

## Traditional Political Institution in Modern Democratic Governance in Ghana: The Case of Akim Abuakwa Traditional Area

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### Abstract

This study sought to examine the relevance of traditional political institution in modern democratic governance in Ghana by using Akim Abuakwa as the case study. This paper argues that the chieftaincy institution has become anachronistic due to elements of colonialism and modern democratic institutions which had adverse impact on the institution. Both quantitative and qualitative methods were used in collecting data from chiefs and local government authorities in the selected communities for the study. The primary data were obtained from both questionnaire administration and interview guides whereas the secondary data was collected from articles, journals and online materials that are related to the topic under study. The study revealed that the chieftaincy institution in Ghana to be refined to be abreast with the changing trend of society.

**Keywords:** democratic governance; chieftaincy institution; colonialism; local government system; inter-party politics, constitution

### 1. Introduction

The role of traditional authorities in developing countries especially in modern African democracies is complex and multifaceted (Boakye and Béland 2019; Blom 2002; Ray and Nieuwaal 1996; Ayithey 1992; Crowder and Obaro 1978; Alexandre 1970). The debate is heightened by the views of both the ‘traditionalists’ and ‘modernists.’ Traditionalist regard Africa’s chiefs and elders as the true representatives of their people, accessible, respected, and legitimate, and therefore still essential to politics on the continent (Chinsinga 2006; Englebert 2000; Spear 2003). ‘Modernists’ by contrast, view traditional authority as a gerontocratic, authoritarian and increasingly irrelevant form that is antithetical to democracy (Chinsinga 2006). The concept of chieftaincy was a ‘creation of colonial administrators who, in their quest for a definable title for the existing traditional leader for purposes of categorisation within the imperial administrative structure, designated such leaders as chiefs or warrant chiefs’ (Adjaye & Misawa 2006 cited in Boakye and Béland 2019, 404). According to Arhin (1985), a chief is a person elected or selected in accordance with customary usage and recognized by the government to wield authority and perform functions derived from tradition or assigned by the central government within a specified area. Arhin’s definition became obsolete after the 1979 constitution ruled out governmental recognition as a basis for legitimizing the chief’s position. The position of the chief now became legitimate once his/her installation followed ‘the requisite applicable customary law and usage. Thus, has been argued that the most authoritative definition of a chief, as contained in Article 181 of the 1979 Constitution of Ghana is a person, who hailing from the appropriate family and lineage has been validly nominated, elected and enstooled, enskinned or installed as a chief or queen mother in accordance with the requisite customary law (Abotchie 1997, 2). Among most of the countries of the West African sub-region, Ghana seems to be regarded as an oasis of stability in a Region ravaged by strife (Mamdani 1996; Brukum 2006). However, the country faces a host of bitter ethnic, tribal, land and chieftaincy disputes. Nyaaba (2009) observes that chieftaincy disputes and the question of who wields power, mostly political, accounts for many of these conflicts. In most instances, the causes of these conflicts and the methods and procedures adopted to curb them are nevertheless sometimes sought from the factors that triggered them off and how the people are perceived to be inherently violent.

The resilience of the institution, its adaptability, maneuverability, insulation and elasticity has been questioned in modern times. The chieftaincy institution has been described by various scholars as anachronistic in

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outlook in contemporary times. Their status and roles have been marginalized in modern governance. The emergence of formal institutions is gradually reducing, if not wiping off the chieftaincy institution (Boakye and Béland 2019, 404).

