors of sexual and gender-based violence.
5. Numbers served overall	N/A
6. Numbers served annually	N/A

7. Areas of the country served	The ten regions of Ghana.
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Section Two: Global Governance and Global Public Policy	
1. Can global governance and global public policy engender national public policy?	Yes, they can. With the Economic Community of West African States (ECOWAS), for example, when we went for the summit in Gambia, one of the questions we asked and one of the suggestions we were making were about sanctions when you sign the treaties and then no implementation. Because, globally, we have strong force that can say 'Okay, Zimbabwe [for example], now you are doing this and we are going to excommunicate you, or because of this and this, your people cannot travel from here to there.' Then governments will want to work towards ensuring that they solve problems. And by solving problems, their citizens will get relief. So, to me, if there's a global force, it will certainly affect policies that we make.
2. To what extent has global public policy impacted national public policy and the transnational issue of domestic violence?	We have this African peer review mechanism that several countries have signed onto. And basically, what they do is bi-annually meet and evaluate. For example, Ghana will present itself to its peers and various presidents of various countries will come together and evaluate Ghana. In 2006, when that review was being done, we realised that as far as gender was concerned, Ghana was lacking in lots of things. So several suggestions were made and the government organized a workshop and called the CSOs to come together and said 'We realise we are lacking in gender equity. What can we do? Or what can you help us do?' The government didn't take the initiative on its own. It was an external force that prompted the government to call the CSOs. 'We know you are on the ground and know the issues. Tell us how best you think we can do this.' So, once the global force is there, it will affect the policies that we have nationally.

Section Three: Gender and Public Policy from Global and National Perspectives	
1. Is public policy affected by the gendered construction of the state society?	Yes, it does. And, as gender advocates, the fact that a woman is there does not mean she is gender sensitive. That's the other issue. A woman can fight against you. And presently, the current statistics of women in Parliament makes it more difficult for policies that would in women's favour to be effected. So, for us, the most important thing is capacity building for Members of Parliament to understand. We had a woman Minister for the Ministry of Women

	and Children's Affairs (MOWAC) who stood in Parliament and told her fellow parliamentarians, who are mostly men, not to pass the Bill. This was the Minister for Women and Children's Affairs. She didn't understand why we, the women's organizations, and other women of Ghana were asking for the Bill to be passed into an Act. So the fact that there is a woman doesn't mean that policies that favour women will be affected. So we need to build capacity for women and for men, for them to understand what they're doing is not for women alone, it's for everybody. We have to get men to understand the issues in order to influence policy. And we have to get more women in Parliament who are sensitized to women's issues. So we want to get women in Parliament and build capacities.
2. What has been the impact of CEDAW, Beijing Declaration and the African Women's Protocol on global public policy?	It helps when CSOs who are fighting for issues have these documents as the basis for taking the government to task to do what they're supposed to do. These are our white paper documents that we can say 'You have signed this, now therefore you must do this.' If you didn't have them, the government would ask 'What is my obligation? Why are you judging me?' But with those documents, we say 'You signed on saying you were going to do this and this, and therefore, you have to do it.' We come out with our shadow reports and go to those conferences and present them. 'Even though the government has come out to say this and this, we think the actual situation is such and such on the ground.'
3. Has national public policy been engendered by CEDAW, the Beijing Declaration and the African Women's Protocol?	[If it were not for] the global force and these global documents, I don't think even today, we would have been talking about Domestic Violence Act. This is what has helped us to fight for what we need. And some of the provisions of the Act were coined from the CEDAW and from the African Women's Charter [Protocol].

Section Four: Ghana's Domestic Violence Act: A Manifestation of Global Governance and Public Policy	
1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?	Yes, it can. If the mandate of the government is behind it [the DV Act], it makes it easier to do our work. Before the Act, we were doing our work but it was more difficult because, when you go to the police and report [domestic violence cases], they would say 'This is not part of my work'. When the Act became law, you could say 'The Act says so and so and so in this section. This is your duty.' So with the government's backing through the law, it makes it easier to do the work, and the impact [domestic violence] will not be as high.

<p>2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?</p>	<p>[The following is an example of NGOs impacting global and national public policy and the issue of violence against women by lobbying for the Act using global documents and lobbying government for implementation of the Act.] GVSSN sent a delegation, myself, Adwoa [Bame] of WISE, and Chris Dadzie of FIDA, went to meet the Domestic Violence Management Board of the Ministry of Women and Children's Affairs. After the Act had been passed, there was provision in the Act that the government is supposed to set up a Management Board to ensure that the Act is implemented. We met the Board. The Board indicated the current status of the Act. The new Minister was very open. She affirmed that a lot has not been done with implementation and things need to speed up. The fund has not been set up, people are still not getting protection orders, the shelters for abused women are still not available. So even though the Act has been passed, people are still hesitant about reporting because where are the shelters. We only have the WISE temporary shelter and the Ark Foundation shelter. These two facilities are filled so when you report your case, where do you go? Where do you run in the middle of the night? So these were some of the issues we had with the Board.</p>
<p>3. To what extent is Ghana's Domestic Violence Act a manifestation of global governance and global public policy?</p>	<p>Yes, it is. Because the Domestic Violence Act is a manifestation of global governance and global public policy. And I think there are a lot more. But still there is the issue of implementation.</p>
<p>4. What has been the impact of non-state actors (NGOs, CSOs) on formulating and helping to get the Domestic Violence Bill passed?</p>	<p>I'm sure without the CSOs, the Bill wouldn't have been passed. The Act wasn't an idea of CSOs. The CSOs were prompted to rally around the concept of the Domestic Violence Bill as a result of women's organizations becoming aware that there was something they could do to help abused women. So, without the CSOs, the concept paper for the Bill would still be sitting in the Attorney-General's Department. CSOs played a critical role during nation-wide consultations, going from region to region, because at first the government refused to pass the Bill, saying it was just a few elite women fighting for this and not the ordinary Ghanaian. So the CSOs did a lot of consultation and educating rural women to understand the Bill and the Act and how it would change her status. We simplified the Bill to make it more understandable. CSOs played a critical role especially in creating awareness and sensitization.</p>
<p>5. Did the development of a Women's Manifesto and the work of other coalitions, such as NETRIGHT and Coalitions around VAW help in the process of women gaining entry into political participation, specifically did they impact the passage of the Domestic Violence Act?</p>	<p>When it comes to the work to get the Domestic Violence Bill passed, we took up the idea. And without the CSOs, the concept paper would have still been in the Attorney-General's Department. So we played a critical role in doing nation-wide consultation from region to region, educating rural women. We simplified it for them. And without the CSOs, government would have not been able to get that far.</p>

<p>6. To what extent is there a gap between international treaties to end violence against women and the actions of local and national governments a) public policy, b) political capital and resources to implement, 3) training for police, health workers and social workers.</p>	<p>Ghana is one of the first countries to sign international treaties, but we do not actually make good use of them. Which is why we had to force the passage of the Domestic Violence Act. FIDA and women's groups use CEDAW to force the government to respond to the treaties they have signed. We're now talking about gender-responsive budgeting, which is something they're trying to do globally. Which means trying to get governments to engender their budgets. For example, allocating amounts of money to maternal mortality, which has to do with women, and how much goes into this program. We realise that, even though governments say they're tackling maternal mortality, most of the money goes into monuments. By monuments, I mean cars for perhaps the directors of health services. Or it goes into allowances. It doesn't actually go into providing essential logistics and health services to curb something like maternal mortality. So around town, the new slogan is gender-responsive budgeting. And every ministry's supposed to have a gender-sensitive budget that tackles the issues of women, who happen to be the vulnerable in society.</p> <p>For example, in the agriculture sector, women do most of the farming, but the land doesn't belong to them. She may even harvest the crops. It is the man who will go sell them and bring the money back. With gender-sensitive budgeting, we're ensuring that the government allocates some funds that enable women to be independent, to take decisions, to access agricultural extension officers. In the Northern Region, agricultural extension officers do not access women because the tradition forbids it. So even though a woman is a farmer, she doesn't have the assistance of the agricultural extension officer, who can help her improve her farm. Currently, gender-responsive budgeting is saying no. The Cultural Ministry must ensure that either they will train more female extension officers because, currently, most of the agricultural extension officers are male and tradition does not allow male and females to have close contact. And the gender-responsive budgeting has come as a result of the Domestic Violence Act.</p>
<p>7. To what extent are policy makers, civil society and the media aware of the Domestic Violence Act as a tool they can use to help prevent domestic violence?</p>	<p>There are programs being done by various CSOs, that's not a state or a national program, to educate and sensitize people. The Ministry of Women and Children's Affairs is not an implementing agency. They come up with ideas but someone else has to implement. That's not their role. So, currently, when it comes to education and sensitization, it's the CSOs who work with the various schools, private and public, to educate the students about domestic violence and about the provisions in the Act. The Ark Foundation has a program where they take the various centres, they carry out sensitization programs in the rural areas and in Accra. The GVSSN program this year is to have at least three outreach programs before the end of the</p>

year. It's going to target communities other than the Accra community, because we're already doing a lot of work in Accra and we need to go to the rural areas. We've identified certain areas in the North, in the Ashanti Region, and a village in the Greater Accra Region. When you explain the Domestic Violence Act to these women, their faces light up. When they get to know that there's something like that which brings us back to the implementation of the DV Act. Even though their faces light up, maybe in their community, there's no police station where they can report. The hospital, where they can find a doctor, may be miles away. So even though they know something like that Act exists and they're happy, somehow they're hesitant. And that is because of the implementation of the DV Act, which is lacking in making all the facilities available for the survivors.

Appendix C Exhibit 4 Hon. Juliana Azumah-Mensah, Ministry of Women and Children’s Affairs

**Engendering National Public Policy through Global Governance:
an Assessment of Ghana's Domestic Violence Legislation as a Trans-sovereign Transnational Issue
Questionnaire for Informant Interviews**

The objective of the questionnaire is to survey representatives of government, NGOs/CSOs, and individuals in order to examine the relationship between global public policy and Ghana's national public policy, as a way of assessing to what extent global governance can address the trans-sovereign and the transnational issue of violence against women, specifically domestic violence.

NAME: Hon. Juliana Azumah-Mensah TITLE: Minister DATE: May 25, 2010
 ORGANIZATION/INSTITUTION: Ministry of Women and Children’s Affairs
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 EMAIL: julieazmens@hotmail.com
 INTERVIEWER: Tahiya McCoy Nyahuma, University of Ghana, Department of Political Science

Section One: Background Data	
1. Organization/institution mission	The Ministry of Women and Children’s Affairs is specifically responsible for coordinating national response to gender inequality and to promote the implementation of activities that address the rights of women and children towards advancing the status of women and the growth, survival and development of our children. To address issues concerning women and children.
2. When organization/institution was founded/created	The Ministry of Women and Children’s Affairs was founded in 2001.
3. Founders	Installed by the Government of Ghana in 2001
4. Target constituents	The women and children of Ghana

5. Numbers served overall	N/A
6. Numbers served annually	N/A
7. Areas of the country served	All ten regions of Ghana

Section Two: Global Governance and Global Public Policy	
1. Can global governance and global public policy engender national public policy?	Yes, absolutely. I believe that Ghana, being in the forefront and a member of the United Nations, as well as the African Union, has subscribed to several conventions and protocols to address issues which impact national public policy. Being members of the U.N. and the African Union has impacted our policies as we address legislation for domestic violence, human trafficking, and children.
2. To what extent has global public policy impacted national public policy and the transnational issue of domestic violence?	We are in a global village, and with the issue of domestic violence we are talking globally and creating national public policy. Domestic violence has not only to do with Ghana, but certainly is a global issue. In Ghana, we champion the cause of transnational issues. We use them in our national policies to engender domestic violence as well as gender equality and women's empowerment. The Domestic Violence Bill, having been passed into law, comes from a local and a global understanding of the need to end domestic violence.

Section Three: Gender and Public Policy from Global and National Perspectives	
1. Is public policy affected by the gendered construction of the state society?	In Ghana, we are not there yet with having women's participation in decision making, having women in high office. That is why we are working with the Women's Manifesto [written by a coalition of women headed by ABANTU], to encourage all governments, not just the present one, to encourage women to participate in political office in all levels. From the district assemblies to the parliamentary elections, this has not been very easy because of the historical past role of women. Women are not encouraged to come to the forefront or to be in

	<p>positions of power with male counterparts. This is where the Women’s Manifesto, NGOs, and gender advocates have come together to literally put together a guide for government. The Women’s Manifesto is a guide for governments to encourage women to be decision makers at the local government/corporate institutions. We are barely 10% in parliament. In local government and in local institutions the numbers are no better. We are always fighting to increase the numbers.</p> <p>Now we believe we have another way to push government, it is this new process of constitutional review. We want the government and the general public to look into the idea of a 40% allocation of women in decision making. We want to embed this in the constitution. Some people are pushing for 50/50 , at least 40% is a start because we are nowhere near that now. We need balanced decision making processes because as it is now, it’s all skewed towards the males as usual. And we believe the time has come to make the effort to try to bring the number of women in governance up, which will improve governance in general.</p>
<p>2. What has been the impact of CEDAW, Beijing Declaration and the African Women's Protocol on global public policy?</p>	<p>CEDAW, Beijing Declaration, and the African Women’s Protocol impact global public policy. Even before the Beijing Declaration in 1995, Ghana was already in the forefront, setting up its own commission on women, the NCWD [The National Council of Women and Development] and then the National Commission on Children. So even before the Beijing Platform of Action, we geared ourselves up to try and work towards women’s empowerment, gender equity, and issues surrounding our children.</p>
<p>3. Has national public policy been engendered by CEDAW, the Beijing Declaration and the African Women's Protocol?</p>	<p>So, national public policy has been engendered by CEDAW and Beijing Declaration. We use the treaties that we sign to engender specific issues surrounding women and children and CEDAW, absolutely, has helped engender national public policy.</p>

<p>Section Four: Ghana's Domestic Violence Act: A Manifestation of Global Governance and Public Policy</p>	
<p>1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?</p>	<p>Yes, in actual fact, that is what pushed us to have the law. Globally, a lot of countries have subscribed to the protocols. It is because of global advocacy against domestic violence that Ghana has been able to push and pass the Domestic Violence Bill into law in 2007. I was in parliament, an MP from the east, and we had a lot of support from NGOs and civil society.</p>

	Global public policy gave Ghana the instrument to use towards the passage of domestic violence law, which addresses the perpetration of the injustice of any violence against women, children, and even men. I believe that it is working. We can improve, of course upon a lot of things, but it is working.
2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?	In parliament, we had a lot of support from NGOs and civil society, ABANTU, NETRIGHT, and FIDA. All worked to help the passage of the Domestic Violence Bill. ABANTU and the Coalition Against Domestic Violence had been very strong in advocating for the passage of the bill and we are still working on the bill and we are still working together on the implementation. Passage was difficult and implementation is still another challenge. We have to put a lot of structures in place, in order to make sure that the law is implemented. We are still working towards that.
3. To what extent is Ghana's Domestic Violence Act a manifestation of global governance and global public policy?	We use CEDAW to develop national public policy. We use the treaties that we sign to engender all specific issues surrounding women and children.
4. What has been the impact of non-state actors (NGOs, CSOs) on formulating and helping to get the Domestic Violence Bill passed?	We appreciate the efforts of everyone, including people like yourself, who are doing research on issues of domestic violence. We are not strong on research, so we need researchers. We were aided by the research done by the NETRIGHTs, the ABANTUs, and the FIDAs. All of those people work together and I believe gradually we began addressing the issues of women and children faster than if it had been left on the government's plate alone. We are thankful for the collaborations and partnerships with the NGOs and CSOs and the police. They deal a lot with the judiciary and with the issue of domestic violence. Through the NGOs and CSOs we have counselors and psychologists, because we cannot do this alone. I hope things will go faster now that we have the Ministry [The Ministry of Women and Children's Affairs]. So it is very important that we partner and that we build networks.
5) Did the development of a Women's Manifesto and the work of other coalitions, such as NETRIGHT and Coalitions around VAW help in the process of women gaining entry into political participation, specifically did they impact the passage of the Domestic Violence Act?	We have worked with the Women's Manifesto to literally try to encourage governments to increase women's access to political office, both at the local and national level of governance. The coalitions such as NETRIGHT, FIDA, and ABANTU did the research and advocacy around domestic violence.
6) To what extent is there a gap between international treaties to end violence against women and the actions	It all boils down to resources; that is key in the implementation part. We have been lucky that the donor community and donor partners have been working with us on the issues of

<p>of local and national governments? a) public policy, b) political capital and resources to implement, c) training for police, health workers and social workers</p>	<p>domestic violence. UNICEF and the Netherlands Embassy have helped us with resources. We set up a Secretariat specifically to address domestic violence. We have a Secretariat for human trafficking and with the issue of domestic violence, we have been training the police and social workers, the justice department, those who work with the law. I believe we have a special law court for domestic violence cases. So even though we are having challenges in terms of resources, things are gradually being put into place and training on how to deal with domestic violence cases is being done. I opened one training session last month for police officers and social workers. We work with the Social Welfare Department because we don't have that department in the Ministry. We have a Ministry of Employment and Social Welfare. We collaborate with a lot of agencies, NGOs, and Ministries to make sure that there is good implementation of the Domestic Violence Act.</p> <p>Our main challenge is trying to put up shelters because when you have violence, you cannot send the victim back to the household set up or the same community. You keep them, temporarily, so that the psychologists and counselors can work with them. Then you gradually reunite them with the family. We have some private shelters that private people themselves have put up and they are working with us. They are set up by NGOs who are also working on the same cause. We work with them because of our lack of resources, though we support them as best we can. We are trying to put up a few shelters each year in order to cover the whole country.</p>
<p>7. To what extent are policy makers, civil society and the media aware of the Domestic Violence Act as a tool they can use to help prevent domestic violence?</p>	<p>With policy makers, we have set the ball rolling. The NGOs/CSO's and advocates are moving. The media are very critical in disseminating information. In actual fact, when public policy is made, then it's up to the media and other advocates to spread the news to the public, especially to the grassroots. Some of our people, the women, may not be highly educated, but there are a lot ways you can let them know about their rights. This is very critical.</p> <p>In terms of the issues of rights, we have to bring the men on board because if you do not, they will become very rigid. The new trend is to educate and sensitize the men, in order to stop the perpetuation of domestic violence of their wives and children. We make it clear that ending domestic violence is the law. We use the media as a very critical set of people to work with us; we work with them all the time. If we have a workshop, we call the media, if we go into communities, we call the media. We have to bring them on board because they are the people that will carry the message. They are one of the major stakeholders to send the message to the public.</p>

Appendix C Exhibit 5 Adwoa Bame, Women's Initiative for Self-Empowerment (WISE)

Engendering National Public Policy through Global Governance: an Assessment of Ghana's Domestic Violence Legislation as a Trans-sovereign Transnational Issue Questionnaire for Informant Interviews

The objective of the questionnaire is to survey representatives of government, NGOs/CSOs, and individuals in order to examine the relationship between global public policy and Ghana's national public policy, as a way of assessing to what extent global governance can address the trans-sovereign and the transnational issue of violence against women, specifically domestic violence.

NAME: Adwoa Bame TITLE: Executive Director DATE: April 22nd, 2010

ORGANIZATION/INSTITUTION: Women's Initiative for Self-Empowerment (WISE)

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WEBSITE: www.wise-up.org

INTERVIEWER: Tahiya McCoy Nyahuma, University of Ghana, Department of Political Science

Section One: Background Data	
1. Organization/institution mission	WISE is a non-governmental, non-profit organization dedicated to providing counseling and support services to women and children survivors of violence. To achieve these goals WISE works in cooperation with partners and clients to develop culture-specific and community-based solutions. WISE's vision is to break the cycle of violence and sexual assault on women and children.
2. When organization/institution was founded/created	Founded in 1999 in reaction to the high prevalence of domestic violence in Ghana.
3. Founders	Violet E. Awotwi, MBA, Founder and Former Executive Director
4. Target constituents	Victims of domestic violence
5. Numbers served overall	N/A
6. Numbers served annually	N/A

7. Areas of the country served	Head Office located in Accra, serving the ten regions of Ghana
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Section Two: Global Governance and Global Public Policy	
1. Can global governance and global public policy engender national public policy?	In a nutshell, yes. Global governance has actually opened up spaces for us as women, the women's movement, to engage with processes of high level decision making. And as long as we've done that, we've tried to translate them into our national processes. And that has helped a lot.
2. To what extent has global public policy impacted national public policy and the transnational issue of domestic violence?	CEDAW gave space for advocating and lobbying and domesticating the Domestic Violence Bill and making a case for respecting women's human rights.

