



## 3 to be Free: Law Curriculum on Marital Rape in Ghana

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### **Possible Lesson Plan for One-Hour Tutorial:**

Student will have had the time between the Lecture and the Tutorial to work in groups of 4-5 coming up with legal strategies which would protect Ghanaian wives from marital rape

#### 1) **PRESENTING LEGAL STRATEGIES:**

**Have the groups briefly present their strategies to the rest of the class, leaving time for other classmates ask questions about a team's chosen strategy**

(approx. 15 minutes)

Questions to ask each group as they present:

- a) Why did you choose this strategy?
- b) What difficulties would you foresee implementing this strategy?

#### 2) **THINKING ABOUT GARNERING PUBLIC SUPPORT FOR LAW REFORM:**

Tell the class that they are a part of a coalition of civil society pushing for law reform which would amend the Criminal Offences Act to explicitly prohibit marital rape.

Their task is to divide into different groups and target specific demographics in order to garner support for the amendment. Each group must come up with a public education and/or media strategy to convince their particular demographic of the importance of the bill.

Divide the class into groups responsible for the following demographics:

- a) Illiterate rural women
- b) Illiterate rural men
- c) Educated urban women
- d) Educated urban men
- e) Traditional tribal elders
- f) Members of Parliament
- g) Religious leaders

**\*\*Feel free to add or remove categories\*\***

- A) **Give the groups time to brain-storm ideas** (approx. 10 minutes)
- B) **Have each group present their strategies to the rest of the class**  
(approx. 10 minutes)



### 3) **THINKING BEYOND LAW REFORM TO CHANGING THE LIVED-LAW**

Ask the class to imagine that there was an explicit prohibition of marital rape in place in Ghana's Criminal Offences Act. What else would need to happen before women could prosecute their right to be safe from marital rape?

**Ask the class the following question, hopefully simulating discussion:**

(approx. 20 minutes)

**a) Even with a criminal prohibition in place, what barriers would women face when attempting to prosecute their right to be safe from marital rape?**

Sample Answers:

- Attitudes of the police officers
- Attitudes of prosecutors and judges
- Access to police offices where they could file charges (money for transportation, ability to take time away from work/children)
- Lack of protection once she has laid charges against her husband
- Economic dependence on husband

**b) Would these barriers affect some types of women more than others?**

Sample Answer

- Yes, Rural women have less access to the justice system
- Yes, Uneducated women are likely more economically dependent on their husbands

**c) What other measures would need to be put in place to actually create a legal regime in which wives were safe from marital rape?**

- How could we ensure the police actually investigated alleged incidents of marital rape?
- What sort of evidentiary or procedural rules might block a successful prosecution and what could be do to modify them?
- How could we ensure that judges interpreted the law in a way which protected wives?
- How could we ensure women's safety after they laid charges against their husbands?
- Is there anything the state could do to combat the problem of women's economic dependency on their husbands so that they are free to lay charges against their husbands?



4) CALL TO ACTION

Ask the class if there is anything that they could realistically do, as law students, to help move towards the full realization of the rights of married women in Ghana.