The anachronistic nature of the chieftaincy institution could be attributed to several debilitating challenges as follows; the provisions of the 1992 constitution, the creation of new districts and constituencies which turns to wane the influence of traditional rulers as areas in their jurisdiction gain some form of autonomy, the phenomenon of globalization, modernity and exotic religions, their active involvement in a partisan politics, lack of integrity and loss of their high esteem due to the crippling effects of poverty and the invisible hand of colonialism. The coming into effect of the fourth republican constitution has downplayed the relevance of the chieftaincy institution in modern democratic dispensation. Admittedly, the adverse impact of colonialism and elements of modern democratic institutions have also affected the chieftaincy institution. These changing roles of chiefs as determined by central political authorities from colonial to post-colonial era have posed challenges to chiefs in their role of effectively contributing to the development of the nation. It is very clear that in the colonial era and immediately after independence, the greatest challenge to chiefs was the attempts by the state to reduce the power of the chieftaincy institution. Inadequate sources of funds in financing their administration are also a contributory factor. The establishment of the local government system has also affected the authority and functions of chiefs. Worst of it all, there is a huge gap between the Local assemblies and the traditional authorities in the performance of duties. This stems from the fact that majority of central government allocations are given to the local assemblies and the chiefs are not consulted by the local assemblies in undertaking developmental projects in the communities. Thus, chiefs are unable to undertake developmental project on their own. The ineffective participation of traditional authorities in local governance may be due to; lack of a consistent policy regarding the representation of traditional authorities in local government units by successive governments; lack of political will and commitment on the part of successive governments; and ill-defined relationship between traditional authorities and local government units.

Against this background, there have been a clarion call for the abolishment of the institution. Busia (1951) who was a royalist himself, although not advocating outright abolition of the institution, observed, in his study of the position of the chief in the modern political system of Ashanti, that the chieftaincy institution harbors an enormous amount of dirt! The chieftaincy institution is labeled as controversial due to the numerous conflicts (Ninsin 1989; Boakye and Béland 2019). The institution of chieftaincy in a republic is a paradox (Boafo-Arthur 2006). Therefore, this study seeks to:

- examine the impact of social change on the contemporary position of the chief as compared to the pre-colonial, colonial, and post- independence era
- assess the relevance of the chieftaincy institution in modern democratic governance
- identify some debilitating factors affecting the chieftaincy institution in contemporary times
- provide suggestions in strengthening the chieftaincy institution

## **2. Chieftaincy in Pre-Colonial Ghana**

The present political map of Ghana, with clearly established administrative structures and boundaries, where an Executive President governs with the support of regional ministers and district chief executives, represents a significant evolution from pre-colonial Ghana. Thus, Ghanaians were organized into ethnic states during the pre-colonial era, and the paramount chiefs served as the executive head with the support of a council of elders. Some of these states were the Asante; the Dagomba; the Gonja; the Anlo, and many others with boundaries geographically different from the recurrent regional demarcations. For example, the Asante state spanned four different regions of contemporary Ghana.

Chieftaincy in the pre-colonial era was the main system of government that combined legislative, executive, judicial, religious and military responsibilities; and these functions were replicated at the appropriate level of the traditional governance structure, i.e., at the level of the community and up to the paramount chief. The lower-level chiefs received instructions from the higher chiefs in all aspects of administration. The communities and divisional chiefs had responsibility to report on the state of affairs of the community to the paramount chiefs during annual durbars. Nonetheless, these types of institutions were not the same as the Western institutions in terms of structure and administrative procedures, however, the substance of their responsibilities as well as the privileges attached, created the same social and political cohesion similar to the actions done in the Western countries at the time.

According to Frempong (2006), the political and social systems of pre-colonial Africa did not represent “a golden age” and was hesitant to implement the pre-colonial social and political system wholly to modern Ghana. The system however exhibited high tenets of democracy and the protection of human rights ideals and freedoms

of expression within the context of their traditional values and cultures. Frempong (2006) further asserts that the newly found Alternative Dispute Resolution (ADR) is a recast of time-tested pre-colonial conflict resolution mechanism administered through the chieftaincy institution which sought to reconcile individuals and communities as well as improve social relations beyond mere settlement of disputes of conflicting parties. The chieftaincy institution during the pre-colonial period was not regulated by external legislation beyond the respective traditional councils (the Traditional Areas were considered as independent entities with apposite sovereignty).