Section Three: Gender and Public Policy from Global and National Perspectives	
1. Is public policy affected by the gendered construction of the state society?	The policy environment in Ghana is only beginning to shape up because the structure of policy making itself is not engendered. Policies that come out of these structures will not be gender sensitive. We find a few more efforts towards engendering those structures. Now, this is informing some of the policies that are coming out coupled with the advocacy that civil society and other organizations are doing towards making sure that policies in the country are gender sensitive or support the needs of all the stakeholders or actors in the field.
2. What has been the impact of CEDAW, Beijing Declaration and the African Women's Protocol on global public policy?	I'm not an expert but I think a lot of what we do is informed by these things [CEDAW, Beijing Declaration, African Women's Protocol]. It's kind of our backbone. The Domestic Violence Bill, for example, is one of our trump cards. You need to pass this law, you have an obligation because you acceded to CEDAW, and it places an obligation on you to domesticate it. [Passing the Domestic Violence Bill] is a way of domesticating it.
3. Has national public policy been engendered by	Absolutely. I'm not sure about global organizing, but for local or national organizing, it's

<p>CEDAW, the Beijing Declaration and the African Women's Protocol?</p>	<p>[international treaties] a very, very strong backbone. In our Ghanaian setting, the research that we have done there and the scientific evidence we have is from 1999, that the Gender Centre conducted. But that has not stopped us, because we know that for as long as, globally, it is accepted that we need to do something towards eliminating discrimination against women and our nation has acceded to that, then you cannot come back and say that this is foreign - it was foreign but you acceded to it because you understood it. And so all we are saying is, whatever proclamations you make internationally, make them locally.</p> <p>It has been engendered so far. Global policy cannot exist in a vacuum because it's the nations that form the global. If you leave it out in space, it's of no use, the world is moving so far, the world is becoming one global village.</p>
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<p>Section Four: Ghana's Domestic Violence Act: A Manifestation of Global Governance and Public Policy</p>	
<p>1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?</p>	<p>When you accede to [international conventions] CEDAW, it places an obligation on you to domesticate it. The Domestic Violence Bill was a way of domesticating it; advocating and lobbying and making a case for respecting women's human rights is what [enabled that to happen].</p>
<p>2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?</p>	<p>There were networks that we used like the Network for Women's Rights (NETRIGHT), the Women's Manifesto Coalition, and the DV Coalition to actively lobby for these things [Domestic Violence Bill]. There are institutions within these networks that are advocacy based and policy based organizations. In trying to get the Domestic Violence Bill passed into law, we actually lobbied individuals. So there were some people who really didn't understand the issues, and they were undecided. And there were some who were misinformed with very entrenched positions. And there were some who really understand the issues and we didn't need to lobby them. So we targeted different people to lobby.</p>
<p>3. To what extent is Ghana's Domestic Violence Act a manifestation of global governance and global public policy?</p>	<p>[CEDAW] was one of our trump cards for the Domestic Violence Bill. You need to pass this law, you have an obligation because you have acceded to CEDAW. And when you accede to CEDAW it places an obligation on you to domesticate it. The Domestic Violence Bill was a way of domesticating CEDAW. CEDAW was informed by a lot of things; advocacy and</p>

	lobbying, making a case for respecting women's rights. Once you're in that space, you want to do the politically right thing.
4. What has been the impact of non-state actors (NGOs, CSOs) on formulating and helping to get the Domestic Violence Bill passed?	CSOs did a country tour trying to get the citizenry to understand what the concept is [Domestic Violence Bill]. It took the civil society to say we need to do something about domestic violence.
5. Did the development of a Women's Manifesto and the work of other coalitions, such as NETRIGHT and Coalitions around VAW help in the process of women gaining entry into political participation, specifically did they impact the passage of the Domestic Violence Act?	One of the reasons why the DV Coalition was set up was to ensure the passage. But after it was passed we had to sit down and say 'okay, now we have a document; if we are not careful, it'll end up sitting on some shelf, nothing will happen. So, let's reorganize'. As a network, we'll put structures in place that will ensure the effective implementation, and that includes public education. And sometimes laws are not effective because people don't know about them. So that woman that you're trying to protect with that law, if she doesn't know, there's no way she's going to report. And once she doesn't make that report, she doesn't get the support that is made available in the Act.
6. To what extent is there a gap between international treaties to end violence against women and the actions of local and national governments a) public policy, b) political capital and resources to implement, 3) training for police, health workers and social workers.	What we see so far is not a very strong political will to bring these things into fruition. It's good to pass laws but when you hear a President's response to a question like 'What is your government doing to set up shelters for women and children?' and his response is 'We don't have enough resources and what are our priorities?', that becomes disheartening because what we're hearing is 'We don't have enough resources, and the little resources we have is being allocated to other priorities, and building shelters for abused women and children is not one of our priorities.' We need to get to a point where we start re-prioritizing what our issues are. Ghana's economy is built on the agriculture sector, and 80% of the agri-sector is made up of women. If we're not interested in protecting those women from abuse, then we are not interested in building an economy, because that is where our economy is based and where we need to look. Protecting women and children is not really an issue. We have to look at the long-term effects of what we are doing, because a woman who suffers abuse is not able to work effectively to contribute her own quota of development. Women form 51.2% of the country's citizenship but what is the 47.8% going to do? It's not easy because so many other things are competing for the same resources. We've done it the old way and it hasn't worked. Someone says it's time to do business unusual, not as usual.
7. To what extent are policy makers, civil society and	[Not enough women] understand the Domestic Violence Bill, and I blame us. We're so eager

the media aware of the Domestic Violence Act as a tool they can use to help prevent domestic violence?

to get the message across or to get the impact that we're looking for that we don't carry our followers along. Some grassroots women understand the issues, some don't and Even those who do are too comfortable with the way those tools can be used, that's because we haven't done enough work. That's where we probably need to start changing the message or getting the message out. Sometimes, they [rural women] say you bring us to Accra, you have meetings, you speak English, and [then] we go away. We don't [understand], so when you call [again], we don't show up. For example, we have these challenges. At the last program, we tried but again, how many dialects did we translate into? Just one. So it's not easy to get the message out. There's still a long way to go to get all the actors involved, sbut I guess it has to start from somewhere. I think we have a lot more to do to get the issue on the ground, and a lot more to do to get everyone else involved.

Appendix C Exhibit 6 Adolf Awuku Bekoe, National Coalition on Domestic Violence Legislation in Ghana

Engendering National Public Policy through Global Governance: an Assessment of Ghana's Domestic Violence Legislation as a Trans-sovereign Transnational Issue Questionnaire for Informant Interviews

The objective of the questionnaire is to survey representatives of government, NGOs/CSOs, and individuals in order to examine the relationship between global public policy and Ghana's national public policy, as a way of assessing to what extent global governance can address the trans-sovereign and the transnational issue of violence against women, specifically domestic violence.

NAME: Adolf Awuku Bekoe TITLE: Coordinator DATE: June 4, 2010

ORGANIZATION/INSTITUTION: National Coalition on Domestic Violence Legislation in Ghana

ADDRESS: WISE Office (Women's Initiative for Self-Empowerment), 22 Sir Arku Korsah Road, Roman Ridge, P. O. Box CT 5604, Cantonments

PHONE NUMBERS: OFFICE: 0244670698 FAX:

EMAIL: AwukuBekoe@yahoo.co.uk

INTERVIEWER: Tahiya McCoy Nyahuma, University of Ghana, Department of Political Science

Section One: Background Data	
1. Organization/institution mission	At its inception it was just to advocate for the then Domestic Violence (DV) Bill. That was it, at its inception. And now after the passage, issues about implementation, monitoring, have become very critical. So our mission now is to follow up on the implementation of the DV Act.
2. When organization/institution was founded/created	2003
3. Founders	Coalition of NGOs/CSOs, human rights groups and individuals working to get the Domestic Violence Bill passed and implemented: WISE, the Ark Foundation, NETRIGHT, Gender Centre, ABANTU, FIDA (partial list of founding organizations.)
4. Target constituents	The citizens of Ghana.
5. Numbers served overall	N/A
6. Numbers served annually	N/A

7. Areas of the country served	Country of Ghana
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Section Two: Global Governance and Global Public Policy	
1. Can global governance and global public policy engender national public policy?	Yes. Yes. Because once they [nations participate in] live in the so-called global village, particularly within the framework of the UN, then what happens at the UN level and other treaty bodies, so long as a nation signs on to that particular [treaty or covenant], it is incumbent on that nation to make amends, so that whatever obligation it has under those treaties it will be able to meet. So I believe that, yes, what happens at the global level will initiate certain processes in local [governments] or national countries.
2. To what extent has global public policy impacted national public policy and the transnational issue of domestic violence?	So, some work had started on responding to violence against women generally. But after Beijing the whole momentum heightened because after Beijing, the issue was really, really named. The whole issue of violence was on the agenda and Ghana sent representation to Beijing. Ghana committed itself to the process. And before then, other treaties, other conventions, Ghana had been part of it. But I say, Beijing was a combination of all these and Ghana had to be a part of that process. So what was agreed then was those who went to Beijing were emboldened, were energized to proceed to do something about it. There was a whole research [undertaken on the issue of domestic violence in Ghana].

Section Three: Gender and Public Policy from Global and National Perspectives	
1. Is public policy affected by the gendered construction of the state society?	Absolutely. Yes, it does. It does in the sense that the gender composition really, really determines how expeditiously something will be done, depending on the perceived beneficiaries of that particular policy. And I remember we had issues with cabinet because during the advocacy we had proposed to repeal a particular provision in our criminal code, at the same time that we were calling for the passage of the Act. It was put together so that once the law was passed it effectively repealed that particular provision in the criminal code. And that particular provision was saying that, for the purposes of marriage, one could use force. So long as the use of force was to enhance marriage the man was allowed. We were pushing for the repeal and unfortunately, it was misinterpreted as we saying that that particular section, Section 42G - I don't know if you've heard something about it - Section 42G of our

	<p>criminal code. And it really sanctioned the use of force in marriage. So we were saying that, 'Well, let's kill two birds with a stone', through the same process, let us really repeal. And it really brought a hold-up in the process. Because cabinet - I remember cabinet saying that the repeal will not fly, and that based on the public education that they had done, it's not in the interest of the majority of Ghanaians that that provision is repealed. And we thought 'Where did they go?' I remember we said 'Since when did public opinion really influence public policy formulation?' Because, previously, if they wanted to do something, they just went ahead and did it. And the kind of public opinion they were talking about was false. We had gone around the country and people were clamoring for the prohibition of violence in marriage. So that particular provision, that section had to go. And they were saying they wouldn't do that. And we really attributed that attitude of cabinet to the gender composition, because [the cabinet members] were predominantly male. Their male constituents wouldn't like that, and they also bought into the stereotypes, the backlash and all that. As far as the gendered construction we saw it as direct, because if we had a lot of women in cabinet, then that process wouldn't have been delayed for that long. Eventually, what happened was that the then Minister for Women had to decouple the process [separate the issue of the DV Bill and eliminating the section of 42G of the criminal code]. Okay, let us get the Bill passed. If it was delaying it unnecessarily, then let us remove that from the clause and get it passed. That is why it got through Parliament. And it was obvious from the debate on the Bill in Parliament how the men were holding sway and the voices of women were really crowded [out].</p> <p>Because the numbers were not there and they had to really appeal to the men to support them, I remember clearly when they said, we needed to push. Some of the women were feeling 'Oh no, we shouldn't stampede Parliament.' They had their own way of working with their men. So, once again, they had to use the traditional, stereotypical ways of doing things to appeal to men. Just massage their egos for them to get what they want. If you said you were really proposing a show-off, you did not have the numbers in Parliament. So, [the gendered construction of state society] does affect [decision making processes].</p>
<p>2. What has been the impact of CEDAW, Beijing Declaration and the African Women's Protocol on global public policy?</p>	<p>Yes, yes. Because those treaties, those protocols, during the campaign, during the advocacy for the passage, we were constantly referring to those treaties that we were parties to. Well, it was incumbent on government to domesticate. And I remember clearly we visited Parliament I think in 2003, we visited Parliament. We met the Committee on Gender and Children and our representative [who has served a long time at the UN]. We were raised the issue about</p>

	<p>what you do outside when you go and you sign on to treaties, it's incumbent on you to really translate those treaties into national documents, national policies, whatever it is. And he made a point I have never forgotten. That, well, you know what, there is no automaticity that you go and sign and immediately you bring local legislation up to speed with your commitment at the global level. And I quite remember that particular word, automaticity. It's not automatic that once you went there and you sign on, then immediately come and do the necessary reform that will bring you on par. I thought that was very hypocritical and that is one particular challenge. Now if you have people at that level - they know. He could only try [making excuses] by saying that it was not automatic. He knew. Whatever means he could do it, he knew inherently that once you sign on to that [treaties, protocols, conventions] , then you must initiate processes to make sure that your local policies, legislations, come to that level on par with your international obligations.</p>
<p>3. Has national public policy been engendered by CEDAW, the Beijing Declaration and the African Women's Protocol?</p>	<p>Yes. For instance, the Minister for Women and Children's Affairs would have to go back to CEDAW and report progress being made and the civil society would have to do a shadow report. Nationally, national government really doesn't take national issues seriously until it has international, global dimensions. That is where sometimes pressure comes from to make them act. So, yes, it does. It does work.</p> <p>If you look at the whole process of getting the domestic violence legislation, responding to domestic violence generally started seriously post-Beijing. Many organizations had been part of the international [women's movement], for instance, FIDA. FIDA – Ghana has international connections.</p>

<p>Section Four: Ghana's Domestic Violence Act: A Manifestation of Global Governance and Public Policy</p>	
<p>1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?</p>	<p>Well, yes. It can be addressed from that perspective, from the global. If you look at the whole movement, the movement to put gender based violence on the global agenda has been from that local initiative having had much impact in raising the issues. It is through this civil society collaborations, regional bodies, national bodies, that the issue has come to public light. So as far as raising the issues is concerned and directing global attention, it is at that global level that initiates the process. Local initiatives really do not resonate much [with local and national policy makers] and [the local people do not have the capacity to bring these issues to light]. [Going from the] global process to the local level is difficult. The collaboration at the global level, particularly civil society alliances, really [highlights the issue]. Local actors are emboldened when they form that alliance because they know that there is this critical mass. Once you plug in to that critical mass, you have that confidence, that safety net, based on which you can make certain demands nationally.</p>
<p>2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?</p>	<p>Yeah, I think it's CSOs who really drove the whole initiative, because it started with CSOs, the whole momentum to get the Bill. I know it's from a CSO perspective. I thought government took over because it was clear that it was really losing face and so government had to take over the process. Raising the issues, creating public awareness had been done predominantly by civil society.</p>
<p>3. To what extent is Ghana's Domestic Violence Act a manifestation of global governance and global public policy?</p>	<p>To the extent that during the advocacy, references were made to international treaties. So long as you have signed these treaties, it's incumbent upon you [to honor them]. Absolutely, it is in a way a product, an outcome of these global governance processes. For instance, the Minister for Women and Children's Affairs would have to go back to CEDAW and report progress being made and the civil society would have to do a shadow report. The government really doesn't take national issues seriously until it has international, global dimensions. That is where sometimes pressure comes from to make them act. So, yes, it does work.</p>
<p>4. What has been the impact of non-state actors (NGOs, CSOs) on formulating and helping to get the Domestic Violence Bill passed?</p>	<p>Though there were organizations that were responding such as FIDA and [the]national machinery, National Commission on Women in Development, had started doing something about violence. But they were emboldened after Beijing when it became a global issue. So research was done by the Gender Centre. And from there, many other NGOs sprung up and the whole started responding to violence generally, that violence was an issue that must be</p>

	<p>addressed. And then the question about do we have a bigger framework for doing what we're doing? All that was happening was that they were responding to victims, addressing that end. So, victim centred, FIDA was doing legal clinic and trying to use existing legislation to do something about it. The Ark Foundation came up, the Gender Centre did this research. When the Gender Centre did that research [on domestic violence], then the picture was clear that we could no longer play ostrich. Violence against women is here, is here with us. That research became a tool for advocating the passage of the DV Bill.</p>
<p>5) Did the development of a Women's Manifesto and the work of other coalitions, such as NETRIGHT and Coalitions around WAV help in the process of women gaining entry into political participation, specifically did they impact the passage of the Domestic Violence Act?</p>	<p>The Women's Manifesto made certain demands, one of which was protection of women and children's affairs and demanded that the DV Bill be passed now. So, as far as that is concerned, the Women's Manifesto coalition brought the need to the fore. But the mobilizing specifically to get the Act passed was the Coalition. And, interestingly, all these organizations are members of the DV Coalition. If you take Women's Manifesto, you will see WISE, you see Ark, you see Gender Centre, you see FIDA. If you take NETRIGHT, you will see all these. At the DV Coalition, you will [also] see FIDA.</p>
<p>6) To what extent is there a gap between international treaties to end violence against women and the actions of local and national governments? a) public policy, b) political capital and resources to implement, c) training for police, health workers and social workers</p>	<p>[The gap] It's that big. National governments often make certain demands, but where are the resources to implement demands? As far as that is concerned, there is a big gap. Where are the resources in terms of human resources, in terms of logistics to implement these wonderful treaties? It appears that resources from the UN are so scanty. For instance, you're looking at what really delayed the passage, government was really looking at 'Do we have the resources to implement this? So, yes, wonderful things are said at the international level to which member states of the United Nations are supposed to be part of, but they don't have what it takes. There isn't as much commitment to dole out resources at that [national] level.</p> <p>International [implementation] is reflected at the national level. Political rights must go with socio-economic rights. It appears that there is much talk about human and political rights and but in terms of doing enough in the area of socio-economic rights, there is some sluggishness at the international level, so it makes it difficult. They act slowly in terms of improving and investing in socio-economic rights. For national economies to [implement global policies], their economies must be doing well in terms of fair trade within international trade, because of the lack of fairness in the system. How do you expect Ghana, Mali and most African countries that deal with raw materials, to have the needed resources to [implement and make accessible] these political human rights? Where will they get the money to do this? So once again you clearly see some form of hypocrisy when it comes to this bit of the rights. Oh, we</p>

	<p>will [commit], because it's just rhetoric, but when it comes to economic rights, then we'll have to apply the brakes. In terms of the kinds of resources that have been doled out to resuscitate certain economies, the percentage of what comes to Africa is minuscule. In terms of the gap, the resources to vindicate or to implement these policies [are not there]. There is a big gap.</p>
<p>7. To what extent are policy makers, civil society and the media aware of the Domestic Violence Act as a tool they can use to help prevent domestic violence?</p>	<p>We have covered enough grounds, but there's still more grounds to be covered. We need to really get into the rural areas. Sometimes when we mention rural areas, some people think that you are moving so many kilometers from Accra, but you have urban poor. There are communities close to the urban Accra that are as [uninformed] as people far away. When you talk about violence it cuts across socio-economic class. The manifestation of it in the urban sectors may be different from the manifestation of it in the rural areas. So, yes, it is needed everywhere. We need as much education and awareness creation in Accra as we need in the rural areas.</p>

Appendix C Exhibit 7 Chris Dadzie, FIDA

**Engendering National Public Policy through Global Governance:
an Assessment of Ghana's Domestic Violence Legislation as a Trans-sovereign Transnational Issue
Questionnaire for Informant Interviews**

The objective of the questionnaire is to survey representatives of government, NGOs/CSOs, and individuals in order to examine the relationship between global public policy and Ghana's national public policy, as a way of assessing to what extent global governance can address the trans-sovereign and the transnational issue of violence against women, specifically domestic violence.

NAME: Chris Dadzie TITLE: Member DATE: June 15, 2010
 ORGANIZATION/INSTITUTION: International Federation of Women Lawyers-Ghana (FIDA-Ghana)
 ADDRESS: Accra Office: House No. C. 734/3, 4th Crescent Link, Asylum Down, Accra, Ghana
 PHONE NUMBERS: OFFICE: 233 302 229283 FAX: N/A MOBILE: 027 7709229
 EMAIL: adiyiedadzie@yahoo.com info@fidaghana.org
 INTERVIEWER: Tahiya McCoy Nyahuma, University of Ghana, Department of Political Science

Section One: Background Data	
1. Organization/institution mission	FIDA-Ghana, a non profit, non partisan organization committed to addressing discriminatory practices in the society, and promoting and protecting the rights of women and children as well as indigent women and children in Ghana. They are committed to using the law to improve and enhance the status of women and children in Ghana, in order to accelerate the development of the nation.
2. When organization/institution was founded/created	It was founded in 1975.
3. Founders	A group of African Women Lawyers
4. Target constituents	Our main constituents are women and children who are not able to procure legal services.
5. Numbers served overall	N/A
6. Numbers served annually	N/A
7. Areas of the country served	All ten regions of Ghana

<p>Section Two: Global Governance and Global Public Policy</p>	
<p>1. Can global governance and global public policy engender national public policy?</p>	<p>In a lot of ways, because, FIDA, as an organization, as FIDA- Ghana and then as part of the international body, have been engaged in all these processes at the international level. So, definitely, FIDA- Ghana is influenced in a lot of ways by what happens at the global level to the extent that our members are a part of most of these processes. I remember the Four World Conferences on Women that in Ghana everyone calls Beijing, and the galvanizing to be part of it, alot of it was by FIDA members mainly, and also because FIDA members are part of WILDAF, Women in Law and Development. Most of the founding members of WILDAF were FIDA members and saw the need to have development partners. We joined to form Women in Law and Development Africa.</p> <p>FIDA is a member of that umbrella organization. Most of the founding members were from FIDA, because of the need to align with other women NGOs working in development. So, from that level, you would find our members as individual members in other human rights organizations either as public servants and volunteers to serve in FIDA, or in other non-governmental organizations and some in private practice. Most of us were in legal private practice who would take on these public policy issues especially for indigent women and children. So the global movement on such issues definitely, not so much as influenced us as we'd already been involved as individuals who were into human rights issues, specially of women and children,[but it enabled us to communicate, network and gather information].</p>
<p>2. To what extent has global public policy impacted national public policy and the transnational issue of domestic violence?</p>	<p>Ghana, having signed practically all the major human rights conventions, is in there and has always been. Ghana became a member of the UN practically days after its independence. I think it was 6th March and 8th March. Ghana was always involved in the global movement. Of course, the generality of the citizens may not have been that aware of these movements. The policies would influence one way or the other what happened in Ghana because our leaders were in there. We had women lawyers, there weren't very many of them [in the years of] 1968-1970, but there were a group who were members of FIDA International. So they would find hard-earned foreign money to attend international conferences and women's international conferences. Then we formed the Ghana NCWD, the National Council on Women and Development.</p>

<p>Section Three: Gender and Public Policy from Global and National Perspectives</p>	
<p>1. Is public policy affected by the gendered construction of the state society?</p>	<p>Definitely. Definitely. The interesting thing is, again, you think that 'Oh well, it's not so much' but then if you admit even now we have a very patriarchal society. Even at decision-making levels, there's been this seeming freedom of the woman to be there in our tradition, and everytime it's quoted that you consult the old lady and they are the kingmakers. It's highly limited what a woman as a woman does in our traditional governance. Of course, she's there. She's there, she's into everything, she's into what now would be labelled the care economy, and goes beyond care economy. But when it comes to decision-making generally, it's still patriarchal. She may even be the de-facto head of a family and yet we defer to a male head from the outer family, because that's how it is done. It didn't matter the level of formal education. So the gendered - let's say - milieu eventually runs through who makes decisions, because the influence of our traditional background is still very, very relevant when it comes to gender issues.</p>
<p>2. What has been the impact of CEDAW, Beijing Declaration and the African Women's Protocol on global public policy?</p>	<p>We originally had the National Council for Women in Development now absorbed into the Ministry of Women and Children. So, from the national angle, of course the Ministry liaises with international bodies on those levels and sends reports. It's one of those that it's been mandated to send the reports to the CEDAW Committee. So, on that level, there is that engagement. But then, from the civil society angle, from the women's coalitions, we would also send what originally would have been the shadow report until the change in reporting systems recently. So, from both the civil society aspect and the national machinery for women there is that engagement with CEDAW as an international body.</p>
<p>3. Has national public policy been engendered by CEDAW, the Beijing Declaration and the African Women's Protocol?</p>	<p>You wouldn't think of going to court with a case and referring to CEDAW, for example, or referring to the International Bill of Rights, because the judge will talk down on you and this is what we have, this is our law. The issue of domesticating international laws into our local laws, even though that's also, we have a long debate on the fact that if you ratify the convention, then you are accountable, and therefore it should operate automatically, but classically it should be domesticated into our laws. So, when you start talking about change in laws, you usually have to start with what you have at this level, even though you know about and you recognize the international law. So, they have an influence and, of course, now it's easier, because then you refer the government to the international commitments then, with our constitution practically taking almost all the international conventions, the provision that says that even if it's not written into Chapter 5 on human rights, specifically what is in the</p>

	<p>international conventions, it is recognized so long as the international body does. That omnibus clause gives us the basis for saying 'Yeah, you've signed this and you are in there currently.' But some years ago, you wouldn't start from that angle. You would rather use what we have on the ground, because, if for example, you needed to go to court, you'd be quoting what is here and what the judges would accept directly.</p>
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<p>Section Four: Ghana's Domestic Violence Act: A Manifestation of Global Governance and Public Policy</p>	
<p>1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?</p>	<p>Definitely. It can be addressed and it is being addressed on both fronts, because you can't ignore global policy. The only problem is getting the mass of Ghanaians and Ghanaian families along an otherwise academic process. If you start talking of CEDAW and you start talking of even the African Protocol for Women, within certain circles, we pander all those out very easily. But with the majority of people in Ghana, maybe the only reference that comes easily to most people about gender issues is Beijing. People will say 'Oh, all these women became so uppity since they went to Beijing' and everywhere they say 'Oh, these Beijing women,' but otherwise most people will not refer to international conventions and international treaties. But they have their place, because that also gives it the external legitimacy, where we belong to an international body and then we have the Economic Commission of West African States system (ECOWAS), the African Union (AU), which also recognizes these international conventions. Then you come to Ghana and our constitution recognizes them. So, at least from an academic angle, you are in there and there's that link. The Ghanaian government is always under all these international things [treaties and conventions] and the government itself sometimes will say 'Well, we've done this and we've ratified that, and we've done this' and literally makes promises based on the Millennium Development Goals (MDGs) and on CEDAW.</p> <p>The Millennium Development Goals are being quoted in almost all our policy documents, in almost all Ghanaian policy documents, we cite them. So, at that level, the influence and the link is clear. But for example, if you go out to the villages on a mass literacy [project], that's not where you start from. You start from the village itself and their particular customs before you relate them even to the national legislation. Sometimes there's even the religious aspect</p>

	<p>where somebody will say 'Well, I belong to this particular religion. We have our inheritance rules. So I'm not so interested.' Until there's a problem and it doesn't work, then they'll come in to the national laws. Making the link from the local customs to the national laws is more relevant for most people than talking about international laws. But when it comes to the totality of organizing and all that to get a hearing for changing the law, then you need to refer to the state's commitment as part of the global village.</p>
<p>2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?</p>	<p>You'll see proposals written by local NGOs and maybe the introduction, if it's about women and children or gender issues, would cite those international conventions. But I think that will be the end of it, because then it's like a precedent. But beyond that, again, most local NGOs, I believe, are not very well versed in the essence of those international conventions, but not in their actual usage. Whenever we've had local training or conferences, it's obvious the knowledge of the importance of a lot of these conventions is still limited among local NGOs. So, even though they're doing all the things that maybe at the global level is expected to be done, they're doing it because they're providing services. So there's a gap in in-depth knowledge of at least the legal instruments, even though we're using them. So, with local NGOs, there is a gap in knowledge.</p>
<p>3. To what extent is Ghana's Domestic Violence Act a manifestation of global governance and global public policy?</p>	<p>It is, as I said at the beginning, the same people in WISE, in Action Aid, in Ark, I would almost say it's an offshoot of FIDA, because, FIDA has been wanting to set up shelters, and it has been one of the things we realised we needed. You have all these women come in battered and then the national setup is not enough to support, so these have been some of the debates. A FIDA member actually set up Ark Foundation, so we definitely have that link. WISE is more of a development NGO, but WISE has a lot of FIDA members or who are also WILDAF members. Then, the Gender Violence Survivors' Support Network (GVSSN) has all these service providers. Almost all the members of those who started GVSSN would come from WISE and FIDA. Maybe it's because we were exposed to the reality and realised we could do something about it. So it's like 'Okay, now we can go to court, but we can't keep going to court. So we set up a legal aid center, where you actually learn to mediate, because you can't handle all these family cases in court through litigation. Then we set up GVSSN by people who have realised that we need to get the service providers together. So you look for the doctors who would be handling these cases, and then you look for police people who are there. Even with the formation of WAJU, which is now DOVVSU, the Women and Children's Unit of the police, the support came from GVSSN to set up a counselling wing. Almost the same people who saw domestic violence against women realised they could do something.</p>

	<p>Maybe because they were handling cases themselves like that or they were social workers or they just were exposed to it. They were in these various NGOs and then it would extend to attending these conferences, because then you could galvanize more people. So, again, there's the bottom-up approach that links with the global.</p>
<p>4. What has been the impact of non-state actors (NGOs, CSOs) on formulating and helping to get the Domestic Violence Bill passed?</p>	<p>Oh, I would say all of it. All of it, because, it was one of those bills that I would say was initiated by civil society. I'm sure, eventually, the government would have done something, but it wasn't one of those any government was going to rush into doing, because it affects families and therefore touches on our customary life. Those are very sensitive areas. So, if there hadn't been the galvanizing of civil society, I don't think we would have had the Domestic Violence Bill passed in spite of all the global noise and movements to get it done. So it took a big fight because civil society organizations got together literally and drafted the basis [of the Bill] and then formed coalitions to make sure that it would get through. So we were in there seeing the Minister on Women and Children, going to everybody that we could think of, and trying to influence even professional associations like the Medical Association to get some of the doctors who would take up domestic violence cases. Once we got involved, then we relate to the legislative aspect of it. So, I think the movement to get the Domestic Violence Bill passed was a civil society [movement].</p>
<p>5) Did the development of a Women's Manifesto and the work of other coalitions, such as NETRIGHT and Coalitions around VAW help in the process of women gaining entry into political participation, specifically did they impact the passage of the Domestic Violence Act?</p>	<p>It made a lot of difference. I mean, I can't remember the number of meetings we attended in drafting resolutions. [We compiled] information sheets on domestic violence, statistics on [the prevalence of domestic violence] in Ghana, compared it to global levels, wrote reports several times and met with the Attorney-General. All kinds of advocacy strategies were used to get critical mass backing [for the Bill].</p>
<p>6) To what extent is there a gap between international treaties to end violence against women and the actions of local and national governments? a) public policy, b) political capital and resources to implement, c) training for police, health workers and social workers</p>	<p>On paper there isn't, I don't think, because you get all the Ministers saying the right things. I think there still is a gap to the extent that not much gets done, or as much as we'd want to get done. We still have civil society calling for meetings with Ministers, for example, that 'You were supposed to set up this fund [for victims of domestic violence]. It hasn't been done yet. Can we help?' We literally go and say 'Can we help with some work, whatever work you need to get done? If you need some running around we'll do it.' For example, the Ministry of Women, they will always say their budget is so low they can't follow through in all these things. So we say 'Okay, well, as civil society organizations on domestic violence, if there's anything we can do to help, we'll send papers, we'll send information sheets. Incoming ministers, whoever is there, can be helped.' Of course, they had the Women's Desk, which</p>

	<p>was originally the NCWD, and had very knowledgeable people on these issues. But once it becomes a desk in the Ministry, it gets strung by all the bureaucracy of the Ministry and so many other issues are taken on board. So that's where the gap is, that you think that the government, having signed CEDAW, having been there with the African Protocol in the AU, and even all those other agreements across West Africa, you would swear they'd come home and pass the laws. But just like the Bill on Property of Spouses, which would also affect women and children in so many ways, it was supposed to be one of those to be passed as soon as possible after the constitution came into effect. We're still struggling with it. So, domestic violence as a law was not one that would have come up easily but for civil society organizations. So the NCWD was involved with global events and global issues, was always represented on all those global policies, but I think they were limited as an organization, not enough funding and I think, somewhere along the line, it became highly politicised. They were there [NCWD] and yet didn't have the autonomy or enough resources to act based on their knowledge level. They were the ones who knew about all these international conferences, and a lot of us had no idea, we were just working on the ground. So, maybe if the state had been really sensitized to these issues, we would have had a Domestic Violence law a long time ago. For we had people who knew about the international level negotiations, but it was like this is one of those things that you push aside. So, that's why I'm saying there's a gap in what should have been done from the international level by the state and what actually got done that would not have been done without the intervention of civil society.</p>
<p>7. To what extent are policy makers, civil society and the media aware of the Domestic Violence Act as a tool they can use to help prevent domestic violence?</p>	<p>Before its passage there was so much misinformation by the media about the Domestic Violence Bill. Again, because of our traditional background that you don't talk about these things, and you don't even acknowledge it's that bad. So a lot of the media would refer to it as the marital rape bill, because when the Attorney-General took it over and wrote the memorandum, and of course said this needs to be taken off as you do with any new law. Something that did not fit in would be repealed. So it wasn't even going to be written into there, but would just be repealed as not in conformity with the law. Again, somebody got interviewed and picked it up as a big thing and the media blew it up, and there was a backlash: 'All these foreign-headed Ghanaian women were talking about things that we didn't do traditionally.' And even the Minister of Women and Children at that time was going along [with the idea of tradition]. So there was a lot of misinformation about the import of the Domestic Violence Bill at that time. Before it was passed, because of the work of the coalitions on domestic violence, and a lot of information, we were all over the radio stations, we were interviewed, we begged for air space, and we went, and any program we were on,</p>

even if it didn't have anything to do with domestic violence, we managed to slip it in somewhere. So that brought more awareness.

We engaged the legislature, we engaged the Parliamentarians, arranged workshops for them, we engaged with government at various levels and at the local level too . We used the various civil society organizations that formed the Domestic Violence Coalition to go all over the country. We had workshops throughout the country. So, of course, we'd always have the media along somewhere or give them a statement. And, because we'd worked alongside the media in a lot of our legal literacy programs, we could get them on. And a lot of us in the civil society organizations, because of the advocacy issues, we'd already be in the media talking about women, children and development issues.

Eventually, a lot of knowledge got out through the media, even though some amount of damage had been done previously. I think there is quite a lot of knowledge that went through the media, especially after a number of media persons realized that they'd taken the wrong angle. We showed them the figures and the documentation of what was actually happening on the ground. And there was the acceptance that [the level of domestic violence was really bad]. I think without the media we wouldn't have had the impact. People learned that you could go to DOVVSU. Men are also going to DOVVSU [and they are talking about domestic violence]. But there's still a reluctance to bring out family issues and that is a major hindrance.

Appendix C Exhibit 8 Ama Benyiwa Doe, Regional Ministry of the Central Region

Engendering National Public Policy through Global Governance: an Assessment of Ghana's Domestic Violence Legislation as a Trans-sovereign Transnational Issue Questionnaire for Informant Interviews

The objective of the questionnaire is to survey representatives of government, NGOs/CSOs, and individuals in order to examine the relationship between global public policy and Ghana's national public policy, as a way domestic of assessing to what extent global governance can address the trans-sovereign and the transnational issue of violence against women, specifically violence.

NAME: Ama Benyiwa Doe TITLE: Central Regional Minister DATE: June 1, 2010
 ORGANIZATION/INSTITUTION: Regional Ministry of the Central Region
 ADDRESS: Regional Co-Ordinating Council, Cape Coast, Ghana
 PHONE NUMBERS: OFFICE: +233 4232112 MOBILE: 0244 061731
 EMAIL: benyiwadoeama@yahoo.com
 INTERVIEWER: Tahiya McCoy Nyahuma, University of Ghana, Department of Political Science

Section One: Background Data	
1. Organization/institution mission	To coordinate the activities of the various districts of the Central Region. To bring to the district issues from the national level and maintain oversight responsibility for those local districts.
2. When organization/institution was founded/created	In January 2009 Ama Benyiwa Doe was nominated by President Mills as the Central Regional Minister in Ghana.
3. Founders	Government Position, Appointed by the President
4. Target constituents	Seventeen districts within the Central Region.
5. Numbers served overall	N/A
6. Numbers served annually	N/A
7. Areas of the country served	The Central Region of Ghana

Section Two: Global Governance and Global Public Policy	
1. Can global governance and global public policy engender national public policy?	Yes, I would say that the global governance has some bearing on local governance, because the whole world has become smaller as a result of the computers and information and travel across the whole of the continent and the globe. Since the Cold War a lot of governments in Africa have been encouraged to go the democratic way. It's not by accident, it's virtually a global decision. And it had to be followed by African countries because they needed the resources from developed countries. Demands had been put on the developing countries for reform of their government system. And so when these demands are made on you, at all costs you have to reform, even if not totally in order to be a part of the new world order. So definitely there is a relationship between global governance and that of our local system in Africa.
2. To what extent has global public policy impacted national public policy and the transnational issue of domestic violence?	Yes. Unfortunately for our situation [in Ghana], we knew that rape was going on and that women were not empowered to be able to openly report and address this issue. Women have been emboldened because of the global trend where NGOs and others sensitized and educated all. At first the women were stigmatized when they went to the police to report incidents of rape because the police themselves were men, very chauvenistic orientated, and the women felt intimidated. People were not feeling free to report cases, but as a result of the sensitization that [they] have gone through [lead by] NGOs who sprang up from a global sort of direction, a lot more women are reporting cases of rape. And governments and many countries around Africa are now having legislation giving stiffer punishment to people who indulge in domestic violence particularly against women. So I think that is some impact.
Section Three: Gender and Public Policy from Global and National Perspectives	
1. Is public policy affected by the gendered construction of the state society?	Yes. I wouldn't say that we have gotten to a level where the policy itself has been able to achieve much. Policy implementation itself creates some problems. One, because our agencies

	<p>who have to deal with these problems haven't been sensitized well enough. Two, the women themselves have taken some time to react appropriately to this new dispensation where they are able to go and report domestic violence. Three, our traditional values says that a woman going to a police to report battering is airing dirty laundry in public. The whole family may frown on it as well as the man's family. It is basically in the urban areas where the majority of women are more educated or have some education and are able to stand up more boldly without minding immediate family interventions. We should be able to make headway depending on how sensitization goes.</p>
<p>2. What has been the impact of CEDAW, Beijing Declaration and the African Women's Protocol on global public policy?</p>	<p>Yes. [As a result of] the Convention and the Beijing Conference we have a Bill on Domestic Violence. It was not easy championing this cause in those days. A lot of ideas were collated and people worked on it and it was finally passed. We may not have the same pace of implementing as our colleagues in advanced countries, because of our limitations and traditions. For instance, if you live in a small hamlet with your husband and his family, who are you going to report to? Sometimes you will need to travel to make a complaint.</p>
<p>3. Has national public policy been engendered by CEDAW, the Beijing Declaration and the African Women's Protocol?</p>	<p>From out of Beijing and CEDAW, we have the Ministry of Women and Children's Affairs and we have desk officers in almost all the Ministries where women's issues are properly lodged. The President tried to get 40% of women in government. There have been limitations in getting the 40% because it is not easy to get people who believe in your policies to come and work with you. And you trust that they will perform creditably without undermining your very principles that brought you to power. There have been limitations in placing up to 40%. However, there are safe areas for all political parties and the Democratic National Congress, the Volta Region is a safe area. So we are campaigning for women to run for Parliament in those areas. The parties have to field more women and help increase the numbers of women. Very soon, we'll have a Local Assembly election. We're out there encouraging women to go to the Assembly so that they can begin to climb up further in the political arena.</p>

<p>Section Four: Ghana's Domestic Violence Act: A Manifestation of Global Governance and Public Policy</p>	
<p>1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?</p>	<p>The United Nations played a major role in most of the changes that have gone on in developing countries. It was the UN that declared the International Women's Day and organized the first women's conference in Mexico, other succeeding conferences, and then the Beijing Conference, where various forms of ideas had been collated over the years. Globally, a lot of attention and direction has come from the UN body, but it also depends on how we move forward with the information and the policies that are adopted, and how we are able to champion these policies and work to address the issues that concern women most.</p> <p>We have not been able to get women directly participating in the administration of legislation. When we speak of governance, there are three forms the judiciary, the legislature, and the executive. In the executive, the President on his own, has appointed women into many places of higher positions. We have an Attorney-General, Chief Justice, and Speaker of Parliament who are all women. So I think this is how the global issues are affecting us. In Africa, I believe strongly that affirmative action should be the issue. Our men are not going to make it easy for women to get power and so some level of affirmative action will help to address women's issues in the short run. Beyond that, we will have to sensitize men and women but it will be very gradual. We missed the opportunity when the 1992 Constitution was discussed. We should have been able to martial ourselves as women to make an impact on the Constitution and we were not able to do so. I'm hoping that with the new Constitutional Review, that women will martial ourselves, we will make an impact and make some level of intervention in the Constitutional arrangements.</p>
<p>2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?</p>	<p>On the global level, the UN has played a major role in most of the changes that the developing countries have undergone. NGOs played a major factor in the sensitization programs, and I was privy to a number of them. Without the NGOs, the Bill might not have moved forward.</p>
<p>3. To what extent is Ghana's Domestic Violence Act a manifestation of global governance and global public policy?</p>	<p>The Domestic Violence Act is a manifestation of global governance because CEDAW and Beijing were consciousness-building. They brought into being the women's empowerment and forced women to champion causes at home and to demand things such as that the Domestic Violence Bill be passed.</p>
<p>4. What has been the impact of non-state actors (NGOs, CSOs) on formulating and helping to get the Domestic Violence Bill passed?</p>	<p>They played a role. You know that most of the NGOs helped in sensitization programs that they held. Without them perhaps the Bill would not have passed.</p>

<p>5. Did the development of a Women's Manifesto and the work of other coalitions, such as NETRIGHT and Coalitions around VAW help in the process of women gaining entry into political participation, specifically did they impact the passage of the Domestic Violence Act?</p>	<p>The Women's Manifesto and other coalitions and NGOs were a major factor in championing the cause and sensitizing the people about the Domestic Violence Act. Without them, it would not have happened.</p>
<p>6. To what extent is there a gap between international treaties to end violence against women and the actions of local and national governments a) public policy, b) political capital and resources to implement, 3) training for police, health workers and social workers.</p>	<p>We're trying to have information centers locally. I believe that that's a critical issue. The District Assemblies organized their own educational programs and disseminated information. Yes, there is a gap. Before you can train, you need the resources. There is a need to build a resource base. We are affected by international trade because we are primary producers of raw materials and you know how people in advanced countries trade with us. They determined the prices of raw materials and also determine the prices of finished products and this has put us in a very difficult position for a long time. We are praying that we are able to build resources because Ghana is getting oil now, with which we will be able to spearhead or facilitate economic empowerment. It is not going to be easy to get away from an economy based on raw material, because oil is coming, we're not leaving our economic recovery programs. Other interventions are planned. We are boosting agricultural programs, because we must be able to feed ourselves and have enough savings left for other things. If we can build enough resources we can accelerate the rate of sensitization, the provision of social amenities, education for both men and women, which all can curtail the very actions [domestic violence] of our men.</p> <p>Because of our lack of education and the lack of resources we are not able to sensitize and educate our people, and with resources we will gradually overcome this trend.</p>
<p>7. To what extent are policy makers, civil society and the media aware of the Domestic Violence Act as a tool they can use to help prevent domestic violence?</p>	<p>The press is important but I think that our press has been dealing so much with politics, that we think that they should also take some of these things seriously, because they're developmental issues. We need collaboration between us and the press, between the public and the press. The press should work with various gender groups that are advocating for women's empowerment. This would help things to go much further.</p> <p>Policy makers who are behind the Bill, depending on the individual's orientation, we may act as a group for group decisions, but it's the individuals facilitating that's important. The women were supported. I cannot say so for many of our male counterparts but I think it's important that we all get together.</p>

Appendix C Exhibit 9 Dorcas Coker Appiah, Gender Studies and Human Rights Documentation Centre (Gender Centre)

**Engendering National Public Policy through Global Governance:
an Assessment of Ghana's Domestic Violence Legislation as a Trans-sovereign Transnational Issue
Questionnaire for Informant Interviews**

The objective of the questionnaire is to survey representatives of government, NGOs/CSOs, and individuals in order to examine the relationship between global public policy and Ghana's national public policy, as a way domestic of assessing to what extent global governance can address the trans-sovereign and the transnational issue of violence against women, specifically violence.

NAME: Dorcas Coker Appiah TITLE: Executive Director DATE: May 4, 2010
 ORGANIZATION/INSTITUTION: Gender Studies and Human Rights Documentation Centre [Gender Centre]
 ADDRESS: P.O. Box 6192, Accra-North, Ghana
 PHONE NUMBERS: OFFICE: (233) 21 760688 FAX: (233) 21 760687 MOBILE:
 EMAIL: frema75@hotmail.com
 INTERVIEWER: Tahiya McCoy Nyahuma, University of Ghana, Department of Political Science

Section One: Background Data	
1. Organization/institution mission	The Gender Studies and Human Rights Documentation Centre (GSHRDC) is a non- profit, non-government organization committed to working for the promotion and protection of the human rights of women. Specifically, the Center was founded with the mission of compiling information on women and human rights issues to support assertions about women’s human rights issues and to help integrate women’s concerns and perspectives into mainstream programmes, projects and policies addressing social and development issues.
2. When organization/institution was founded/created	Established in 1995
3. Founders	Doris Coker Appiah, one of the founders
4. Target constituents	Women in Ghanaian society - aimed at law and policy reform for the promotion and protection of women’s human rights and their full development.

5. Numbers served overall	N/A
6. Numbers served annually	N/A
7. Areas of the country served	Working with the entire Ghanaian society through educational programs and leadership training in order to ensure that women's rights are fully promoted and protected and they are able to participate in national development at all levels.

Section Two: Global Governance and Global Public Policy	
1. Can global governance and global public policy engender national public policy?	<p>Precisely, certainly. It can and indeed it has. It has and it does. And I can say that for as far back as 1975, when the first World Conference on Women was convened one of the outcomes was a call on government to set up national machineries. And Ghana was one of the first to set up a National Council on Women and Development to advance women's status in Ghana. And this is a direct link of what transpired at the international level being implemented at the local level or at the national level.</p> <p>For example, the Population Conference in 1994, Cairo, Egypt, the issues were women's reproductive health and rights. The outcome was the Population document outlining reproductive rights and women's health issues and implementation strategies. The Beijing Platform for Action, [which outlined] 12 critical areas of concern. Ghana adopted portions of the Platform and turned it into national action plans for local implementation. Violence is one area Ghana selected to focus its implementation.</p> <p>Ghana is a signatory and state party to the CEDAW Convention. And these issues have been translated into national policies and laws. An example of CEDAW Convention as it relates to national policies and laws would be inheritance rights in Article 16 of CEDAW, which correspond to the succession laws of Ghana, laws that make it possible for women to inherit.</p>

<p>2. To what extent has global public policy impacted national public policy and the transnational issue of domestic violence?</p>	<p>Global public policy impacted national public policy which falls within the work of the Gender Centre. In 1995, one of the critical areas of concern of the Platform for Action was violence against women. And if you look at the Platform, it talks about a number of issues that governments should come up with, including research, including legislation to make violence a prohibited offence, and so. When we came back after the Conference as a nation we identified certain areas, including violence against women, as those areas that we wanted to focus on. We didn't take all the twelve issues. I can't remember exactly, but the issues that we took included violence against women. And so, for us as an organization, we then decided to literally take what is in the Platform for Action and do some implementation at our level as civil society organizations. The Beijing Platform, in terms of actions to be taken, it talks about government, it talks about civil society, and it talks about international organizations. This was something that was really within our purview to do as an organization.</p> <p>Violence against women was a hidden problem not talked about even when there was clear evidence. Women would deny it. We didn't have any data to show for it, so that was why we decided to do research. We interviewed 2069 women, conducted focus groups, analyzed information from the police, the courts, and social welfare. The findings from the research was published in 1999 and was the basis of our advocacy for the Domestic Violence Bill. The research from the Gender Centre provided data to confirm the levels of violence against women. Even after the research, there were those who were against the Domestic Violence Bill, especially the issue of marital rape. The fact that Ghana is a signatory to international instruments that condemned discrimination and violence such as Recommendation 19 of the CEDAW Committee was the basis for the development of a Domestic Violence Act. They were able to use CEDAW to repeal Section 42 of Ghanaian law, which described marriage as automatic consent of sexual activity.</p>
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<p>Section Three: Gender and Public Policy from Global and National Perspectives</p>	
<p>1. Is public policy affected by the gendered construction of the state society?</p>	<p>Yes it was. If you look at our previous laws and policies it did not take into account the differentials between men and women and how state policy affected them differently. We must [also] make reference to what is happening at the international level. The whole issue about gender mainstreaming is a developmental concept that was introduced through the UN and some of the UN agencies. And that has found its way into our national policy framework</p>

	and development framework.
2. What has been the impact of CEDAW, Beijing Declaration and the African Women's Protocol on global public policy?	<p>CEDAW, Beijing, and Protocol helped Ghana to develop good policies and to make laws. The weakness is in the implementation. When governments often think that once they have the policy or the law, they have done enough, it becomes the burden of civil society to ensure that laws and policies are effectively implemented. That has its difficulties because it is a challenge for non-state actors to get the state actor to do certain things.</p> <p>In reference to implementation, our research addressed the poor state response to victims of violence. As a result, we worked with police for gender training and, at the same time, the women and juvenile unit was set up to deal with domestic violence. Within the unit itself, there continue to be problems of attitudes and bias. We continued to train and to work with various women's organizations that addressed directly violence against women. It's difficult to say that there is 100% impact, but even if the impact is 5% or 10%, I think there is positive impact because there has been an increase in the reporting of cases of violence against women. And we are still fighting and advocating for effective implementation of the Domestic Violence Act.</p>
3. Has national public policy been engendered by CEDAW, the Beijing Declaration and the African Women's Protocol?	Ghana will be submitting its next CEDAW Committee report in 2011. There will probably be intense efforts on the part of government to address the CEDAW recommendations, because governments try to address issues from their commitment to the international level and this provides a level of impact that helps to make the situation better for women.