### **3. Impact of Colonialism on Chieftaincy Institution in Colonial Ghana**

Over the long period of colonial rule, the chieftaincy institution was refined, restructured and integrated into the British Colonial administrative system. This was an efficient means of facilitating control and effectively reducing the cost of governance, and thus, marked the genesis of the legal framework to regulate the institution. Prior to this period, chiefs with the support and recommendation of their council of elders enacted laws to regulate their jurisdictions (Daannaa 2010; Brempong 2006). Hence, three main considerations determined legislation regarding chieftaincy.

To begin, the institution was tailor-modeled to suit the British Colonial requirement at the time, second attempts were instituted to practice a colonial policy before ordinances were introduced to legalize such practices, and third, chiefs who resisted the laws of the colonial administration were deposed or deported (Daannaa 2010; Brempong 2006).

Furthermore, the colonial legislations on chieftaincy were driven by the need to comprehend the growing discontent that increasingly threatening the position of the chief. Social discontentment emanated from the agitations of the educated elite and the youth against colonial policies meant to exploit the indigenous people and pilfer the mineral wealth of communities as some chiefs acted as colonial agents. Chiefs in these communities consequently lost their long-held community reverence, because they were considered betrayers, and consequently the stability of the social order with the chiefs as the foremost constituents became a concern for the colonial regime (Ninsin 1986).

The Gold Coast (now Ghana), became an official British colony in 1874 with the Order in Council of 1856 which defined local norms, customary law, practices and usages. In this backdrop, amongst the first major legalization of the chieftaincy institution was the Chiefs Ordinance in 1904, an instrument meant to support the evidence of the election, installation and deposition of chiefs in accordance with local custom. The preamble of the Ordinance reads, 'an Ordinance to facilitate the proof of the election and installation and the deposition of chiefs according to native custom' (Chiefs Ordinance 1904).

A major inroad made into the authority of the local chieftaincy institution was the requirement to align their position and make it dependent upon the recognition through notices issued by the colonial government. Hence, the colonial regime set out to modernize indigenous institutions and redesign them to suit the British models of monarchy (Kumado 1990). However, the British had promulgated the appropriate legislative instruments meant to give legal legitimacy to colonial activities, native custom was highly respected and recognized, and this appreciation of customary law in Ghana was further enhanced with the enactment of Native Authority Ordinance in 1932. The Native Authority Ordinance (1932), section 3, provided that: "The Chief Commissioner may by Order made with the approval of the Governor may constitute any area and define the limits thereof; assign to that area any name and description he may think fit; appoint any chief or other native or group of natives to be a native authority for any area for the purpose of this Ordinances; and may by the same or any subsequent order similarly made declare that native authority for any area shall be subordinate to the native authority for any other area".

Nevertheless, a key developmental feature during the Colonial era was the emergence and development of the modern state machinery, which created state institutions such as the Legislative Council, Judicial Council, the West Africa Frontier Force and the Gold Coast Police Force to perform functions, which hitherto were carried out by the chiefs within their respective traditional areas. Consequently, the institution of chieftaincy and its functions were gradually subsumed by the Ghanaian state within the colonial administrative structure, and chiefs who were previously vicious adversaries during the pre-colonial period, later came to appreciate the necessity of co-operation amongst traditional authorities and institutions, against the common imperial power, for mutual benefits and co-existence.

#### 4. Chieftaincy in Post-colonial Ghana

According to Boafo-Arthur (2001), it is trite to note that the chieftaincy institution has been the embodiment of political power in pre-colonial, colonial, and post-colonial times. It must be admitted, however, that the traditionally unfettered powers of chiefs have undergone transformation as a result of formal colonial rule and the introduction of parliamentary democracy after independence. Since independence, the Head of State in Ghana has had the authority to withdraw official recognition from a chief, particularly those who publicly opposed the government. Thus, chiefs have been directly controlled by the government since independence. With the creation of the House of Chiefs, government could now recognize or withdraw recognition from a chief (Adjaye and Misawa 2006). It could destool a chief and it was even empowered to control his finances.