Section Four: Ghana's Domestic Violence Act: A Manifestation of Global Governance and Public Policy	
1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?	<p>Yes, it can. If we look at some of the jurisprudence at the international level, the global level, it is also making a difference on how our judges in our courts also interpret and apply the law.</p> <p>If we look at the International Criminal Court, one of their first cases, that was the court on the Rwanda tribunals, one of the first famous cases on sexual violence in conflict, where they said that sexual violence within conflict was described as genocide and a crime against humanity. There is a clear case on that. So, obviously, it will be difficult if somebody is being</p>

	<p>tried within the national context for a similar offence to ignore the fact that an international tribunal has held that sexual violence is a crime against humanity.</p> <p>There was recently a case put before the European Human Rights Court on violence against women, a Turkish case. The European Court ruled that the state had not carried out its responsibilities and due diligence in protecting them from the violence of the man, which had been reported on several occasions. Another example comes from Austria, where a woman put before the European Human Rights Court, who was relying on an earlier communication decided by the CEDAW Committee. A woman, after several ignored complaints of abuse by her husband, was eventually shot and killed by him. The CEDAW Committee stated that due diligence had not been taken to protect the woman's human rights, which override personal rights. The state has a responsibility to protect women against violence. The CEDAW Committee set a precedent for the discussion of states' responsibility to ensure that states' activity protect the human rights of women. This allowed the European Human Rights Court to rule based on the precedent of the CEDAW Committee.</p>
<p>2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?</p>	<p>Depending on what you're looking at. Yes in the sense that NGOs are actually articulating the issues that most women will not talk about. Typical example, violence. NGOs are able, by talking to women, to bring the issues out and make them a public issue, which then allows the NGO to engage the government to address the issue. To that extent, NGOs help to give a voice and tell the story of victims of violence.</p> <p>NGOs are able to communicate the laws to women in the community and the village. There's training to raise awareness of their rights, which has enabled women to report cases of rape or violence. What this does is empower them enough to assert their rights and that is giving them voice.</p>
<p>3. To what extent is Ghana's Domestic Violence Act a manifestation of global governance and global public policy?</p>	<p>International instruments like CEDAW force governments to try and look at issues from their commitments at the international level so that the situation for women will be better. And I can say that for as far back as 1975, when the first World Conference on Women was convened, one of the outcomes was a call on government to set up national machineries.</p> <p>From the Beijing Platform of Action, which outlined twelve critical areas of concern to be implemented, Ghana focused on violence against women as an area for implementation. Issues have been translated into national policies and laws, such as the Domestic Violence Act.</p>

<p>4. What has been the impact of non-state actors (NGOs, CSOs) on formulating and helping to get the Domestic Violence Bill passed?</p>	<p>NGOs and CSOs advocated for the Domestic Violence Bill and have been a part of implementation through setting up the only shelter for battered women, providing counselling services to survivors of gender violence and legal aid.</p> <p>The NGOs have been able to secure funding from the Dutch government to help with the implementation of the DV Act, some of which has been used for training, developing training manuals for police and the judiciary.</p>
<p>5) Did the development of a Women's Manifesto and the work of other coalitions, such as NETRIGHT and Coalitions around VAW help in the process of women gaining entry into political participation, specifically did they impact the passage of the Domestic Violence Act?</p>	<p>If we are not talking to these women, if we are not doing the research and listening to the women's voices and said 'hey, this is what is going on, this is what you need to do' the government would probably not have come up with the Act or it probably would have taken a longer time. But, if you look at the process, after the research, another women's organization decided 'let's come up with a draft and push it on the government and say this is the draft, do something about it'.</p>
<p>6) To what extent is there a gap between international treaties to end violence against women and the actions of local and national governments? a) public policy, b) political capital and resources to implement, c) training for police, health workers and social workers</p>	<p>Even though our governments ratified these international instruments, when it comes to implementation, they're always a little reluctant. There's always a gap in terms of how much resources is available for implementation of all these programs, in terms of training and resources to fight domestic violence and for things like shelters for battered women. The first shelter for battered women was set up by an NGO without government support. Moneys from the Dutch government has been used to help with the gap between international treaties and local and national implementation in the area of training. Government resources have been limited.</p> <p>The Ministry of Women and Children's Affairs have been undertaking a series of sensitization and law awareness sessions. They are also supposed to support civil society organizations to assist them in supporting victims of violence. The money has not been distributed as of this time to civil society organizations. There was also to be a fund set up by the government to support victims. The fund has not been set up. Shelters are supposed to be set up in all regions. Although an architecture firm has been commissioned to design these shelters, they have not been built yet. We need the active engagement of the government to eliminate violence against women. And for the government to view violence as a developmental problem. This might change the attitude of government towards using the resources to eliminate violence against women. An example is the health costs. Women lose time at work, there are medical bills and all of this is cost to the economy.</p>

<p>7. To what extent are policy makers, civil society and the media aware of the Domestic Violence Act as a tool they can use to help prevent domestic violence?</p>	<p>There has been an impact, because there is a lot more reporting. For instance, almost every day in the newspapers there's a case of some sort of violence against women. Either the number has not changed but it's because a lot more people are reporting, or it is because there has been an increase in violence against women. So, we are still fighting and advocating for effective implementation of the DV Act.</p> <p>One good thing for Ghana under the new Domestic Violence Act, the Dutch government committed a substantial amount of money for implementation of the DV Act, some of which is to be used for training. We are currently developing a manual for training of police and the judiciary and money has been allocated for a consultant to develop the regulations.</p> <p>Moneys have been allocated for the Ministry of Women and Children's Affairs to undertake a series of sensitization and awareness-raising sessions about the law. Some resources are supposed to go to civil society organizations. The money has not come from the Ministry as of this date. Under the Act, there are also supposed to be funds to support victims of violence. The fund has not been set up. The police are supposed to set up shelters in all regions. There has been an architectural firm commissioned to design some shelters but that is as far as it has gone. I think more resources need to be committed. Without active engagement of government to eliminate violence against women, it will be difficult to eliminate violence against women. If government views the elimination of violence against women as a developmental problem and perhaps attitudes will change and more resources will be put into eliminating violence.</p>
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Appendix C Exhibit 10 Vivian Fiscian, The National Coalition on Domestic Violence Legislation

Engendering National Public Policy through Global Governance: an Assessment of Ghana's Domestic Violence Legislation as a Trans-sovereign Transnational Issue Questionnaire for Informant Interviews

The objective of the questionnaire is to survey representatives of government, NGOs/CSOs, and individuals in order to examine the relationship between global public policy and Ghana's national public policy, as a way of assessing to what extent global governance can address the trans-sovereign and the transnational issue of violence against women, specifically domestic violence.

NAME: Vivian Fiscian TITLE: Member (Social Researcher with a focus on abuse of girls) DATE: May 24, 2010

ORGANIZATION/INSTITUTION: The National Coalition on Domestic Violence Legislation (DV Coalition)

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INTERVIEWER: Tahiya McCoy Nyahuma, University of Ghana, Department of Political Science

Section One: Background Data	
1. Organization/institution mission	The mission of the The National Coalition on Domestic Violence Legislation (DV Coalition) is for advocates, organizations, and individuals to come together to serve as a voice for the voiceless in the area of domestic violence in Ghana.
2. When organization/institution was founded/created	It was formed in 2003.
3. Founders	It's an umbrella organization of 100 human rights groups and individuals.
4. Target constituents	The citizens of Ghana with a focus on women and children
5. Numbers served overall	N/A
6. Numbers served annually	N/A
7. Areas of the country served	The ten regions of Ghana

Section Two: Global Governance and Global Public Policy	
1. Can global governance and global public policy engender national public policy?	Sure. Documents such as CEDAW and the Platform of Action guide the activities and programs and standardize policies at the local level. Many activities that are implemented across the country come as a result of these global policies.
2. To what extent has global public policy impacted national public policy and the transnational issue of domestic violence?	Let me use the Millennium Development Goals (MVGs) as an example and as one of the key global instruments that we are using. At the end of the period, we are supposed to achieve the eight goals of the MVGs. One of the goals is the issue of domestic violence. Donor organizations will end support to governments who are not meeting the eight goals under the MVGs. You have to be in line with the goals. For example, if an organization like the Ark Foundation, which is a national organization, wants access to resources from the United Nation's Populations Fund (UNFPA), you should be aiming to achieve one of the goals. If the Ark Foundation wants to reach women who are suffering from some form of domestic violence, then the probability that they will get UN funding is higher because they are looking at one of the eight Millennium Development Goals, ending domestic violence.

Section Three: Gender and Public Policy from Global and National Perspectives	
1. Is public policy affected by the gendered construction of the state society?	I would say yes and no, because global policies are often translated in international policies. Once policy makers follow the guidelines of global policies, the national policy may not deviate much from the global policy. The issue is when it comes to the actual implementation, that is where the gendered construction, and I mean male and female composition, at the decision making level, may influence which way we should go. On paper, policies will reflect the global policy, but when it comes to actual work on the ground, that is where the issue of gender construction tends to impact the policy.
2. What has been the impact of CEDAW, Beijing Declaration and the African Women's Protocol on global public policy?	The UN Charter, CEDAW, Beijing Declaration, and the African Women's Protocol, are all a part of global public policy and they have become a lobbying tool for most organizations. We have had a lot of challenges with many of the bills, not necessarily the DV Bill, but also the Human Trafficking Bill. Those are the tools we've been able to use, because Ghana has signed most of the treaties, the question is why do you sign and turn a blind eye, if you want to pass the bill into an act.

<p>3. Has national public policy been engendered by CEDAW, the Beijing Declaration and the African Women's Protocol?</p>	<p>To a very large extent, they have a very significant impact on national policy. They are tools that can be used for lobbying and advocacy around specific issues to many who want to make sure that development gets to the ground.</p>
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<p>Section Four: Ghana's Domestic Violence Act: A Manifestation of Global Governance and Public Policy</p>	
<p>1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?</p>	<p>Not necessarily. It must be informed by the local issues. Depending on the context, anyone trying to address these issues [domestic violence] must try as much as possible to conceptualize the issues from the local perspective. The global [policy] is there to give us the framework, but we must have country specific ways of addressing the issues. The issues are global, but the specifics are local. Domestic violence is universal. The ways of addressing domestic violence may be relative depending on the context and where you find yourself.</p>
<p>2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?</p>	<p>NGOs have definitely had an impact and it is through their lobbying and organizing. Many of the NGOs do not do things by themselves. They come together as much as possible. When you go to meetings you may see a lot of the same faces and see a lot of the same organizations. They have their own priorities, yet they know that there is common ground that we can meet around. And in coming together they can form a critical mass that is needed to push forward their goals. These organizations are not all made up of urban, upper class women. They are organizations that represent rural women like the Ark Foundation, which service women throughout Ghana. They work with other community based organizations, which help to oversee the implementation of their activities. And many of us are on the ground ourselves. I take myself, for example, I am a social researcher but I'm also a developer. I work with CEDAW projects, UN projects, and rural Ghana. So we know what the issues are and we bring our experience and observations on board.</p> <p>We try to bring the experiences of rural women to inform policy. In fact the coalition has members from the Market Women's Association. Many of our outreach programs target market women, irrespective of whether they are from the rural area, center city or towns. They include women from the north and south and from whatever language. We try to reach women through the language that they speak.</p>

<p>3. To what extent is Ghana's Domestic Violence Act a manifestation of global governance and global public policy?</p>	<p>Global public policy set the framework for national public policy as Ghana signed onto the various treaties to end violence against women and human trafficking. These treaties were the framework for lobbying and advocating for bills such as the Domestic Violence Bill and the Human Trafficking Bill.</p>
<p>4. What has been the impact of non-state actors (NGOs, CSOs) on formulating and helping to get the Domestic Violence Bill passed?</p>	<p>The mission of the DV Coalition, which is made up of CSOs/NGOs, organizations and individuals was to come together to advocate and lobby to get the Bill passed to meet the goal of ending domestic violence in Ghana. I'll give you a few names, the list isn't exhaustive, but the Ark Foundation, WILDAF, LAWA, AULA, these are acronyms, WISE, ABANTU for Development, and ACTION AID. We also had organizations such as UNDP, the UNFPA, and UNICEF and eventually MOWAC. MOWAC is the Ministry of Women and Children's Affairs which did not exist when we started the DV Coalition. Many of these were the founding organizations and NGOs and there were individuals as well. I must mention the Gender Centre which played a key role in researching domestic violence in Ghana.</p>
<p>5) Did the development of a Women's Manifesto and the work of other coalitions, such as Netright and Coalitions around VAW help in the process of women gaining entry into political participation, specifically did they impact the passage of the Domestic Violence Act?</p>	<p>Yes. Organizations like the Gender Centre, ABANTU for Development conducted research on the extent of domestic violence in the country. Their work, along with others, gave us the information that we needed in writing and developing the Domestic Violence Bill. NETRIGHT and the DV Coalition worked at lobbying and advocating and helped to get the Bill passed.</p>
<p>6) To what extent is there a gap between international treaties to end violence against women and the actions of local and national governments? a) public policy, b) political capital and resources to implement, c) training for police, health workers and social workers</p>	<p>The treaties have had an impact on most agencies that are responsible for ending violence against women in Ghana, for example the establishment of WAJU, now called DOVVSU [the division of the Ghana Police Service responsible for receiving domestic violence complaints]. The WAJU was funded by the United Nation's Populations Fund (UNFPA). Knowing and seeing the gap, they decided to develop a unit within the Ghana Police Service because a typical rural woman would not walk to a police station to report a case. The thinking of rural women is different, so they established a special unit, WAJU, now called DOVVSU, to bridge the gap between women and the police, because women would not go to the regular police, the charge office, to make a complaint.</p> <p>We've even had gaps in understanding domestic violence issues at top levels. The former minister of Women's and Children's Affairs gave a speech in Koforidua in eastern region at a durbar at which she said, "If women are rude, arrogant, loud, then husbands have every right to take their sandals and slap you with it." There is a gap in understanding and implementing</p>

	<p>global policy, but yet global policy has impacted changes such as setting up special units in the police department to address issues of domestic violence. Though the training for these unit officers and police officers is still an issue, one of the things that they are trying to do is look at the police training curriculum and engender that curriculum from top to bottom, in order to sensitize office and the rank and file.</p>
<p>7. To what extent are policy makers, civil society and the media aware of the Domestic Violence Act as a tool they can use to help prevent domestic violence?</p>	<p>The Domestic Violence Act has been translated into as many languages as possible and special leaflets were made to reach the illiterate by using pictures and symbols. We've also developed a simplified version of the Act. These grassroots women are the target of most of our programs and activities. If you look at recent trends, it looks like rural women are making use of the systems that are available. In the urban centers, professional women don't want to talk about domestic violence, because many of them want to keep it private. Rural women are stepping forward to talk about their cases.</p>

Appendix C Exhibit 11 Hilary Gbedemah, Women in Law and Development in Africa (WILDAF)

**Engendering National Public Policy through Global Governance:
an Assessment of Ghana's Domestic Violence Legislation as a Trans-sovereign Transnational Issue
Questionnaire for Informant Interviews**

The objective of the questionnaire is to survey representatives of government, NGOs/CSOs, and individuals in order to examine the relationship between global public policy and Ghana's national public policy, as a way of assessing to what extent global governance can address the trans-sovereign and the transnational issue of violence against women, specifically domestic violence.

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 EMAIL: hgbedemah@yahoo.com
 INTERVIEWER: Tahiya McCoy Nyahuma, University of Ghana, Department of Political Science

Section One: Background Data	
1. Organization/institution mission	Women in Law and Development in Africa (WILDAF) was founded in order to help women to understand their legal rights and to look at how law can be used as a tool of development and the focus of some women's rights.
2. When organization/institution was founded/created	Created in 1990, WiLDAF/FeDDAF is a network with the goal of promoting and strengthening strategies that link law and development for the emergence of a culture for the exercise and respect of women's rights in Africa. It is the only pan-African regional network dedicated to the promotion of women's rights as an integral part of development.
3. Founders	Women Lawyers of Africa
4. Target constituents	Women seeking assistants for legal services and human rights and development issues.
5. Numbers served overall	It brings together 500 organizations and 1200 individuals who, spread in 27 countries, are sharing the aims of the network and fighting for their fulfillment at local, national and regional levels.

6. Numbers served annually	N/A
7. Areas of the country served	27 countries - The sub-regional coordination of WiLDAF/FeDDAF West Africa was created in April 1997. It actually covers 8 countries here formal national networks are functional: [Benin, Burkina Faso, Ghana, Guinea-Conakry, Mali, Nigeria, Senegal and Togo]. It is also trying to spread to Cote d'Ivoire, the Gambia, Liberia, Niger and Sierra Leone where WiLDAF/FeDDAF already have an important number of members.

Section Two: Global Governance and Global Public Policy	
1. Can global governance and global public policy engender national public policy?	It can and it should. The global policies, the international meetings that we go to, in which we formulate these conventions, in which these conventions are informed by experience, this is one aspect. Then the nations, the states, buy into these policies. That is only one part of the formula. First of all, it's up one way, and then down. In the first place, our experiences formulate or feed into the formulation of these policies, because if the policies are there and have no connection with our experiences, there will be no buy in. It will be alien. If you permit me to digress, maybe this is why diversity in the form of gay and lesbian rights have not caught on as well as violence. Because, even though it is here, there is no public admission of them and experiences of them that we have fed in actively into policy frameworks. I hope you're seeing the distinction. Those rights are there. I'm not taking anything away from them. But what I mean is that, whatever we sign there [treaties and conventions], whatever we agree on there are borne out of our experiences. And therefore, having been part of that policy formulation procedure, we are duty and morally bound to bring it back into national policy and then use it to address the very causes for which we coalesce around those issues.
2. To what extent has global public policy impacted national public policy and the transnational issue of domestic violence?	I think immensely. CEDAW, Millennium Development Goals (MDGs), or even if we can be creative and go back further to the Universal Declaration of Human Rights, all those have informed national policy. Those same ideals in those documents are translated first of all in our constitution. If you look at the Human Rights Section, it is a summary of those human rights instruments, social, cultural, political rights, and women's rights. Sometimes not a very good summary, but you can see the kernel of those agreements in our constitution. Then, from our constitution, we tend to make specific laws, because from the women's rights section, from property rights of spouses section, we come out with the Domestic Violence

Act, and so on and so forth. So, first we see it in our constitution, then that constitutional human rights framework translates into laws. And in that way I see it translating into national policies.

<p>Section Three: Gender and Public Policy from Global and National Perspectives</p>	
<p>1. Is public policy affected by the gendered construction of the state society?</p>	<p>It is. It is. Again, if you permit us to go to the Domestic Violence Act (DV Act), it was clear the line men took and the line women took. I'm not saying all men are ungendered, maybe it depends on how we define gendered, I'm not saying all men are not gendered or all women are gendered. First of all, the majority of men, I would assume, do not have this gendered approach of looking at laws, rights and so on. They tended to tone, in the main, that this law was for women against men and it would take something away from men's rights. Now, when we look at the women, most women, maybe not particularly because they have gender lenses, but because they have the negative experience of domestic violence they bought in[to the Domestic Violence Act]. But then, if you look at the influence of patriarchy, women who were swayed by culture, who were swayed by religion, resisted the Act. Some church groups resisted it. Some women came out to say it's against their culture. So that's the gendered construction of state society and this public policy was being affected. Yes. When we talk about resistance, when we talk about buying in, the structure of the society, the face of the society was mirrored in the reaction to that one [the DV Act].</p>
<p>2. What has been the impact of CEDAW, Beijing Declaration and the African Women's Protocol on global public policy?</p>	<p>These instruments created global public policy that governments as Ghana signed and agreed to domesticate. CEDAW, for example is directly reiterated in our constitution, and then Domestic Violence Act. I have to reiterate that the Domestic Violence Act could be grounded in CEDAW and all the other international instruments you've mentioned.</p>
<p>3. Has national public policy been engendered by CEDAW, the Beijing Declaration and the African Women's Protocol?</p>	<p>Yes, because one of our strongest points was that the Domestic Violence Act could be grounded in CEDAW and all the other international instruments you've mentioned, and that Ghana's refusal or foot-dragging in getting it implemented would speak to how much commitment that we had when we ratified these documents. At a time, we were even talking about shaming the country publicly at the international forums if the implementation or the passing of the law delayed further. It was part of our strategy.</p>

<p>Section Four: Ghana's Domestic Violence Act: A Manifestation of Global Governance and Public Policy</p>	
<p>1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?</p>	<p>Yes. Because the bottom line was these are conventions, global level policies, we have voluntarily acceded too. Now, part of that process, is translating it into national laws. So any delay in doing this was not only a national affair, but it spoke to the contempt in which we held our commitments at the international level.</p>
<p>2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?</p>	<p>Tremendously. Tremendously. I don't even know where to begin. I think, first of all, in gathering the data and experiences. NGOs and CSOs operate at grassroots levels. The networks I belong to, NETRIGHT and the Domestic Violence Coalition, have members from all over the country, some of them at grassroots level. They bring these experiences into our fora and you'll be amazed at the number of things that they bring up. They speak to their experiences first-hand. Then, this is fed into whatever policy. I should not forget to mention that before the Domestic Violence Act was passed, there was this study on violence against women and children in Ghana by the Gender Studies and Human Rights Documentation Centre. I think you have seen that study.</p> <p>This study was to get grassroots experience to say violence is real. We know it's real. But when you go saying you want a law because it's real, people ask you where's the scientific proof. NGOs feed into this process. Then, when it comes to implementation, who implements? The Ministry of Women and Children's Affairs (MOWAC) are [responsible for formulating] policy and for assisting in the implementation.</p>
<p>3. To what extent is Ghana's Domestic Violence Act a manifestation of global governance and global public policy?</p>	<p>MOWAC has challenges and, in effect, you tend to see the NGOs doing most of the implementation, because not only MOWAC, but [also other] state institutions who are supposed to be propagating and implementing. For the Department of Social Welfare, it's the same story. So you see the NGOs still doing a lot of the implementation work. hat the free edical report provisions are adhered to. It was NGOs who got doctors who'd be willing to do the medical exams without taking money. The state hospitals, no, the run-of-the-mill ones won't do that. So the NGOs have been very, very, very, very critical in ensuring that the laws are disseminated, respected, reported, and that the implementation takes place.</p>

<p>4. What has been the impact of non-state actors (NGOs, CSOs) on formulating and helping to get the Domestic Violence Bill passed?</p>	<p>I'm sure you've heard the story about the vigils we kept, the advocacy, the country-wide consultations, the demonstrations, all of that, the posters, the T-shirt campaigns, the whole process was largely NGO-driven. MOWAC, yes, did some consultations in the second round, after the NGOs had gone around.</p>
<p>5) Did the development of a Women's Manifesto and the work of other coalitions, such as NETRIGHT and Coalitions around VAW help in the process of women gaining entry into political participation, specifically did they impact the passage of the Domestic Violence Act?</p>	<p>Yes, they were very important, very vocal, very visible, and very villified.</p>
<p>6) To what extent is there a gap between international treaties to end violence against women and the actions of local and national governments? a) public policy, b) political capital and resources to implement, c) training for police, health workers and social workers</p>	<p>There's a very, very wide gap. There's a very wide gap. First of all, from global to local, there is usually a legislation gap. Because, to be able to enforce all that you've said, you need legislation. You need commitment in terms of resources, you need institutional capacity-building, institutional muscle. I put it that way because it's one thing putting the institutions there as tokens; it's another thing actually wanting to empower them and empowering them in terms of personnel, equipment, capacity-building, logistics, everything. So those gaps are there. Gaps in terms of legislation, resources, above all, commitment. Domestic violence is very low on the scale of things. If you recall the interview that was held by the press and the President. And somebody asked about shelters. What was the answer that was given? That there was no money. I don't know if you remember that interview. We should go back to that. It's low priority. It's not given as much thought as justice, even though it is part of justice, education, and then don't even talk about defence. So, yes, that's the first gap. Then, after that gap is filled, and I've never seen it filled, there's also the issue of sustainability. And that requires good planning, short, medium, long-term planning, and a commitment to follow it through. I'm not saying that happens.</p>
<p>7. To what extent are policy makers, civil society and the media aware of the Domestic Violence Act as a tool they can use to help prevent domestic violence?</p>	<p>I think if I had to guess from the top of my head, I would think that awareness is about 20%, 25%. And that is based on the amount of consultations we did and the length of time it has taken the law to pass. And there are still very remote and very patriarchal areas in which the law obviously has never reached. For those areas, I would recommend a multi-faceted approach, and then focusing on schools, because with basic compulsory universal education, we are hoping that at least most children have education up to the stage of the fourth grade let's say about age ten. So, if one part of the education could be done then, then we could be sure that we're capturing most of the youth. And it should be done throughout the schools, all</p>

stages. But let us focus on that early stage, so that even those who may drop out of the school system, would have learned something about domestic violence.

Then there's the religious institutions, churches, faith-based organizations. Everybody in Ghana has some kind of faith. Everybody goes to some kind of place. So if we targeted all of those, Christian Council, Pentecostal, Muslim Foundation, Traditional African, I would guess that we would reach about 80% of the population. Most of the time we speak about the role of culture, but we don't often confront the role of religion in perpetrating domestic violence. And, when we now are talking about CSOs, we should understand that they include FBOs, or then say CSOs and FBOs, faith based organizations. Whenever we say CSOs, we should have it in mind that FBOs are included.

Appendix C Exhibit 12 Hamida Harrison, ABANTU for Development

Engendering National Public Policy through Global Governance: an Assessment of Ghana's Domestic Violence Legislation as a Trans-sovereign Transnational Issue Questionnaire for Informant Interviews

The objective of the questionnaire is to survey representatives of government, NGOs/CSOs, and individuals in order to examine the relationship between global public policy and Ghana's national public policy, as a way of assessing to what extent global governance can address the trans-sovereign and the transnational issue of violence against women, specifically domestic violence.

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 INTERVIEWER: Tahiya McCoy Nyahuma, University of Ghana, Department of Political Science

Section One: Background Data	
1. Organization/institution mission	ABANTU exists to build the capacity of women to participate in decision-making at all levels, to influence policies from a gender perspective, and to address inequalities and injustices in social relations.
2. When organization/institution was founded/created	The office was officially opened in March, 1999.
3. Founders	The late Dr. Wanjiru Kihoro
4. Target constituents	Its target audiences include NGOs, Members of Parliament, development agencies, students and other individuals.
5. Numbers served overall	ABANTU services constituents in the West African sub-region.
6. Numbers served annually	N/A
7. Areas of the country served	The ten regions of Ghana

<p>Section Two: Global Governance and Global Public Policy</p>	
<p>1. Can global governance and global public policy engender national public policy?</p>	<p>Correct, right. It can engender negatively or positively. I'm saying that if there is a global policy that requires that water is a right to everybody because you depend on [it] to irrigate your farm, you depend on your livelihood even in the household, if you're a hairdresser, if you are a person who cooks food to sell, you depend on water and water is life. Globally, all these UN commitments to water is a right. At the same time, then you have global policies that contradict that, because then the IMF and the World Bank say that this is a commodity. So we are moving from public good to commodification of this resource. So, isn't that a contradiction? Then it no longer becomes a right. Because if I don't have money, I can't pay for it and that is what is happening in Ghana. Then you say we must give it to private companies and private companies don't have the responsibility to social responsiveness. Therefore, I am saying that it can engender because then it gives us rights to stand on that have come from the United Nations, such as CEDAW, and the Beijing Platform. But then there are other policies that intervene in allowing the full implementation of such global policies [as mentioned above].</p>
<p>2. To what extent has global public policy impacted national public policy and the transnational issue of domestic violence?</p>	<p>We look at CEDAW as the global policy to promote women's rights. These policies trickle down to the local level and they are implemented. We are happy for the existence of these international laws because we can always stand on that platform and call on the government to implement policies. Global policy has a way of forcing governments to be more accountable. The passage of the Domestic Violence Bill, [though] implementation is a problem now and we're crawling with it, I think that the fact that it is in our statutory books and one can turn to it anytime, that's really sufficient, that's good.</p>
<p>Section Three: Gender and Public Policy from Global and National Perspectives</p>	
<p>1. Is public policy affected by the gendered construction of the state society?</p>	<p>It does because policy doesn't have the same impact on men and women. If we don't think carefully of the result or the outcome of this policy for the different sections, then, obviously, it can, because policy is not gender blind. It impacts differently on men and women. And so</p>

	<p>long as we have people making policy who are not looking at the other side, then we have a problem. I'll give you the example of the, Ghana Poverty Reduction Strategy (GPRS). Now it's called Growth. We have Part One and Part Two. When the Part One came it didn't look at gender. [It was] gender blind completely. You talk of farmers, but farmers are women and farmers are men. And there are certain social constraints about even the interrelationship between these two groups, women farmers and men farmers. If you don't dissect that and make the policy really to benefit both sides, then it is useless, because you're talking about only one side. That was the failure of GPRS Part One. Women's groups stood up and complained about it. They said it was a mistake. We will correct that mistake in the second one.' The second one was much better but it didn't go far enough. As long as we are a country that's working without disaggregating the data, knowing exactly women, knowing men, and how we can address their concerns and their issues, then we are just, working blindly. That is the issue. So, the second GPRS, ended in 2008, when this government took over. 2008, You talk about 60% of the crop farmers. When you say 60% of crop farmers, how many of those are women? And then other internal factors impact on such policy because, the concentration is on export farmers, big farmers. The policy will allow them to go and get loans and because they can export and bring back the money. Women are not there because they are not export farmers. They are just small crop farmers. So if you don't do a policy that can also include them, then you are further marginalizing them.</p> <p>[Women] are small crop farmers. They don't grow cocoa, that's export farming. If you have an economic policy that concentrates on helping or assisting that group of farmers [export farmers], then you have marginalized a whole group of other [farmers] because they are not in that group. So women, then, it becomes very difficult for them to get bank loans. They can't finance their businesses because the government policy is talking about [the export farmers]</p>
<p>2. What has been the impact of CEDAW, Beijing Declaration and the African Women's Protocol on global public policy?</p>	<p>First of all, even having an open atmosphere to talk about it is sufficient for us, because we have had a history where we were silent. The effect of the global voice resonating into our countries is enough; it gives us support for us to do what we are doing. Because, then, many of our governments will feel, I don't want to say they feel threatened, but they just don't want that mass of protest falling on them. Many things have helped, for example the development of telecommunication. Today you can call on partners and collaborators in America, in Europe, and other parts of Africa: Send messages to the Castle. But CEDAW also, I think it has given the chance for many of the passage of the bills that have happened. For example,</p>

	<p>we talk about the passage of the Disability Bill. It has stayed there for a long time but it hasn't been able to be passed. You talk about this law, about inheritance. It has been problematic for a lot of women who became very desolate whilst their husbands died. So the passage of that bill, too, was historic. Then we have the passage of the Domestic Violence Bill, [though] implementation is a problem now and we're crawling with it. I think that the fact that it is in our statutory books and one can turn to it anytime, that's really sufficient, that's good. There will be a lot of women or men, because men also face gender based violence, it's not only women, although the scales tip towards women being more [affected by domestic violence]. So [there may] be people who might not want to make use of the law. Let those who want to, make use of it.</p>
<p>3. Has national public policy been engendered by CEDAW, the Beijing Declaration and the African Women's Protocol?</p>	<p>If you look to the African Protocol, it has incorporated most of the items that are in CEDAW. At the same time, it has concentrated on those items that are particular to us. We have cultural and traditional constraints that maybe those who sat down and look at CEDAW for example when people initiated the UN Declaration of Human Rights in 1948, it was so general that after some time they became aware that women's issues were absent and therefore they had to come up with CEDAW. And that's the same thing, that yes we look at CEDAW as the global policy to promote women's rights, but then there are specifics [specifics to Africa], so we are scaling it down, or we are bringing it down to the nitty-gritty of our particular situations.</p> <p>Governments are not as benevolent as we believe. Everywhere you go there are interests. Even within governments there are interests to see to. It is those of us as citizens to be empowered enough to be able to push our governments in order to implement these policies. The policies are there but they can stay in the books. The pervasiveness of ignorance and the low literacy rate are not helping our continent in terms of seeing to it that these global policies trickle down to the local level and they are implemented in a way that they benefit all of us. It's taking time, but we are happy that there is existence of these laws, because we can always stand on that platform and call on the government: 'You have ratified CEDAW, you have said you will do this.' So it is how we are going to use our time and our space to get more people informed, mobilize people around these issues to be able to push our governments to implement policies.</p>

<p>Section Four: Ghana's Domestic Violence Act: A Manifestation of Global Governance and Public Policy</p>	
<p>1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?</p>	<p>I should think so, because there is a collective agreement that binds all these people to the global platform where some of these policies are formulated. Therefore, global policy has a way of forcing governments to be able to be accountable. Once again, it also depends upon the people within these various countries, because America, for example, can't come and hold the government of Ghana accountable for the implementation of the policy that has been agreed. So it is our responsibility as citizens, once there is that existence of that global policy, to hold our respective governments accountable to the implementation of those policies. Otherwise, no government can come and hold a gun over the head of the government of Ghana: 'You have ratified CEDAW or you have a Children's Act. Why are you letting your children be on the street selling water and all that?' Nobody can do that but ourselves. That platform is what we have to use and it is good. We're grateful that there is that arrangement whereby global policies can be formulated and whereby nationals of different countries can make use of that. So it is up to us as citizens to hold our governments accountable to what they have agreed to do.</p>
<p>2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?</p>	<p>I think they played a tremendous role. If it was not for the role that CSOs and women's groups played, the Domestic Violence Bill would still be a bill. It wouldn't be an act, because we went round the country informing the people, mobilizing the people, making them understand what it's all about. There was still anti-propaganda against the Bill that was going round. Religious groups [said], this was Western-instigated, they want to kill our tradition. Which tradition says that you should batter your women? There is no tradition that says that. So it needed a whole lot of information dissemination and the government couldn't do that and we did it. We went round the whole country, where people then started understanding. We mobilized interest groups. The role of CSOs and women's groups in the passage of the Domestic Violence Bill will be written in gold.</p>
<p>3. To what extent is Ghana's Domestic Violence Act a manifestation of global governance and global public policy?</p>	<p>Definitely, because, if there wasn't that groundswell of countries, you cannot promote women's welfare without giving them security of life. The United Nations, have passed UN Resolution 1325 and 1820, which gave the mandate to member countries to promote policies that protect the lives and security of women. Yet [some countries] don't want to pass a policy that will eliminate beatings [of women] in homes. That would be a contradiction. So the passage of the Domestic Violence Bill was definitely influenced by the passage of the global,</p>

	international bills that called for the protection and the security of women.
<p>4. What has been the impact of non-state actors (NGOs, CSOs) on formulating and helping to get the Domestic Violence Bill passed?</p>	<p>The Ministry of Women and Children's Affairs called all of us [NGOs, CSOs and other groups] and talked about how we can go about addressing those issues contained in the Women's Manifesto. We were happy because some of the demands have been addressed, like the Disability Bill. It has been there since 1971 in government hands and they haven't passed it, but through the Women's Manifesto it has been passed. So now when we are reviewing the Women's Manifesto some of these things have been addressed. The Domestic Violence Bill has been passed and the Trafficking Bill has been passed. They had a convention on small arms because before it was a protocol, now it has been turned into a convention within ECOWAS (Economic Community of West African States) which was one of the demands within the Manifesto.</p> <p>We are calling on the increase of women's representation. That's why the NDC (The National Democratic Congress) committed to 40% of representation of women. We were happy, but they didn't implement it to the full. They used the excuse that they can't find the women, which is unacceptable because the women are there. It's a political thing, because you can't put an NPP (New Patriotic Party) woman into a position when you are removing other NPP people in other positions. Government must look at the issue of women as neutral as possible, because the issue of maternal mortality is preventing Ghana from even satisfying the first requirement of the MDGs (Millennium Development Goals), eliminating poverty. A high rate of maternal mortality means that you haven't eliminated poverty. Policies and laws are still in the hands of men who are not very interested in maternal mortality, because they don't go to give birth and they don't die through childbirth. And therefore it is not a priority for them. These are the issues why we say we must have more women [in decision making positions]. Some of the issues that are not necessarily of priority to men can be tabled for discussion.</p>
<p>5) Did the development of a Women's Manifesto and the work of other coalitions, such as NETRIGHT and Coalitions around VAW help in the process of women gaining entry into political participation, specifically did they impact the passage of the Domestic Violence Act?</p>	<p>The Manifesto came about around 2003. We sat down and we saw the dwindling fortunes of women in terms of getting into structures of policy making public life. How many women? You could count [the number of women] with your fingers. So we said 'What can we do?' it was literally on the eve of 2003 and 2004 election, general elections so we mobilized to tell them about gender issues. They were not aware. They asked 'What is that?' We identified the things that we thought were crucial for the promotion of gender equality that we could then present to the government. For the government women's issues are generally, relegated to the</p>

background, and are not a priority. In 2003, we came up with an idea and we called women's groups and also other stakeholders like organized labour, women in various professional groups and broached the idea of writing a Women's Manifesto. The Women's Manifesto idea was not really original; other countries had developed women's manifestos: Namibia, Uganda, and Tanzania. We [wanted to develop] a document that anybody anytime can refer to it. Yeah. [We met with] about sixty-five groups came all over the country. They mandated ABANTU to go ahead with this process. ABANTU set up a Steering Committee and Drafting Committee. We called other organized groups. The most important group we was the District Assembly women, which numbered about five-hundred women. For the first time in the history of this country the District Assembly women got together. It was a learning [experience] for them, because the problems were common. Many of them are [isolated and therefore thought the problems were there's only].

It's only when you narrate it to another person then she tells you her own [experience], then you say 'Oh, mine are even smaller.' Then that gives you strength, it strengthens you. So when we called these women, they came and they just gave us ideas, inputs, [about] what is happening in their regions, in their communities, in their localities. The second group we called was the media. We also called the political parties, all the political parties, because political parties, too, they're not democratic structures. They don't have a good history of democracy. Otherwise, we would have had a lot of women [in political parties]. Even if you think back in the US, itself, I think, if I'm not wrong, women form only about 17% of decision making structures.

The Steering Committee and the Drafting Committee, drafted according to the inputs of these various new [groups]. Once we had a draft, when we went back to the whole country, we went to all the ten regions, we consulted the MDAs, these are the ministries, departments, and agencies, we consulted civil society organizations, all the regions. We spent three days in each region, collating views, getting inputs on missions and commissions. By the time we had a draft, we took it back to the people again, so the consultation process was very extensive. We wanted to do that so that people can have ownership, can claim ownership of the document. And also for the authorities not to say upscale women sat in an office and did this. We went to the grassroots, consulted the women through their own representatives, the District Assembly women. We were able to really connect with the people in various areas. When we had the draft, we called the political parties again and organized labour and posed

	<p>the question, “Is this representative of your opinion?” Once they said yes, we launched [the Women’s Manifesto] at the National Theatre on the 2nd of September 2004. It really became a national document, and we were happy about that. We wanted political parties to include it in their manifestos. The president himself [John Kufuor] at his inaugural speech talked about the Women’s Manifesto and how the government is going to look at it and address the demand that are in there.</p>
<p>6) To what extent is there a gap between international treaties to end violence against women and the actions of local and national governments? a) public policy, b) political capital and resources to implement, c) training for police, health workers and social workers</p>	<p>Even when our governments undertake these mandates, when they come back home, there is a clash, there is a contradiction within the local, traditional, customary, and cultural laws. They find it difficult implementing [laws] because there is direct clash. Let me take the example of the intersecular inheritance. We have different types of cultural inheritance traditions. The Akans are matrilineal, the Ewes, the Gas are patrilineal, therefore the inheritance is different, their process of inheritance is different. And most times, women were marginalized because, within the matrilineal system, they have no right when the husband dies. All the property goes to the family of the husband. So this was highly unfair, because most times, women too worked in terms of acquiring those properties. So the government passed the law that is commonly known as Law 111, which meant that the property must be shared equally. They have found it very difficult to implement this law because it clashes, it contradicts with the cultural and traditional norms of the people. The whole Akan tribe, the whole Akan race is up against such a law because it contradicts with their beliefs. So how do you deal with a situation like that?</p> <p>It is the same thing with the Domestic Violence Bill. The Bill itself took seven years to get it passed. There was so much opposition, there was so much resistance, because traditionalists, from religious groups, Muslims and the Holy Book said that you can discipline a woman. So if you bring such a law, it contradicts with their religious beliefs. Christians, certain sects were simply against certain elements of the law. But because of the intense advocacy, the intense interest of women, and the fact that it is the most noble thing to do, it is the most correct thing to do, you can't have half of your population continuously battered without them having a recourse to law. So it was the most noble thing to do, the most correct thing to do, and yet certain things, certain chapters, certain requirements within the law had to be watered down in order to meet this swell of opposition. But somehow it came into force and all of us are very happy. But I'm giving you this example to say how it becomes very difficult in terms of implementing laws, mandates from the global to the national and to the local level.</p>

<p>7. To what extent are policy makers, civil society and the media aware of the Domestic Violence Act as a tool they can use to help prevent domestic violence?</p>	<p>The whole issue of passage of an act is not sufficient. If you don't create structures to be able to see to the implementation, if there are no structures, if you don't give the skills training [and enhance the capacity] for those who are supposed to see to the implementation [of the Act], it becomes useless or non-functional in the fullest. That's the stage where we are right now, where we are forcing that the structures be created so that the implementation will be smooth. They have started the creation of DOVVSU (Domestic Violence and Victim Support Unit), this is a good step towards that, because it joins the actors or the various stakeholders. Within the police department, there setups where people can go in and report their cases. [Cases] are taken up through processes of prosecution, so that's a step. If you pass the Bill and people don't have anywhere to go when beaten or battered or understand what is the process or steps to take [for assistance]. There must be structures and steps. DOVVSU [will take them through the process up to the court] So that's where we are now, because there is that failure of establishing structures where the process of implementation will be smooth.</p>
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Appendix C Exhibit 13 Theodora Mohenu, Secretariat for Domestic Violence

Engendering National Public Policy through Global Governance: an Assessment of Ghana's Domestic Violence Legislation as a Trans-sovereign Transnational Issue Questionnaire for Informant Interviews

The objective of the questionnaire is to survey representatives of government, NGOs/CSOs, and individuals in order to examine the relationship between global public policy and Ghana's national public policy, as a way of assessing to what extent global governance can address the trans-sovereign and the transnational issue of violence against women, specifically domestic violence.