The Independence Constitution of Ghana in 1957 reinforced the authority of the central government to recognize or withdraw recognition from chiefs and deliberately drew no formal distinction between “ordinary” and “paramount” chiefs, thereby arrogating to itself the authority to elevate or demote any chief. This phenomenon also occurred during the colonial rule. Although government could seek the advice of the House of Chiefs, its consent was not required. As Ninsin (1989) aptly points out, the Convention Peoples Party (CPP) government of Kwame Nkrumah adopted several measures aimed at stripping chiefs of the powers to control revenues from land. The policies adopted by the government aimed at enfeebling the economic base of “the politically most powerful chiefs”, and to appropriate land unto the state. Consequently, measures were taken between 1951 and 1957 to enhance the party’s control over the chiefs and their main economic base. During this period, several local government reforms were taken to this effect. These included the promulgation of the Local Government Ordinance of 1951, the State Council Ordinances of 1952 and the Municipal Council Ordinances of 1953. Under the Local Government Ordinance of 1951, elected local councils replaced native authorities. Powers of chiefs were consequently eroded. These laws, apart from undermining the economic base of the chiefs, created a dependency syndrome whereby most chiefs looked up to the government for economic handouts. To ensure absolute subservience of chiefs, the CPP government had earlier in 1959 enacted The Chiefs Recognition Act, which empowered the Minister to withdraw recognition of chiefs; direct any chief to refrain from the exercise of his functions; and even prevent the chief from residing in a specific area, if need be.

Perhaps, to overturn some of the measures taken by the First Republic to deprive chiefs of their livelihood through orchestrated attempts to deprive them of land, the 1969 Constitution vested all stool lands in the appropriate stools. Article 164 (1) of that Constitution provided that “all stool lands in Ghana shall be vested in the appropriate Stool on behalf of, and in trust for, the subjects of the Stool”. More significantly, the 1979 constitution safeguarded the chieftaincy institution, guaranteed its existence, and also restored its economic basis. Article 177 (1) emphatically stated that “the institution of chieftaincy together with its traditional councils as established by customary law and usage is hereby guaranteed”. In pursuant of this, subsection 2 stated, “Parliament shall have no power to enact any legislation: a. which confers on any person or authority the right to accord or withdraw recognition to or from a chief; or b. which in any way detracts or derogates from the honour and dignity of the institution of chieftaincy.”

However, the seemingly tranquil state of the chieftaincy institution which the 1979 constitution guaranteed was given a violent jolt by the 1981 revolution that brought the then Flt.Lt. Rawlings into the centre stage of Ghanaian politics for the second time (Boafo-Arthur 2001). The creation of institutions such as Workers Defence Committees (WDCs), the Peoples Defence Committees (PDCs), the National Defence Committee (NDC), the Citizens Vetting Committee (CVC), the National Investigative Committee (NIC) and the Public Tribunals was to ensure parallel state institutions to counter existing ones. However, so far as the chieftaincy institution is concerned, it was the PDCs, later re-christened Committees for the Defence of the Revolution (CDRs) that threatened the traditional power base of chiefs. By virtue of being at the grassroots, in towns and villages, the PDCs challenged chiefly authority. It appears that members of the PDCs and other organs of the revolution had the power and authority to take any action for and on behalf of the central government. The most common form of attack on chiefs was to terminate the payment of royalties to them. However, the government later changed its attitude to favour chiefs.

In a nutshell, unlike the First Republic during which every conceivable effort was expended by the government to cut the chiefs to size, the swing of the political pendulum later favoured the chieftaincy institution. Some of the succeeding governments recognized the status, role, and economic base of the institution. This recognition was not gained on a silver platter. It was the culmination of astute political brinkmanship by leading chiefs, and the wish of most subjects to let the age-long institution remain intact (Boafo-Arthur 2006; 2001; Gyekye 1996). Nonetheless, the institution also had to take into consideration the dynamic nature of society in general and the need to adapt to changing societal circumstances.

Clearly then, it can be seen from the above that the chieftaincy institution in Ghana is so important to the history and development of the country that no government including the British has been able to abolish it.

The above background shows that traditional authorities cannot be eliminated, and that chieftaincy is the root (evolution) of Ghana as various ethnic groups were led into the country by their traditional leaders. The institution therefore remains critical in the development process of the country.