NAME: Theodora Mohenu TITLE: Administrator of the DV Secretariat DATE: May 25, 2010
 ORGANIZATION/INSTITUTION: Domestic Violence Secretariat, Ministry of Women and Children's Affairs
 ADDRESS: Ministry of Women and Children's Affairs, P.O. Box MB 186, Ministries, Accra, Ghana
 PHONE NUMBERS: OFFICE: 233 241 950277, 233 277 637730 FAX: MOBILE:
 EMAIL: info@mowacghana.net
 INTERVIEWER: Tahiya McCoy Nyahuma, University of Ghana, Department of Political Science

Section One: Background Data	
1. Organization/institution mission	Domestic Violence (DV) Secretariat is under the Ministry of Women and Children's Affairs (MOWAC). The DV Secretariat was set up to oversee the implementation of the DV Act. It's a Secretariat that coordinates all the activities of the DV Management Board that was also constituted after the law was passed. The DV Secretariat coordinates all the activities of the Board and MOWAC in connection with the implementation of the law.
2. When organization/institution was founded/created	MOWAC was established by an Executive Instrument (EI 8) in January 2001.
3. Founders	Government of Ghana
4. Target constituents	Women and children and any victim of gender inequity.
5. Numbers served overall	N/A
6. Numbers served annually	DOVVSU maintains the statistics on cases of DV reported, and those that have been handled, as well as those that are still pending.
7. Areas of the country served	The ten regions of Ghana

<p>Section Two: Global Governance and Global Public Policy</p>	
<p>1. Can global governance and global public policy engender national public policy?</p>	<p>Yes, since Ghana is a signatory to both the CEDAW and The Beijing Platform of Action, it has an impact. All countries that are signatories have to ensure that when they go back to their country, they implement those policies that they have signed or endorsed in their countries. And as I said, because we are parties, we have been attending these programs, like CEDAW and Commission on the Status of Women (CSW). Every year, a delegation from Ghana presents and talks about what we have done so far. They go and talk about, our challenges and the way forward. I think, when they come back, they try to do what they have learned over there and they come to implement them here. Recently, Ghana participated, I think it was between January and February, in the 56th or so Commission on the Status of Women. When they returned, a program was organized for the delegation to brief Ghanaians about what happened over there, the side events, what Ghana did. In fact, there was a program where the Minister and other participants from CSOs and NGOs who attended [the CSW] and presented [Ghana's country's report].</p>
<p>2. To what extent has global public policy impacted national public policy and the transnational issue of domestic violence?</p>	<p>Yes [global public policy impacted national public policy. For example,] our own DV Act that has been passed. The international treaties and instruments are also there, we use them hand-in-hand. We use the international and the national laws hand-in-hand in handling domestic violence. So it has great impact.</p>

<p>Section Three: Gender and Public Policy from Global and National Perspectives</p>	
<p>1. Is public policy affected by the gendered construction of the state society?</p>	<p>I must say that, as of now, that affirmative action, that issue has not been implemented or effected. When the President [President Atta Mills] came into power, I think during his national address, he promised 40% of women in decision-making. But as of now, it is not so. And I know the women of Ghana are pushing, through the Minister of Women and Children Affairs to ensure that it is done. In August or September, we're going to have the District Assembly elections. And this is another platform that we're wanting to use to ensure that even if women are not in other areas, at least they can be at the District Assembly level. More women can be there, so that at the district level our issues will be heard, our problems will be</p>

	brought forward, so that they could be addressed. So, I think the Department of Women is planning a program for the District Assembly election to ensure that more women are supported, more women who volunteer themselves to stand are supported one way or the other, so that they could be voted for.
2. What has been the impact of CEDAW, Beijing Declaration and the African Women's Protocol on global public policy?	Yes. The Beijing Platform of Action there are twelve critical areas. [For example,] women and the economy, women and health, women and human rights, all the areas. I think the area where much has been done is women and education, and the girl-child. I think girl-child education, that is where I think much has been done so far. Because now, we see a lot of girls in school and then they are retained. Formally, there were a lot of drop outs. At the primary or basic level, a lot of girls were there. When it gets to the secondary or the tertiary, you see them dropping [out]. But this time around, I think much has been done on education. There are a lot of girls in the tertiary level, and they are doing well. A lot of girls are also in science and mathematics than before. I think [much has been done on the education aspect and human rights. We have the laws on Domestic Violence, and human trafficking, and then CEDAW, and they are all helping. So, I can say, human rights and education but health, we still have [high levels of] maternal mortality. It's still there. We are fighting. I think much has to be done in that area.
3. Has national public policy been engendered by CEDAW, the Beijing Declaration and the African Women's Protocol?	CEDAW [has been the basis for the development of laws on] human trafficking, domestic violence and human rights laws for women and children.

Section Four: Ghana's Domestic Violence Act: A Manifestation of Global Governance and Public Policy	
1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?	[We use] the international treaties and instruments hand-in-hand with the national laws in addressing domestic violence. So it has great impact.
2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?	Yes. NGOs, as I said, they fought, they fought a lot. NGOs and CSOs, they fought a lot before the DV law even came into power. And they're still doing a lot of sensitization and advocacy programs. At the moment, there's no state shelter for DV [victims]. It's the NGOs and the CSOs who have these shelters that are taking care of victims and survivors of DV.

<p>3. To what extent is Ghana's Domestic Violence Act a manifestation of global governance and global public policy?</p>	<p>Global governance has been an instrument for signatories of international treaties to use in formulating national legislation; for Ghana, specifically the Domestic Violence Act.</p>
<p>4. What has been the impact of non-state actors (NGOs, CSOs) on formulating and helping to get the Domestic Violence Bill passed?</p>	<p>NGOs and CSOs fought for the DV law and continued to do a lot of sensitization and advocacy programs. It's the NGOs and CSOs that have provided shelters and are taking care of the victims and survivors of domestic violence.</p>
<p>5) Did the development of a Women's Manifesto and the work of other coalitions, such as NETRIGHT and Coalitions around VAW help in the process of women gaining entry into political participation, specifically did they impact the passage of the Domestic Violence Act?</p>	<p>Yes, I think the Women's Manifesto, their main aim is to ensure that more women go into the District Assembly election. At one of their meetings, [they brought in] female photojournalists [in order to assist political women aspirants in making their posters and campaign materials]. I'm trying to say that one way female photojournalists are also trying to help is by charging these women a lesser fee, because women don't have money. The men have money and they can always do a lot of campaigns. Women don't have money. This association of female photojournalists is also trying to help women who are standing for the District Assembly elections in order to encourage more women to participate.</p>
<p>6) To what extent is there a gap between international treaties to end violence against women and the actions of local and national governments? a) public policy, b) political capital and resources to implement, c) training for police, health workers and social workers</p>	<p>We are always fast to sign treaties, but when it comes to the implementation or the enforcement of the law, that is where the problem is. Normally, the enforcement of the law is not taken seriously. That is the way I can explain it. I don't know whether it's the fault of the law enforcement agencies or the judiciary, I don't know where the problem is. But I know signing treaties, we do them perfectly. We go to the meetings, we understand at the international level, our heads of state will sign. When we come back, we pass the laws here. But enforcing the law, that is the implementation, that is where the problem is. Because even with the DV Act, much has not been done in the area of prosecution. And then they kept on saying it's because of the Legislative Instrument (LI). Yes, the LI is very critical.</p> <p>Without the LI, they can still do something. But when people are not doing what they're expected to do, and you ask, they say the LI. Very soon, the LI will come out and still we will find out that we have a problem with prosecution. So there's a problem with Ghana. You see, we are so lenient in executing punishment. I know for defilement, the term of sentence ranges between seven years to twenty-five years. But sometimes, before you hear, somebody who is a perpetrator will not serve this, and the person is out there. And this is what people are complaining about. That enforcement of the law is where we have the problem in Ghana.</p>

7. To what extent are policy makers, civil society and the media aware of the Domestic Violence Act as a tool they can use to help prevent domestic violence?

We have done some capacity building for the police and for health personnel, but they lack logistics, especially the police and the Department of Social Welfare. They don't have funds, some of them don't even have office space, they don't have vehicles. So, recently, through the support of the Embassy of the Kingdom of Netherlands, which supports DV activities, we were able to procure some equipment, and we have given some of these to Implementing Partners (IP's). DOVVSU and the Department of Social Welfare are two of our implementing partners. They don't have the logistics, so we've given them computers, we've given them chairs and tables, we've given them printers.

DOVVSU has been complaining that they are not effective because they don't have the logistics.. We gave some [equipment] to GVSSN, the DV Coalition, and the Department of Social Welfare. This is what we gave to Department of Social Welfare, all these items.

We had the DV Act translated in about six languages. We've given copies of the translated versions also to [our Implementing Partners], so that in those languages, programs are done to sensitize the public. We have also been going on air. Officers of this Secretariat, Christiana and myself, have gone to Unique FM, we've gone to some of the TV stations, TV Africa, and we've gone to [various] breakfast shows. A whole lot of them. And it's ongoing, we are still doing it, a lot of sensitization programs. The media is aware. We have given them a copy of the Act to study. We have asked them [to do DV informational advertisements]. We are also trying to come out with communication strategies, production of jingles, and it's still in process. We haven't finalized that. And when it is out, very soon, you'll be hearing jingles played every day, now and then, on the DV. So that everywhere and in our local languages, they will all know about DV and then know what to do.

Appendix C Exhibit 14 Joana Adzoa Opare, Gender Planning Consultants Limited

Engendering National Public Policy through Global Governance: an Assessment of Ghana's Domestic Violence Legislation as a Trans-sovereign Transnational Issue Questionnaire for Informant Interviews

The objective of the questionnaire is to survey representatives of government, NGOs/CSOs, and individuals in order to examine the relationship between global public policy and Ghana's national public policy, as a way of assessing to what extent global governance can address the trans-sovereign and the transnational issue of violence against women, specifically domestic violence.

NAME: Joana Adzoa Opare TITLE: Executive Director DATE: April 21, 2010

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INTERVIEWER: Tahiya McCoy Nyahuma, University of Ghana, Department of Political Science

Section One: Background Data	
1. Organization/institution mission	United Nation program to promote gender equality and women's empowerment in Ghana
2. When organization/institution was founded/created	Post 1995 Beijing Conference
3. Founders	UN and the Government of Ghana
4. Target constituents	Women and men in Ghana
5. Numbers served overall	N/A
6. Numbers served annually	N/A
7. Areas of the country served	The ten regions of Ghana

<p>Section Two: Global Governance and Global Public Policy</p>	
<p>1. Can global governance and global public policy engender national public policy?</p>	<p>Yes, because states form a part of the international community. And Ghana, specifically, is part of the UN and has ratified a lot of conventions on good governance. We have acceded to peer review mechanisms and have reported. And that report we have issues on women's participation in governance and decision making. We have been reporting to the UN on how far we have implemented CEDAW, the Beijing Platform for Action, the Nairobi Forward Looking Strategies, and other conventions that have to do with women's participation and governance in general. It's a two-way thing. From the national perspective, policies and international protocols come down to states, and the states report back and adopt what has been done. Women have to take advantage of what is prescribed within these international instruments and hold their governments accountable to do what they do.</p>
<p>2. To what extent has global public policy impacted national public policy and the transnational issue of domestic violence?</p>	<p>When it comes to domestic violence, CEDAW has provisions in there on violence against women, what should be done, including a guide on policies that should be developed and implemented, and also a reporting system for governments on the issue of domestic violence. It's in the Beijing Platform for Action, in the Nairobi Forward Looking Strategies for Africa. This December, we prepared a report with a whole section on domestic violence and what has been done in Ghana. We have a specific law, an Act, on domestic violence, which was actually formulated in a very participatory manner. Government was involved, civil society, and in fact, the citizenry in general.</p>
<p>Section Three: Gender and Public Policy from Global and National Perspectives</p>	
<p>1. Is public policy affected by the gendered construction of the state society?</p>	<p>Yes, although, at the moment the gender representation in Parliament in Ghana is still skewed more towards men, we have quite a lot of training programs to bring the men on board for them to understand gender issues. For instance, between 2007 to the end of last year, I was an advisor on the Central Government Project within the office of the President. And within that project we assured that people working in policy making, in drafting Cabinet memos were aware of gender issues right from the onset. I ensured that in every workshop, in every</p>

	<p>meeting, we look out for gender issues. If you want to develop a Cabinet memorandum, for instance, the question is how do you ensure that gender is mainstreamed? At the Director level, they were taken through the process of how do you identify the problem, how do you develop your justification, what you want to budget and ensure that you have gender issues on board. We have programs for Members of Parliament, showing them that it's not women's issues but a societal one, and that it affects men as well as women, and why they need to bring on board the consensus of men and women in their policy making, and why you need women to be there. Because, in coming up with certain policies, unless you get those affected by the policy involved in the development of that policy, you're not going to have a correct policy.</p> <p>In the case of Parliamentary Sub-committee on Poverty Reduction, there's a meeting to look at implementation and on that agenda is gender. Gender will be reviewed just as local governance, health, and other issues.</p>
<p>2. What has been the impact of CEDAW, Beijing Declaration and the African Women's Protocol on global public policy?</p>	<p>Ghana specifically is a part of the UN and has ratified conventions on good governance. We have been reporting to the UN on the implementation for CEDAW, the Beijing Platform of Action, and the Nairobi Forward Looking Strategies and other conventions that have to do with women's participation in governance.</p> <p>People don't know too much about it [the African Protocol]. We still need to sensitize people more and more as to what the tenets of that document are. It's not too different from what we have from the Beijing, and also CEDAW, and maybe in the Women's Manifesto and so on. But we ought to let people know what that document contains so that they can be on top of it, and then be able to use it as a tool.</p>
<p>3. Has national public policy been engendered by CEDAW, the Beijing Declaration and the African Women's Protocol?</p>	<p>From the national perspective, policies and international protocols come down to the states and states report back, adopting what has been done at the international level to suit their perspectives. So I would say yes, it [CEDAW, Beijing Platform for Action] has done something to prescribe within these international instruments mechanisms to hold governments accountable.</p>

<p>Section Four: Ghana's Domestic Violence Act: A Manifestation of Global Governance and Public Policy</p>	
<p>1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?</p>	<p>CEDAW has provisions on violence against women, what should be done, a guide to policy development and implementation, and on reporting mechanisms for governments. Ghana has been reporting, and as late as this past December, Ghana represented a whole session on the results of its Domestic Violence Act.</p>
<p>2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?</p>	<p>We have civil society and a number of people involved in gender work coming together to strategize. For instance, when we were developing our GPRS, we would look at the process and our issues to ensure that the gender perspective is integrated into the document. There are a number of groups who always make their presence felt during policy formulation.</p>
<p>3. To what extent is Ghana's Domestic Violence Act a manifestation of global governance and global public policy?</p>	<p>Ghana reports to CEDAW and had a whole session this past December on domestic violence stemming from the Domestic Violence Act. Government was involved, the citizenry was involved, advocacy groups. The issue of domestic violence was addressed at all levels of the country.</p>
<p>4. What has been the impact of non-state actors (NGOs, CSOs) on formulating and helping to get the Domestic Violence Bill passed?</p>	<p>Ghana's Domestic Violence Act was formulated in a very participatory manner. Government was involved, civil society, and the citizenry in general. There was a lot of advocacy by groups, who went on the airwaves to help people understand what it was all about and how they could use the provisions within the Act to ensure that issues of domestic violence are addressed at all levels in the country.</p>
<p>5. Did the development of a Women's Manifesto and the work of other coalitions, such as NETRIGHT and Coalitions around VAWS help in the process of women gaining entry into political participation, specifically did they impact the passage of the Domestic Violence Act?</p>	<p>The development of the Women's Manifesto brought to the fore a written record, a guide. It's a document you can use to look at what it is that is outstanding with women and agriculture, when it comes to women and the economy, when it comes to women and land, when it comes to women and health. What are the issues and needs to be worked on, what are the gaps, how far have they gone? So this is coming from the civil society side. It's interesting and relevant because it was prepared by a coalition of civil society groups. Civil society works directly with the ground, they're talking from practical experience. It was a lot of work going around the community, all over the country, putting together what was gathered from the field, going back, looking at issues. It became a big advocacy tool. In government and as women, we need to know what the issues are when it comes to gender so that the development can move forward. It focused a lot on gender based violence and violence against women in our society. It really had a great impact during the last election. Even men were referring to it.</p>

<p>6. To what extent is there a gap between international treaties to end violence against women and the actions of local and national governments a) public policy, b) political capital and resources to implement, 3) training for police, health workers and social workers.</p>	<p>In our action plan on DV, we identified all the stakeholders, we identified the needs, the need to strengthen the capacity for implementation. The issue was resources. We don't have the resources because the issue is big. It's not just 'You have raped me' but it goes beyond that. It's the emotional thing. Creating the awareness, especially with men to know that what you are doing is impacting very negatively not just one person, but a whole generation. When a woman is disturbed, she goes crazy, it affects the children, it affects the whole society. We need resources to help women who go through such things. We need resources for preventive measures and strategies for young ladies to understand the issues so they don't fall into any traps. We need prevention. So there's a huge gap between action and plan. There's an issue with expertise and training and our police. The police, they're now looking for accommodation for the headquarters. They need offices in the regions. We don't have computers for proper data collection. There is also the issue of how to get members within families to be aware of the issues. There's a whole cultural thing that we have to work on, so there is quite a gap.</p>
<p>7. To what extent are policy makers, civil society and the media aware of the Domestic Violence Act as a tool they can use to help prevent domestic violence?</p>	<p>We have developed an action plan for implementing, and the action plan takes on board the various roles to be played by stakeholders. There's a lot of capacity-building issues, training for police, for people working in social work and development, for the Ministry, for lawyers and legal practitioners, as to what they ought to do, the role they ought to play to ensure that we are actually able to implement what has been outlined in that Act. So it was developed in collaboration between the Ministry of Women's Affairs and civil society as well as other ministries, departments and agencies, who are also implementers.</p> <p>Apart from that, there's a whole Secretariat that has been set up that looks at the DV Act. Then we have the Domestic Violence Victim Support Unit (DOVVSU) of the police service, which is a unit of its own within the police service. They do a lot of tracking of cases, they have their own data, which is quite up to date.</p>

Appendix C Exhibit 15 Naa Atwei Victoria Owusu, Ark Foundation

**Engendering National Public Policy through Global Governance:
an Assessment of Ghana's Domestic Violence Legislation as a Trans-sovereign Transnational Issue
Questionnaire for Informant Interviews**

The objective of the questionnaire is to survey representatives of government, NGOs/CSOs, and individuals in order to examine the relationship between global public policy and Ghana's national public policy, as a way of assessing to what extent global governance can address the trans-sovereign and the transnational issue of violence against women, specifically domestic violence.

NAME: Naa Atwei Victoria Owusu, Clinical Social Worker TITLE: Acting Director of Programs DATE: May 21, 2010
 ORGANIZATION/INSTITUTION: Ark Foundation
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 PHONE NUMBERS: OFFICE: 233 21 511610 FAX: 233 21 511382 MOBILE: 233 27 7450987
 EMAIL: atwei2003@yahoo.com
 INTERVIEWER: Tahiya McCoy Nyahuma, University of Ghana, Department of Political Science

Section One: Background Data	
1. Organization/institution mission	The Ark Foundation is an advocacy-based non-governmental organization, whose primary purpose is to seek the protection and promotion of the human rights of women and children, to create empowering spaces for women to rise above all forms of oppression and violence, through training, public education, direct service delivery, and outreach, and to monitor both print and electronic media.
2. When organization/institution was founded/created	Registered in 1995, The Ark Foundation began to operate on a full-time basis in February 1999.
3. Founders	N/A
4. Target constituents	Women and Children
5. Numbers served overall	Thousands through direct services, advocacy, educational workshops for various constituent groups.
6. Numbers served annually	Three-four hundred victims/survivors of domestic violence and three-four hundred through

	direct services, advocacy, educational workshops for various constituent groups.
7. Areas of the country served	All ten regions of the country

Section Two: Global Governance and Global Public Policy	
1. Can global governance and global public policy engender national public policy?	Yes, global public policies, such as CEDAW and the Platform for Action, can engender national public policy. And since they are under the auspices of the UN, and Ghana is a member state of the UN, we draw from these global public policies and even the regional ones. For example, the AU (African Union) Protocol, we draw the things we do from them. And basically, the policies that guide the work that we do, these policies are mostly global public policies which have been domesticated. And we use them in our work, so they guide us.
2. To what extent has global public policy impacted national public policy and the transnational issue of domestic violence?	Yes, it helped with the transnational issue of domestic violence. Our work is guided by global public policies which have been domesticated. Ghana participates in the formulation of global public policy as a member of the UN.

Section Three: Gender and Public Policy from Global and National Perspectives	
1. Is public policy affected by the gendered construction of the state society?	<p>Yes, it comes in two ways. For example, when we were trying to get the Domestic Violence Act passed, it was a struggle because most of the people in parliament are men. And a lot of them felt threatened by the Act being passed. They felt it would affect them personally. However, there were others who felt differently because they sympathized with their mothers, sisters, and daughters.</p> <p>In order to get the bill passed, we had to allow certain provisions to remain a part of the criminal codes, specifically Section 42 G of the Criminal Codes which, in essence says, once you are married, you have given consent to marital sex and therefore there is no marital rape. A man has the right to do anything he wishes with his wife. This was a point that was going to derail the Domestic Violence Act. We had to agree to allow Section 42 G to be negotiated</p>

	under the Law Reform Commission, in order for the DVA to be passed. The Act was eventually passed because the women fought for it and the men felt they had to support it. Wherever women have been allowed to have an input into policy, it has made a difference for women both globally and locally.
2. What has been the impact of CEDAW, Beijing Declaration and the African Women's Protocol on global public policy?	They have guided policies on the issues of violence against women. They have given us policies on violence against women which states have signed onto and therefore, are expected to domesticate and implement.
3. Has national public policy been engendered by CEDAW, the Beijing Declaration and the African Women's Protocol?	CEDAW, the Platform of Action, and the African Protocol, are global public policies that we draw upon to do our work. They have guided us as they have become domesticated in our national public policy. They have helped to address the transnational issue of domestic violence.

Section Four: Ghana's Domestic Violence Act: A Manifestation of Global Governance and Public Policy	
1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?	Yes, it can be, when the decision is taken from the top. For example, the UN Secretary General [Secretary General Ban Ki Moon] was talking about how men should unite with women to fight violence against women. He made a very powerful statement that something has to be done about violence against women. He gave the example of his visit to the Democratic Republic of Congo and other places. He spoke of the humiliation that he saw women being subjected to, simply because they were women, and because of the way women are seen and viewed. So, as the first gentleman of the world, he holds power. When treaties are formulated and signed, whatever they are, he works to ensure that all signatory states will implement the policies.
2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?	Yes they have through their organizing and developing coalitions, lobbying, advocating and attending the international world conferences, where they learned about the issues surrounding violence against women.
3. To what extent is Ghana's Domestic Violence Act a manifestation of global governance and global public policy?	CEDAW and the Beijing Platform of Action gave us the tools to use to lobby for the Domestic Violence Act.