### **5. Changing roles of Chiefs in Ghana**

Traditional authority among the various ethnic groups in Ghana has evolved over the years. Through a series of regulations, the colonial authority became the final arbiter on matters of chiefship and the chief's roles were defined by these various legislations. In this regard, not only did the basis of a chief's authority shift from the indigenous people whom he served to the colonial authorities who ironically did not fall within the ambit of the chief's customary jurisdiction. The chief now served not his peoples' interests as dictated by tradition but that of the colonial authorities who ruled the people through them. The Native Jurisdiction Ordinance (N.J.O) of 1883 (N.A.G Adm. 4/1/25) which sought to facilitate and regulate the exercise of certain powers and jurisdiction by Native Authorities made that evident by granting limited legislative and judicial powers to chiefs and their councilors and the Governor the power to suspend, depose or exile chiefs. Under the Native Jurisdiction Ordinance, chiefs and their councilors were granted the power to make byelaws (G.o.G 2000, N.J.O 1883). As Amended by 7 of 1910, s.5). These laws were however not only to be consistent with the laws of the colony" which meant the people were subject to British law and not their traditional laws and usage, but also the subject matter of these bye-laws was regulated by the ordinance. In effect, the colonial authorities prescribed issues that the chiefs could legislate on. These limited bye-laws which the chiefs could pass even when passed had to be reported to the Governor for his approval as No bye-law which the Governor in Council disallows shall have any force or effect whatsoever." (G.o.G 2000, N.J.O 1883 s.6) Consequently, the colonial authorities arrogated the right of legislation, which had hitherto resided in chiefs and their elders before colonial rule.

There was also some transformation with respect to the exercise of the judicial functions of the chief. Native tribunals (G.o.G 2000, N.J.O 1883 as amended by 7 of 1910, s.2) which were authorized by the colonial authorities had limited civil and criminal jurisdictions. For instance, in civil jurisdiction, chiefs were limited to affiliation actions, custody of children, land and marital issues. In personal suits and succession, the amount involved was not to exceed seven ounces of gold or twenty-five pounds sterling and fourteen ounces of gold or fifty pounds sterling respectively or such other sum to be determined by the colonial authorities. The chiefs' authority with relation to criminal jurisdiction was to be determined by the authorities. Native custom" which was applicable in determining the rights of parties was only acceptable if not inconsistent with the principles of justice or with this ordinance (G.o.G 2000, N.J.O 1883 s.40). In other words, punishment to be imposed on any convicted person was not to be repugnant with natural justice or with the principles of the law of England (G.o.G 2000, N.J.O 1883s.13). Fines to be imposed by chiefs too were regulated by the colonial authorities with penalties for violation. (G.o.G 2000, N.J.O 1883 s.38). Significantly, the exercise of such powers was only in respect of natives unless the party not a native consented in writing to being tried by a native tribunal (G.o.G 2000, N.J.O 1883, as amended by 7 of 1910, s.7). This was very important considering the fact that traditionally any person under the jurisdiction of a chief was subject to the laws of that community. Besides curtailing the power of chiefs in civil and criminal matters in their area of jurisdiction, the decisions of chiefs and the native tribunals were also subject to appeal to the British courts hence making the latter superior to the traditional ones. This meant that, the chiefs had to rely on the British courts for affirmation of their judicial authority. The total subjection of chiefs to the colonial authorities was evident in the authority granted to the Governor to approve even meetings called by chiefs.

Every head chief may call the chiefs, captains, headmen and others who are the councillors of his stool as aforesaid to meet together (subject to any order of the Governor, who, if he thinks fit, may disallow or suspend the right of meeting or any particular meeting) for the purpose of consultation on the affairs of his division or any part thereof, and for making bye-laws as aforesaid. (G.o.G 2000, N.J.O 1883 s.54).