<p>4. What has been the impact of non-state actors (NGOs, CSOs) on formulating and helping to get the Domestic Violence Bill passed?</p>	<p>NGOs and the coalitions advocated, protested, went to members of parliaments' offices, did sensitization workshops to inform the people about the Domestic Violence Bill. These activities were critical to getting the Bill passed into an Act.</p>
<p>5) Did the development of a Women's Manifesto and the work of other coalitions, such as NETRIGHT and Coalitions around VAW help in the process of women gaining entry into political participation, specifically did they impact the passage of the Domestic Violence Act?</p>	<p>These coalitions worked together in lobbying parliament and advocating and educating around the issue of domestic violence and the importance of passing the Act.</p>
<p>6) To what extent is there a gap between international treaties to end violence against women and the actions of local and national governments? a) public policy, b) political capital and resources to implement, c) training for police, health workers and social workers</p>	<p>Sensitivity work has to be done everywhere, at every level. Many of our policemen still come from our traditional society where women are treated as second rate citizens, where women are not respected. They take women as possessions, part of the chattel in the home, so you can do anything to women. So police come to your home, you tell them your husband has done this or that, as far as they are concerned it is purely a matter for in the home, so go and settle it. So, for example, if your husband has battered you, policemen will often ask, "What do you mean by that, did you insult him?" That's the first thing that they will ask. In our traditional society that's the way it's done. Our policemen sometimes do not have high educational backgrounds, but sometimes it's not education, it's the way you're brought up, because we have doctors', lawyers' and ministers' wives coming here. It cuts across all classes. And our policemen are largely semi-illiterate, so what reaction do you expect from those that have been raised in the traditional ways and semi-illiterate? You find this even within the Department of Social Welfare. Therefore, the Ark Foundation organizes sensitivity programs. There's a lot to be done. The most difficult thing to do is to sensitize a human being. And it's difficult to change their pattern of thinking, it takes work. Even for us as clinical workers, we do cognitive restructuring and it takes time before you can say somebody has restructured or reframed the way a person thinks.</p> <p>For example, with this case I just had, this is a case of defilement. The perpetrator is also a juvenile. He raped and defiled a four year old girl. Now, the parents have come in here and are asking me to let us settle the case here. So, now I take the opportunity to educate the parents on the implication of settling criminal cases out of court because that is not right. I took the opportunity to educate them on domestic violence, on the processes that have been put in place to address domestic violence, and where we come in and our role, and the fact</p>

	<p>that it has to take its course. Then we will have to now deal with the parents on how to treat the child who has been defiled.</p> <p>Because of the traditional norms and other things, anybody who is defiled is stigmatized and then blamed. But we need the parents [of the victim] to understand that should not be the case and how they should handle the case. So, through these circumstances, we do our training all right, we do our advocacy all right, we do the public education. Now they're going out of here much richer, knowing the issues and where we come in and then the sort of punishments that could be given to the thirteen or fourteen-year old boy who did that. They have to understand that juveniles are treated differently from adults. The child has to be dealt with and needs to be dealt with at this stage so that he does not repeat when he's twenty-five.</p>
<p>7. To what extent are policy makers, civil society and the media aware of the Domestic Violence Act as a tool they can use to help prevent domestic violence?</p>	<p>There are two organizations, WILDAF and FIDA that have simplified the Domestic Violence Act. It has been translated into several local languages, not yet into all of the local languages. For the people to understand, it has been written in a story telling form, so that if a man does something to a girl/woman and she goes to the police station, it talks about what she should say and what the police should say. And it explains what should happen according to the provisions of the Domestic Violence Act. It is a very good document.</p>

Appendix C Exhibit 16 Apostle Dr. Queronica Q. Quartey, ActionAid

**Engendering National Public Policy through Global Governance:
an Assessment of Ghana's Domestic Violence Legislation as a Trans-sovereign Transnational Issue
Questionnaire for Informant Interviews**

The objective of the questionnaire is to survey representatives of government, NGOs/CSOs, and individuals in order to examine the relationship between global public policy and Ghana's national public policy, as a way of assessing to what extent global governance can address the trans-sovereign and the transnational issue of violence against women, specifically domestic violence

NAME: Apostle Dr. Queronica Q. Quartey TITLE: Executive Director/HR & Socio-Econ Dev Consultant DATE: June 4, 2010

ORGANIZATION/INSTITUTION: Consultant to ActionAid (Springs Human Resource Support Services, Spring Centre)

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INTERVIEWER: Tahiya McCoy Nyahuma, University of Ghana, Department of Political Science

Section One: Background Data	
1. Organization/institution mission	The goal is to end poverty. ActionAid believes that with the right opportunities, poor people will find their own solutions - and build new lives.
2. When organization/institution was founded/created	Ghana- ActionAid began operations in 1990
3. Founders	Ghana is the first country programme to become an Associate of Action Aid International
4. Target constituents	The poorest communities within a region
5. Numbers served overall	Works with more than 1,000,000 people in six out of the ten administrative regions of Ghana namely: Upper West, Upper East, Northern, Brong Ahafo, Greater Accra and Volta Regions.
6. Numbers served annually	Thirteen development areas which includes several communities in the six regions
7. Areas of the country served	Six out of the ten administrative regions of Ghana namely: Upper West, Upper East, Northern, Brong Ahafo, Greater Accra and Volta Regions.

<p>Section Two: Global Governance and Global Public Policy</p>	
<p>1. Can global governance and global public policy engender national public policy?</p>	<p>It was actually the activities of the UN Women's Commission to get more focus on women's issues to really foster global development. So that is the genesis of the struggles we have made in Ghana. Yes. Before then, some key women once a while would talk about women's issues in their lives. Research has shown that even before the Women's Commission, activities, women were even moving from the hinterlands to the urban areas to seek for better lifestyles.</p> <p>I was working at the Council and we organized a series of seminars and workshops for the formal sector as well as the informal sector on the themes of the Women's Decade, development, peace, and equality. So we actually did a lot of sensitization on these things. And that actually increased the momentum for the role of women in development and subsequently gender issues.</p>
<p>2. To what extent has global public policy impacted national public policy and the transnational issue of domestic violence?</p>	<p>It was actually the International Women's Year, the Women's Commission, that called for the establishment of women machinery at the state level. It was through that global directive that the National Council for Women in Development was set up as a women's machinery to see to the integration of women at all levels of development. It was the National Council for Women in Development which has actually developed into the Ministry of Women and Children's Affairs as a policy making body. It was the International Women's Year's activities that were brought out to be implemented by the member states that got Ghana involved. Through that we had to implement activities of the Women's Decade. At that time I was working at the Council.</p>

<p>Section Three: Gender and Public Policy from Global and National Perspectives</p>	
<p>1. Is public policy affected by the gendered construction of the state society?</p>	<p>Public policy was just targeted at the population, but as to who is getting what and who is in control of resources, you would never really get information on it. Resources going into this community and resources going into this region, that was just enough. But one of the key issues I [addressed was the development of the first sectorial gender policy in agriculture] for the Ministry of Food and Agriculture (MOFA). I did the first draft of the Gender and Agricultural Development Strategy (GADT) for the Ministry of Food and Agriculture (MOFA). They did an impact assessment, one of the things that they have achieved through that document is the collection of sex-disaggregated data.</p> <p>MOFA is required to collect its data based on men and women. If you do training, [you identify how many men, how many women]/ It's one of the main achievements of the policy document, though there are many other areas left to be covered. The National Gender Policy [is where] I picked some of the issues from and brought to the sectoral level. The NCWD and the Women's Commission, and the International Women's Year have been very instrumental in how far we have come with our gender issues.</p>
<p>2. What has been the impact of CEDAW, Beijing Declaration and the African Women's Protocol on global public policy?</p>	<p>The African Women's Protocol, I think one of the adoptions of affirmative action, the adoption of affirmative action. I think the second achievement is to push a lot of women into leadership positions, right at the Assembly level and even into Parliament. It's unfortunate that with the last elections the percentage of women rather decreased. But the African Women's Protocol really did a lot there. On the impact of CEDAW, I wish to say that, looking at the genesis of the Ministry of Women and Children's Affairs [comes from the Women's Commission which mandated] that member states should set up national machineries. We can still attribute Ghana's successes to the UN Commission's call for member states to pay more attention to the integration of women into national development issues. When you look at MOWAC's documents and strategic framework, it gives credence to CEDAW.</p>
<p>3. Has national public policy been engendered by CEDAW, the Beijing Declaration and the African Women's Protocol?</p>	<p>The impact on global policy was the increased information. You see, from what is happening at the national level, it goes back and the reports from the member states, particularly Ghana, goes to inform the global governance policy making again. So then it becomes cyclical. When I was at NCWD, that's the National Council on Women in Development we [prepared] the decades report, the ten year report, was prepared and sent. Some of the comments from</p>

	there informed some of the activities that we did at the Council to improve the lot of women. I must also say that there is still a need for increased information, and the need for resources and skills.
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Section Four: Ghana's Domestic Violence Act: A Manifestation of Global Governance and Public Policy	
1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?	It was actually the International Women's Year [1975], the [UN] Women's Commission, that called for the establishment of women machinery at the state level. It was through that global directive that the National Council for Women in Development was set up as a women's machinery to see to the integration of women at all levels of development.
2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?	The role of NETRIGHT and the [DV] Coalition organize a series of training programs [on the Domestic Violence Bill] at the regional level and the district level. It got more citizen engagement on domestic violence issues. Citizens put a lot of pressure on the government for the passage of the Bill.
3. To what extent is Ghana's Domestic Violence Act a manifestation of global governance and global public policy?	It was actually the activities of the UN Women's Commission to get more focus on women's issues to really foster global development [and that is the women's struggle] genesis of the struggles we have made in Ghana.
4. What has been the impact of non-state actors (NGOs, CSOs) on formulating and helping to get the Domestic Violence Bill passed?	Non-state actors and civil society directly impact the formulation and passage of the Domestic Violence Bill, through their organizing among citizens at the local and regional level and their input in the media which aided awareness of domestic violence issues.
5) Did the development of a Women's Manifesto and the work of other coalitions, such as NETRIGHT and Coalitions around VAW help in the process of women gaining entry into political participation, specifically did they impact the passage of the Domestic Violence Act?	On the role of NETRIGHT and the [DV] Coalition, [they] did very well. They organized series of training programs at the regional level, the district level. Fortunately for us, the press covered some of these training programs. In the morning, there [was] newspaper review and discussions of the coverage in the news print. It got more citizens to engage on the domestic violence issues. The citizens really put a lot of pressure on government for the passage of the Bill and the media, through the networks, through the phone-in programs and the discussions. There's still more room for us to really support systems and pushing for the support systems, that is the key.

6) To what extent is there a gap between international treaties to end violence against women and the actions of local and national governments? a) public policy, b) political capital and resources to implement, c) training for police, health workers and social workers	There is room for us to [develop] support systems. I think that is the key issue. There is a need for increased information, for resources and skills. We should target some people and develop peer leaders, women's group leaders, to train them to disseminate information, not just what they pick up from the media.
7. To what extent are policy makers, civil society and the media aware of the Domestic Violence Act as a tool they can use to help prevent domestic violence?	Even at the community level, people may hear of domestic violence, but it looks like an area that requires a particular expertise. Using our resources, we really need to train people as animators, so it is not just the media.

Appendix C Exhibit 17 Elvis Bawa Sadongo, Office of the Head of Social Services Police Hospital

**Engendering National Public Policy through Global Governance:
an Assessment of Ghana's Domestic Violence Legislation as a Trans-sovereign Transnational Issue
Questionnaire for Informant Interviews**

The objective of the questionnaire is to survey representatives of government, NGOs/CSOs, and individuals in order to examine the relationship between global public policy and Ghana's national public policy, as a way of assessing to what extent global governance can address the trans-sovereign and the transnational issue of violence against women, specifically domestic violence.

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 INTERVIEWER: Tahiya McCoy Nyahuma, University of Ghana, Department of Political Science

Section One: Background Data	
1. Organization/institution mission	To provide social services and support for patients and inform them of where to acquire additional social services
2. When organization/institution was founded/created	1998
3. Founders	Police Hospital
4. Target constituents	We serve in-house patients who are most vulnerable and those who need help when leaving the hospital and need social and psychological support. We also target victims of domestic violence and child abuse for services, treatment, and referrals.
5. Numbers served overall	N/A
6. Numbers served annually	About 450, both in-house and out-house.
7. Areas of the country served	Anyone who comes into the hospital from all areas of Ghana.

<p>Section Two: Global Governance and Global Public Policy</p>	
<p>1. Can global governance and global public policy engender national public policy?</p>	<p>Yes, in a very large respect. All of these global movements start from individuals who have some kind of pain or issues for example, reproductive health, domestic violence, violence against women, child abuse. These individuals break cultural barriers to tell their stories, in fact, against all odds and against the system. They sometimes face prosecution as they try to tell their stories and break the cultural barriers. In time, people started to form movements. They put pressure on international organizations that started to look into the issues, which led to documents being put together and policy formulation. At the international level, we had the Declaration on the Elimination of All Forms of Violence Against Women, which was followed by the Convention on the Elimination of All Forms of Violence Against Women, and then the world conferences on women, and the Beijing Platform of Action.</p>
<p>2. To what extent has global public policy impacted national public policy and the transnational issue of domestic violence?</p>	<p>These documents, CEDAW and Beijing, played a very critical role, and at that time in Ghana, we had a First Lady who was passionate about women's issues and formed an NGO to put pressure on government agencies. Naana Konadu Agyeman Rawlings formed a 31st December Women's Movement. It was essentially a part of the government and enabled therefore to push policies. A lot of things were therefore done regarding women's rights. The Women and Juvenile Unit was set up, now called the Domestic Violence Victims Support Unit (DOVVSU), the Children's Act came out, and there was the Criminal Code Amendment Act, which removed all [legal] barriers to the achievements of women's rights.</p> <p>By the end of '98, a lot of progress was made in the area of women's rights and domestic violence. This time period provided a platform for NGOs to spring up. And most of the NGOs focused on women's rights and children's rights. Some of the NGOs were the Ark Foundation and WISE. If you look at when they were actually established, that would tell you the kind of conducive environment that was created and the collaboration that took place with government agencies. By 2000, the next government had to follow up, and they did so with a full Ministry for Women and Children. The Ministry further gave a wider platform for international and local NGOs to spring up that could face the system. And most of these NGOs were headed by women, which means that women were acting and talking and encouraging young women of the universities to add their voice. Female journalists became a</p>

part of the NGOs, encouraging them to buy space and to write articles. It opened a lot of doors for many, especially our female colleagues to begin to be heard.

<p>Section Three: Gender and Public Policy from Global and National Perspectives</p>	
<p>1. Is public policy affected by the gendered construction of the state society?</p>	<p>Yeah, sure. We can't run away from that fact. Although there's beginning to be a lot of input by women in public policy through the NGOs and the Ministry, and through them to Parliament, the fact is, when you look at the structure politically and economically, even education wise, there's still men at the top serving as the canopy. Whatever comes to men naturally women have to struggle to get it. There are gender differentials, and this gender inequality affects policies, especially concerning women and children. That is why we have such a difficult time passing the Domestic Violence Act. I was part of the group that had to go with the Ministry of Women and Children across the country to educate the public to show the Cabinet that the Bill had been properly disseminated. But this did not have to be done to other policy issues like the National Insurance Law. Issues like the Domestic Violence Act and the Juvenile Justice Act require these extra measures. At the end of the day, we had to go and sit with Parliament as experts to help them come to a final document. So, when you're dealing with issues of women and children, it's a different process. When it comes to other policies, government can just pass it. So the gender structure definitely affects a lot of policies. So, either by accident or design, we have the men at the top and the women down and it's a struggle, which is why there are a lot of movements being formed.</p>
<p>2. What has been the impact of CEDAW, Beijing Declaration and the African Women's Protocol on global public policy?</p>	<p>Specifically on domestic violence, the United Nations came out with a Declaration on the Elimination of All Forms of Discrimination Against Women, and that declaration was not binding. It expressed an intent and support for a group. It means, yes we agree, we know that this exists and we declare that it must be stopped. Then the Convention on the Elimination of All Forms of Discrimination Against Women [was drafted] and a convention or covenant is law, it is legal, it is binding on all member states. It had to be ratified. Then you take it back to your country and use the document as part of your country's law. In the case of Ghana, we used the duality. We had to agree that the law is operational and then we have to come up with local laws that make it functional in our country.</p> <p>You will notice that anytime that something has to be done in Africa following what the UN</p>

	has done, there is always something that they [African Union] include, because they try to look at the African culture and try to adjust some of the language. There is also an African Charter on the Rights of the Child and an African Charter on the Human and People's Rights. For instance, the African Charter on the Rights of the Child becomes the Rights and Responsibilities of the Child, which did not reflect on the UN Charter.
3. Has national public policy been engendered by CEDAW, the Beijing Declaration and the African Women's Protocol?	As a result of some of these international laws that were made, we had to change some of the provisions of what used to be called the Criminal Code. So we call it the Criminal Code Amendment Act of 1998. That Act changed all of the issues on defilement of children under the age of 16 and rape. The provisions of rape and the punishment was changed, and also the Criminal Procedure Act on bailable or non-bailable offences. Then we had to establish a special police unit to ensure that they took care of these issues. And this is still expanding. This unit is called DOVVSU. It used to be called Women and Juvenile Unit but now it is the Domestic Violence and Victim Support Unit.

Section Four: Ghana's Domestic Violence Act: A Manifestation of Global Governance and Public Policy	
1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?	In Ghana, after Beijing, there was a National Commission on Women, which led to the development of a document called the National Plan of Action. They incorporated in the National Plan of Action the twelve critical areas of concern from the Beijing Platform. Amongst them were issues around girls' education, violence against women, and timelines were established to mark progress in these areas.
2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?	These individuals [victims of domestic violence] break cultural barriers to tell their stories, in fact, against all odds and against the system. They sometimes face prosecution as they try to tell their stories and break the cultural barriers. In time, people started to form movements. They put pressure on international organizations that started to look into the issues, which led to documents being put together and policy formulation. At the international level, we had the Declaration on the Elimination of All Forms of Violence Against Women, which was followed by the Convention on the Elimination of All Forms of Violence Against Women, and then the world conferences on women, and the Beijing Platform of Action.
3. To what extent is Ghana's Domestic Violence Act a	The Beijing Platform of Action was the impetus for people to participate on issues of policy.

<p>manifestation of global governance and global public policy?</p>	<p>Ghana looked at the document that was produced in Beijing and put together a National Plan of Action. The National Plan of Action had the twelve critical areas of concern from the Beijing Platform. Amongst them was girls' education and violence against women. Institutions that needed to be set up to address all these critical areas of concern were identified.</p> <p>We struggle for several to get the Domestic Violence Bill passed but finally we got there because we were always flagging what government had gone to sign [international treaties], saying 'You signed this and we want you to do according to what you signed.'</p>
<p>4. What has been the impact of non-state actors (NGOs, CSOs) on formulating and helping to get the Domestic Violence Bill passed?</p>	<p>We had DOVVSU, which was then the Women and Juvenile Unit, and we realised that we were dealing with issues with bits and pieces of legislation from different sources in the law. So civil society organizations started an action to have an all-encompassing law, so that we could say we had a Domestic Violence law. FIDA and some other organizations sponsored the Public Members' Bill and eventually government took up the Bill. It was a struggle over several years. We finally got the Bill because we were always showing the government that they had signed the international treaties and now they needed to sign the Bill. It was recognized internationally that we had signed various treaties and covenants, so we were saying, 'Please give us a document, a bill to move forward.' DOVVSU, or WAJU, were providing statistics on the volume and magnitude of the issue to civil society so that we could make the issue more practical. When they were organizing, crowds of people came in the rain or the sun. Eventually, we got to where we are today with a legislative instrument, the Domestic Violence Act. So this is the linkage between international policy influencing domestic violence issues in Ghana.</p>
<p>5. Did the development of a Women's Manifesto and the work of other coalitions, such as NETRIGHT and Coalitions around VAW help in the process of women gaining entry into political participation, specifically did they impact the passage of the Domestic Violence Act?</p>	<p>Yes. The Women's Manifesto was a clear message to government and its agencies that women would stop at nothing to demand what is properly theirs. I'm putting it in stronger language, but that was the essence. The DV Coalition, for instance, was a very strong strategic coalition. There were various organizations speaking independently. Most organizations were fighting their own cause. You had Action Aid, Domestic Violence, the UN system, which had a gender desk, and other NGOs, NETRIGHT, FIDA, LAUWA, AULA, Ark Foundation, WISE. These NGOs were sometimes acting at cross purposes or duplicating activities and wasting scarce resources. So it was very strategic to come together and form a coalition around the issue of domestic violence. So, all issues were then channelled through the coalition as a voice for all the agencies. It was a very good pressure group. They developed leaflets and flyers and posters, and also had a diplomacy wing. They did demonstrations and sensitizations. We had</p>

	<p>people in the Ministry who began to support the cause as the then Minister Alima Mahama. They went as a team with the Minister, the DV Coalition, to deal with domestic violence at the local level. We talked about why we need legislation. We travelled to places all over the country, sometimes under the auspices of the Ministry, which gave the Coalition the opportunity to interact with the public.</p>
<p>6. To what extent is there a gap between international treaties to end violence against women and the actions of local and national governments a) public policy, b) political capital and resources to implement, 3) training for police, health workers and social workers.</p>	<p>Yes, there is a gap between international treaties and local and national implementation. We never make resources available to enforce these laws, which is why you find international NGOs and organizations funding most of the implementation. For instance, when WAJU was set up, UNICEF gave a vehicle, although it was a unit within the police service. The Ark Foundation and WISE collaborated to provide training for the staff. FIDA and AULA put together some legal documents on domestic violence and organized training for police officers. The Ark Foundation and WISE were training officers in various parts of the country. There were sensitization workshops. This is how I became involved. I received additional advanced training in domestic violence and child abuse issues and became a lecturer. The International Labour Organization (ILO) also collaborated on issues of child trafficking. I consulted with them to set up the child labour monitoring system in Ghana. Most of this support did not come from the government. They say they don't have the resources but it's also a matter of prioritizing. There's still a need for more training and material resources. It is the NGOs who are distributing copies of the Domestic Violence Act and sending it to police stations. We don't have them.</p> <p>There are a lot of males within the police service who do not see why they should involve themselves with issues that concern women. So this is another blockade, another barrier we have to scale. And women in the police service don't have much of a voice themselves. Women are very economical with their words when speaking because it can affect their careers.</p>
<p>7. To what extent are policy makers, civil society and the media aware of the Domestic Violence Act as a tool they can use to help prevent domestic violence?</p>	<p>Domestic violence is a very sensitive issue. Sensitive because we all suffer domestic violence: judges, lawyers, teachers, members of parliament. If we don't get people to make an effort to understand the issue and make a personal commitment which says 'I do not want to do it and I will not encourage anyone else' and to say yes to policies and laws passed against domestic violence. We must arrive at that level. Most people in the press are trained and they were allies. It was not as if the whole of the media in Ghana were in favour of these issues. In fact, in the beginning it was very difficult. Gatekeepers in the press houses would not push such</p>

issues. If you were lucky, they'd give you a small page in the corner somewhere, otherwise they would just throw it off. We avoided buying space in the papers. Once you buy space for domestic violence issues then they will never address the issues without you paying for it. Even if they are state sponsored papers. So, instead, money was used to sensitize some of them and to train some of them on how to report these matters. We started with some of the horrifying stories of victims and survivors. And as these stories were catching on, especially in the newspapers and the radio, they were stories the public would like to hear and like to know what was being done. The papers started developing interest in reporting such stories and by extension, they started reporting issues of violence against women and children and domestic violence generally. That is how it worked for the media.

The CSOs were driving everything. They were steering the issue in the proper direction. But for the policy makers, it didn't come naturally. There had to be pressure on the policy makers to make policy in regard to these issues. Look at how we had to come together to be able to get a legislative instrument on the law on domestic violence. We had to gather ideas from stakeholders and put them together in some legal language called drafting instructions. The drafting instructions have to be channelled through the mainstream. We have to put into a letter and then send to the Attorney-General's Department drafting section. They will look at it, ask questions, satisfy themselves, and then derive at the legislative instrument. That also happened with the Children's Act, and now with the Domestic Violence Act. Other legislative instruments do not have to go through this process. So when it comes to women and children, there's always a struggle. It is better to have a legislative instrument that has input from people who are passionate about the issue than to just let someone else sit down and imagine it anyway. So, in the long run, it will be okay.

Appendix C Exhibit 18 Marian Tackie, Ministry of Health (formerly with Ministry of Women’s and Children's Affairs)

**Engendering National Public Policy through Global Governance:
an Assessment of Ghana's Domestic Violence Legislation as a Trans-sovereign Transnational Issue
Questionnaire for Informant Interviews**

The objective of the questionnaire is to survey representatives of government, NGOs/CSOs, and individuals in order to examine the relationship between global public policy and Ghana's national public policy, as a way of assessing to what extent global governance can address the trans-sovereign and the transnational issue of violence against women, specifically domestic violence.

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 EMAIL: mtackie2005@yahoo.com
 INTERVIEWER: Tahiya McCoy Nyahuma, University of Ghana, Department of Political Science

Section One: Background Data	
1. Organization/institution mission	Ministry of Women’s and Children's Affairs - The Ministry of Women and Children’s Affairs is specifically responsible for coordinating national response to gender inequality and to promote the implementation of activities that address the rights of women and children towards advancing the status of women and the growth, survival and development of our children. To address issues concerning women and children.
2. When organization/institution was founded/created	2001
3. Founders	Installed by the Government of Ghana as a Ministry within the Government
4. Target constituents	All of the women of Ghana.
5. Numbers served overall	N/A

6. Numbers served annually	N/A
7. Areas of the country served	The ten (10) regions of Ghana

Section Two: Global Governance and Global Public Policy	
1. Can global governance and global public policy engender national public policy?	<p>To a large extent, yes. At the international level there was a UN declaration against domestic violence, which countries agreed to follow. Based on that declaration, Ghana decided to commission a study into the incidence and nature of domestic violence. Because, hitherto, domestic violence was considered a private affair. Women who suffered violence at the domestic level, when reported, were and are sometimes sent back to resolve it within the confines of their homes. The research brought to the fore that the incidents are very high, and there's a need to back the declaration with a domestic violence law to help ensure the protection especially of women and children, who are the most vulnerable to incidents of domestic violence. So, in a way, the domestic violence law in Ghana was informed by the UN Declaration on violence generally. Ghana has gone further in promulgating a law in 2007 that is now the Domestic Violence Act 732.</p> <p>It was a lengthy process in soliciting views around the country, a lot of consultations with traditional authorities, the House of Chiefs, Queen Mothers, civil society, politicians, parliamentarians, opinion leaders, and women's groups throughout the country. And from the findings, everyone seemed to agree that we needed a law to protect the citizens from domestic violence. The study also supported evidence on the ground that domestic violence has no respect for persons; it doesn't matter if you are educated or illiterate, rich or poor, we all suffer one form or another of domestic violence. It can be verbal, physical, and/or emotional. The law actually gave comprehensive definition of what domestic violence is and those who are vulnerable to it. Men can also suffer some form of domestic violence but the overall majority are women and children. So this is the premise on which the law was promulgated.</p> <p>The policy on domestic violence just gave an overall objective but there's an action plan that outlines objectives for addressing and implementing the law. It gives specific assignments and roles to the relevant stakeholders. For instance, the police have a role to play. So the plan of action has detailed specifics for the police. The same for medical practitioners and social</p>

	<p>workers as well as individuals within communities and within homes. All have a role to play in reporting incidents of domestic violence. Some institutional frameworks have been put in place. For instance, we have a Domestic Violence and Victims Support Unit (DOVVSU) within various police stations where victims can go and report cases to be heard and to be prosecuted. Then, within the DOVVSU are counsellors, because people are traumatized when they go through one form or another of domestic violence. Then also there are few shelters for victims.</p>
<p>2. To what extent has global public policy impacted national public policy and the transnational issue of domestic violence?</p>	<p>Ghana was informed by the UN Declaration on Violence. We have gone further in promulgating a law, that is, in 2007, the Domestic Violence Act 732. We went through a lengthy process in soliciting views across the country, because it wasn't easy passing that law.</p>

<p>Section Three: Gender and Public Policy from Global and National Perspectives</p>	
<p>1. Is public policy affected by the gendered construction of the state society?</p>	<p>One aspect is the participatory nature enshrined in the democratic process. Even though we have not attained a critical mass of women in decision-making positions, they are participating in the process. And the numbers aspiring to participate in the decision-making process is increasing each year. The challenge is that, even though a lot of women stand for these positions, they do not get voted into office because of some of the cultural things, which are still lingering and which need to be addressed. Culturally, in some of our communities, men are still perceived as leaders and women are not, and they cannot see a woman leading. As a result, when it comes to voting, however good a woman is, if the choice is between a woman and a man, they will choose the man. In some cultural settings, through practice, they have learned that if you put a competent woman in the position, she will perform and perhaps even better than the man. In these settings they have learned to have confidence in and vote for women.</p> <p>Then there are the political parties. Elections depend on numbers and political parties will field a candidate who they feel is likely to win, so they will weigh between fielding a woman and a man with the thought that a man will do better in securing votes, unless they feel that the party has a stronghold in that area. That is the only time they will put a woman there. And then there's the issue of financial backing, which is more difficult for a woman to secure, as well as the foot soldiers. It's much more difficult for a woman to do door-to-door campaigning</p>

	<p>because of cultural limitations. A woman cannot solicit funds the way a man can. These are challenges to women running for office and becoming a part of decision-making machineries. And this makes it difficult for women in elected office to have a critical mass needed for political decision-making. One way to overcome these hurdles are things like the quota system and affirmative action. According to the policy, 40% representation must be by women on policy-making bodies and councils. But implementation does not reflect the policy.</p> <p>The Ministry of Women and the Department of Women have developed a directory of qualified women who can serve in various decision-making capacities, councils and boards. The directory is not comprehensive and so we are working on that. The other area is economic empowerment for women so that women will have the financial resources to run and so that women can support each other financially. We need to sensitize our male colleagues, the traditional authorities, to see women as leaders. If we can do this at the local level, we can also do it at the national level.</p> <p>The family is the first port of call. Sometimes it's considerations of family members that deter women from taking on challenging positions, especially if they have younger children. Some women lose their marriages when they assume high level public positions because of the insecurities on the part of their husbands. Women virtually have to work around the clock. Parliamentary meetings, for example, can go deep into the night, which means travelling and being away from family and some men cannot handle that. So marriages end in divorce and these become some of the sacrifices women have to make.</p>
<p>2. What has been the impact of CEDAW, Beijing Declaration and the African Women's Protocol on global public policy?</p>	<p>Once the blueprints have been established countries are forced to implement and to report periodically because otherwise your country will be blamed and shamed, and no country wants to be embarrassed. So once you come out from the conference, you try to implement, you try to come out with laws or policy measures, administrative measures, to improve the lot of your women, which is very, very positive. Otherwise, it gave us a united front, to work together, as women with a common interest, a common agenda which was very, very positive.</p> <p>The African Charter of People and Human Rights and the Protocol on the Rights of Women has been very useful. Ghana has ratified that protocol. And that protocol deals with a lot of cultural issues that hitherto have been overlooked, like issues bordering on marriage, which is where a lot of violence takes place. In Africa, we are still addressing the practice of polygamous marriages. Within the African Protocol on the Rights of Women countries are</p>

	<p>being encouraged to go a monogamous way and to protect the rights of women who are in polygamous marriages. You cannot outright ban polygamy but you can encourage people to appreciate monogamous marriages and you can protect those who are in polygamous marriages. The Protocol also looks at the plight of widows. In Africa, widows suffer because of our inheritance system. And in some areas, they even practice widow inheritance. The Protocol addresses the protection of widows. There's also an article related to inheritance, which stipulates that boys and girls must have equal inheritance. Through the Protocol, we are dealing with some of our challenges. Now, once the Protocol has been ratified, the next stage is domestication and to develop domestic laws to ensure enforcement. The regional protocols and declarations are very helpful to our individual countries.</p>
<p>3. Has national public policy been engendered by CEDAW, the Beijing Declaration and the African Women's Protocol?</p>	<p>The Beijing Platform for Action came out with twelve critical areas of concern. One touches on violence against women generally. We also looked at that article on violence in formulating the Bill. In the preamble, we looked at the article that deals with violence. In a way, in as much as the Women's Manifesto has also identified an article relating to violence, it contributed to the formulation of the law.</p>

<p>Section Four: Ghana's Domestic Violence Act: A Manifestation of Global Governance and Public Policy</p>	
<p>1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?</p>	<p>The Beijing Platform for Action identifies twelve critical areas of concern, one of which is violence and specifically domestic violence. In the formulation of the Domestic Violence Bill, we looked at the preamble of the Beijing Platform of Action. We looked at the article that specifically deals with violence, and this was used to contribute to the formulation of the law.</p>
<p>2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?</p>	<p>Yes, the Coalition Against Domestic Violence did a lot of advocacy. They were part of the consultancy process, which went about originally to sensitize everybody [as well as], the national machinery about the law and the benefits of the law. In a way they also contributed, we worked hand in hand.</p>
<p>3. To what extent is Ghana's Domestic Violence Act a manifestation of global governance and global public policy?</p>	<p>I would say indirectly because whatever is stated in the Women's Manifesto is in the Beijing Platform for Action. The Beijing Platform for Action came out with twelve critical areas of concern. One touches on violence against women generally. So the law also looked at that article of violence. In formulating the Bill, in the preamble, we looked at the article that deals with violence. So, in a way, in as much as the Women's Manifesto has also identified an article</p>

	relating to violence, it contributed to the formulation of the law.
4. What has been the impact of non-state actors (NGOs, CSOs) on formulating and helping to get the Domestic Violence Bill passed?	<p>Civil society organizations and NGOs did a lot of advocacy and awareness creation in the public to ensure the passage of the law and even its implementation. They played a role in the implementation of the policy and plan of action. They were part of the team that developed the policy and under the auspices of the Ministry of Women’s and Children's Affairs.</p> <p>Of course, civil society organizations have a role to play by way of monitoring. There is a monitoring framework to assess impact of implementation of the law, the policy and the plan of action. The Secretariat facilitates the Board. The Board has overall a broad goal of ensuring the implementation of the policy and the plan of action. The Secretariat is like a support service to ensure implementation of the goals and objectives of the policy and the plan of action. So these are the structures we have in place.</p>
5. Did the development of a Women's Manifesto and the work of other coalitions, such as NETRIGHT and Coalitions aroundVAW help in the process of women gaining entry into political participation, specifically did they impact the passage of the Domestic Violence Act?	Whatever is stated in the Women's Manifesto is in the Beijing Platform for Action. The Beijing Platform for Action came out with twelve critical areas of concern. In formulating the Bill, in the preamble, we looked at the article that dealt with violence. So, in a way, in as much as the Women's Manifesto has also identified an article relating to violence, it contributed to the formulation of the law.
6. To what extent is there a gap between international treaties to end violence against women and the actions of local and national governments a) public policy, b) political capital and resources to implement, 3) training for police, health workers and social workers.	We have a law, we have a policy, we have a plan of action, we have a DV Secretariat. They work hand in hand with DOVVSU within the various police stations. The Secretariat is the coordinating body that sees to the implementation of the law, especially the policy and the plan of action. The Secretariat works under the auspices of the Ministry of Women’s and Children's Affairs, Department of Women. These are some of the institutional structures in place to ensure implementation of the law. There is a monitoring framework to assess impact of implementation of the law, the policy and the plan of action. We have a Domestic Violence Board apart from the Secretariat.
7. To what extent are policy makers, civil society and the media aware of the Domestic Violence Act as a tool they can use to help prevent domestic violence?	Since the promulgation of the law we have developed a policy on domestic violence and a plan of action. The policy gave an overall objective stating what the problems are and objectives for addressing them and implementing the law. The plan of action gave specific assignments and roles to relevant stakeholders. For instance, the police have a role to play, so the plan of action had details specific to their roles. Medical practitioners have a role to play in curbing the incidents of domestic violence. Social welfare people have a role to play,

individual communities within homes have a role to play in reporting incidents of domestic violence. Before, people were silent in reporting domestic violence, but since the law people now report. Some institutional frameworks have been put in place, for instance, the Domestic Violence and Victim Support Unit within various police stations. Victims can go there to report cases to be heard and to be prosecuted. So this framework is to facilitate people's access to the law. Within DOVVSU, there are counsellors for those traumatized by one form or another of domestic violence. There are a few shelters for victims of domestic violence within DOVVSU to accommodate victims overnight. Subsequently, they are assigned to some shelter until their cases are heard or seen. However, we only have a few shelters and they are manned by civil society organizations. We only have a national shelter for children within the Department of Social Welfare. It wasn't meant initially for victims of domestic violence, but for children who are orphans, but government plans to establish shelters to accommodate adult victims of domestic violence.

The promulgation of the law and the establishment of the Domestic Violence and Victim Support Unit, the silence is being broken. People are more comfortable reporting. It's no longer a private matter, because the law requires that such acts are criminal and cannot be handled within the confines of our homes, especially issues relating to rape and defilement.

Appendix C Exhibit 19 Wilbert Tengey, Gender Development Institute, Ghana

**Engendering National Public Policy through Global Governance:
an Assessment of Ghana's Domestic Violence Legislation as a Trans-sovereign Transnational Issue
Questionnaire for Informant Interviews**

The objective of the questionnaire is to survey representatives of government, NGOs/CSOs, and individuals in order to examine the relationship between global public policy and Ghana's national public policy, as a way of assessing to what extent global governance can address the trans-sovereign and the transnational issue of violence against women, specifically domestic violence.

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 ORGANIZATION/INSTITUTION: Gender Development Institute, Ghana
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 INTERVIEWER: Tahiya McCoy Nyahuma, University of Ghana, Department of Political Science

Section One: Background Data	
1. Organization/institution mission	To demistify the whole concept of gender because gender in Ghana was [thought to be] an intellectual, academic affair. [To genderize and sensitize men with the understanding that], if men are part of the problem, men should be part of the solution.
2. When organization/institution was founded/created	
3. Founders	Wilbert Tengey
4. Target constituents	Men (in order to encourage men to be involved in the solution to gender issues)
5. Numbers served overall	N/A
6. Numbers served annually	N/A
7. Areas of the country served	Programs target national population

<p>Section Two: Global Governance and Global Public Policy</p>	
<p>1. Can global governance and global public policy engender national public policy?</p>	<p>Yes because Ghana respects international law and international conventions. In Ghana, we always boast that we were the first to sign the Convention on the Rights of Children. Ghana was the first country to ratify it. Ghana sends delegations to Beijing and all the conferences. We have very powerful women who are leading the process. The government of the time had the political will to be a part of international processes, which has translated into the establishment of a National Council for Women and Development (NCWD). The NCWD reported directly to the office of the President. A few years later, a Ministry for Women's and Children's Affairs was set up.</p> <p>The government has been accountable to address some of the issues around women and children because each year they submit a report to the UN. This has forced their hand to do some of these things, which has given us space to talk about gender without being afraid or intimidated or being at cross purposes with the government. Global governance definitely pushed gender issues forward.</p>
<p>2. To what extent has global public policy impacted national public policy and the transnational issue of domestic violence?</p>	<p>The issue of domestic violence came to the fore because of civil service organizations, who took up the cause. Two years ago, the CSW (the Committee on the Status of Women) focused on the issue of domestic violence, which helped give an impetus for the local process of addressing domestic violence. The local process took longer because of the cultural dimensions, and it may be because of the approach of civil service organizations. Most of the CSOs were led by women activists, female feminists, and the radical stance in which they tried to push that, this pushed the process forward. I definitely think the international conventions have impacted the issue of domestic violence.</p>
<p>Section Three: Gender and Public Policy from Global and National Perspectives</p>	
<p>1. Is public policy affected by the gendered construction of the state society?</p>	<p>In a gender assessment of Ghana's Parliament, it was difficult to get MPs to participate. When it came to the issue of the Domestic Violence Bill, some MPs felt that there was a Women and Gender Committee to handle those things. When issues around gender come to the floor, it is very difficult. That's why the Domestic Violence Bill went through a lot of problems, because the Parliament is not engendered.</p>

	Some male parliamentarians view the issue of the Domestic Violence Act as a challenge to their egos and a challenge to their patriarchal power, and had the view that they would show the women where the power lies. As a result of the gendered construction of Parliament, compromises had to be made and some very important issues, such as marital rape had to be removed from the Bill.
2. What has been the impact of CEDAW, Beijing Declaration and the African Women's Protocol on global public policy?	Ghana has ratified Beijing and all the conferences and has sent delegations to participate. And from these conferences was established a National Council for Women in Development, and later the Ministry of Women's and Children's Affairs. The conferences and conventions gave space to talk about gender.
3. Has national public policy been engendered by CEDAW, the Beijing Declaration and the African Women's Protocol?	The CEDAW and the Beijing Platform for Action helped make the government accountable for some of the issues and reporting. It definitely pushed forward gender issues.

Section Four: Ghana's Domestic Violence Act: A Manifestation of Global Governance and Public Policy	
1. Can gender based violence, specifically domestic violence, be addressed through global governance and global public policy?	International laws and international conventions forced governments to develop a political will. The government has been accountable to address some of the issues around women and children because each year they submit a report to the UN.
2. How have local NGOs impacted global and national public policies and the transnational issue of violence against women?	Civil society organizations, mostly led by women, took the lead in advocating against gender violence. ABANTU's Women's Manifesto was a document used to develop a framework to address the issues within the Domestic Violence Bill.
3. To what extent is Ghana's Domestic Violence Act a manifestation of global governance and global public policy?	CEDAW and Beijing Platform for Action, they were the international instruments used to develop Ghana's Domestic Violence Bill along with local instruments such as the Women's Manifesto.
4. What has been the impact of non-state actors (NGOs, CSOs) on formulating and helping to get the Domestic Violence Bill passed?	I thought that the issue of domestic violence came to the fore because civil society organizations took up the issue. Civil society organizations, most led by women, pushed the issue forward and the international conventions definitely made an impact on the civil society organizations.

<p>5. Did the development of a Women's Manifesto and the work of other coalitions, such as NETRIGHT and Coalitions around VAW help in the process for women gaining entry into political participation, specifically did they impact the passage of the Domestic Violence Act?</p>	<p>The development of the Manifesto, spirited by ABANTU for Development, set a framework for people to use to advocate. It brought together some of the critical issues that were affecting women. It became a rallying point. It was a starting point, imperfect as it may be. As a tool, it was a very useful thing.</p>
<p>6. To what extent is there a gap between international treaties to end violence against women and the actions of local and national governments a) public policy, b) political capital and resources to implement, 3) training for police, health workers and social workers.</p>	<p>I think there's a big gap between signing treaties and local implementation. For example, the Ministry of Women's and Children's Affairs (MOWAC), are getting about 1% of the national budget or even less. The budget allocation speaks a lot about the seriousness of central government. MOWAC has to depend on donor funding [for their] budget. The Ministry must levy [the budget] to do what they want to do. Secondly, the issue of domestic violence, many people have not been trained. The personnel have not been trained to handle domestic violence issues. There is some training for police, but there is not enough personnel to go around to all the police stations. So there are resources needed to train the police. Although there is legislation, actual implementation has fallen short. For example, the government talked about reserving 40% of seats for women in Parliament or in appointments but they've not arrived at this. I think it's 25% or 26%. Even the fact that the President said that he wants about 40% shows that he's thinking about it. He's got some good intentions. Maybe he hasn't been able to do it because of pressure and other things. I believe the number of women will grow.</p>
<p>7. To what extent are policy makers, civil society and the media aware of the Domestic Violence Act as a tool they can use to help prevent domestic violence?</p>	<p>I think there is more exposure of domestic violence in the media and that people are now reporting domestic violence cases. One of my in-laws experienced domestic abuse, and normally she would not have reported it but she came to tell me what was happening. So I advised her about DOVVSU, so women are now beginning to know their rights. The main question they ask is 'If I report him, will he be sent to jail and who will look after the children?' She did not want to report because of the issue of getting money for the children. What they want is the man to be warned in order to stop the violence, but do not want them arrested. Many women find it difficult to report or leave because of their interpretation of marriage until death do us part. Many women are prepared to live under very violent situations because they think that's the way it is. It's a cultural situation that we have to address. It is the whole cultural experience that has a hold on some of these things.</p>

APPENDIX D UN Conferences Relevant to Women Since 1992

BOX 6.2 WORLD CONFERENCES RELEVANT TO WOMEN SINCE 1972

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| 1. UN Conference on the Human Environment, Stockholm | 5-10 June 1972 |
| 2. UN World Population Conference, Bucharest | |
| 3. World Food Conference, Rome | 19-30 Aug. 1974 |
| 4. World Conference of the International Women's Year, Mexico City | |
| 5. HABITAT: UN Conference on Human Settlements | 5-16 Nov. 1974 |
| 6. Tripartite World Conference on Employment, Income Distribution, Social Progress & International Division of Labour, Geneva | 19 June-2 July 1975
31 May-11 June 1976 |
| 7. Conference on Economic Co-operation Among Developing Countries, Mexico | June 1976 |
| 8. UN Water Conference, Mar del Plata | 13-22 Sept. 1970 |
| 9. UN Conference on Desertification, Nairobi | 14-25 March 1977 |
| 10. World Conference to Combat Racism and Racial Discrimination, Geneva | 29 Aug.-9 Sept. 1977 |
| 11. UN Conference on Technical Co-operation Among Developing Countries, Buenos Aires | 14-25 Aug. 1978 |
| 12. Primary Health Care Conference, Alma Ata | 30 Aug.-12 Sept. 1978 |
| 13. World Conference on Agrarian Reform and Rural Development, Rome | Sept. 1978 |
| 14. UN Conference on Science and Technology for Development, Vienna | 12-20 July 1979 |
| 15. World Conference of the UN Decade for Women, Copenhagen | 20-31 Aug. 1979 |
| 16. UN Conference on New and Renewable Sources of Energy, Nairobi | 14-30 July 1980 |
| 17. UN Conference on the Least Developed Countries, Paris | 10-21 Aug. 1981 |
| 18. World Conference to Review and Appraise the Achievements of the UN Decade for Women, Nairobi | 1-14 Sept. 1981 |
| 19. International Conference on the Relationship Between Disarmament and Development, New York | 15-20 July 1985 |
| 20. UN Conference on Environment and Development, Brazil | 24 Aug.-11 Sept. 1987 |
| 21. World Conference on Human Rights, Vienna | 3-14 June 1992 |
| 22. International Conference on Population and Development, Cairo | 14-25 June 1993 |
| 23. World Summit for Social Development, Copenhagen | 5-13 Sept. 1994 |
| 24. The Fourth World Conference on Women, Beijing | 6-12 March 1995
4-15 Sept. 1995 |

Source: Hilkka Peitila and Jeanne Vickers, *Marketing Women*
Matta: *The Role of the United Nations*, 2nd ed. (London: Zed
Books, 1994), Annex 4.