Moreover, the pre-colonial executive, legislative, and judicial powers were never restored. Rather, attempts were further made to weaken the chiefs and limit their role in the administration of the modern nation state. The following examples are worth considering. For instance, under Kwame Nkrumah, though Article 13 of the 1960 Constitution stated, Chieftaincy should be guaranteed and preserved, the form was determined by the government. Recognition as a chief was left to the Minister (Republic of Ghana 1960). The Nkrumah government not only weakened the political and judicial roles of the chiefs but also made them appendages to the central government by breaking their financial backbone. For example, through an enactment of laws such as Akyem

Abuakwa (Stool Revenue) Act, 1958 (Act 8) Ashanti Stool Act, 1958 (Act 28) and the Stool Lands Control Act, 1960 (Act 79) it usurped the regulation of the collection and usage of stool revenue (Chieftaincy Act 2008).

Also, the Second Republican Constitution in 1969 guaranteed the chieftaincy institution and further established the National House of Chiefs to have appellate jurisdiction in all chieftaincy matters from the regions and subject to appeals to the Supreme Court (Republic of Ghana 1969).

Its functions included the progressive study, interpretation, and codification of customary law with a view to evolving, in appropriate cases, a unified system of rules of customary law, and compiling the customary laws and lines of succession applicable to each stool or skin. Chiefs were to participate in local government but subject to the will of the elected leadership. The 1979 Constitution maintained the provisions of the 1969 Constitution except that it added in Article 176 (2) that: Parliament shall have no power to enact legislation which confers on any person or authority the right to accord or withdraw recognition to or from a chief; and which in any way detracts or derogates from the honor and dignity of the institution of chieftaincy. This significant departure invested the power of recognition in a Minister of State.

Furthermore, the 1992 Constitution also guarantees and maintains the functions as set in the 1979 Constitution in addition to chiefs being barred from active party politics (Republic of Ghana 1992;1979). Among other things, the 1992 Constitution of Ghana states in Article 270: '(1) The institution of chieftaincy together with its traditional councils as established by customary law usage is hereby guaranteed and (2) parliament shall have no power to enact any law which (a) confers on any person or authority the right to accord or withdraw recognition to or from chief for any purpose whatsoever or (b) in anyway detracts or derogates the honor and dignity of the institution from political control and it is expected that it will meaningfully contribute its quota to national development' (Republic of Ghana 1992). The constitution recognizes the establishment of the National House of Chiefs. This is made up of elected representatives from the ten Regional Houses of Chiefs. These Houses of Chiefs play a pivotal advisory role in the government of the nation and also exercises the prime jurisdiction in all matters concerning the institution of chieftaincy itself.

These changing roles of chiefs as determined by central political authorities from colonial to post-colonial times have posed challenges to chiefs to effective contribution to the development of the nation. This is very vital if one considers the fact that most Ghanaians live in rural areas where the most visible political authority is the chief who the people still look up to in the provision of their wants and needs even though he lacks the resources to do so. It is very clear that in the colonial era and immediately after independence, the greatest challenge to chieftaincy was the attempts by the state to reduce the power of the chieftaincy institution. The underlining argument was that two contending forces could not co-exist so one had to overshadow the other in terms of power and influence. Allied to this was the challenge of sustaining the chieftaincy institution in the face of political assaults by the central government. It must be stressed that within the institution itself, there were challenges of succession disputes some of which defied solution and lingered on in various forms to date. Much attention was paid to the activities of the central government because that had the potential of completely doing away with the cherished tradition of chieftaincy in the country (Busia 1968).

## **6. Methodology**

The methodology is designed to capture the research strategy, procedures and techniques and philosophical paradigm adopted to address the issues identified by the study. This paper adopts a case study approach which has been defined as 'the intensive analysis (qualitative or quantitative) of a single unit or smaller number of units (the cases) where the researcher's goal is to understand a larger class of selected units (a population of cases)'<sup>1</sup> (Gerring 2007, 20).

Both quantitative and qualitative methods were used in collecting data from traditional authorities in the selected communities for the study. The primary data were obtained from both questionnaire administration and interview guides whereas the secondary data was collected from articles, journals and online materials that related to the topic under study. The method for the investigation is discussed under the following sub-headings: areas of study, target population and sampling, and techniques for analyzing data.

### **6.1 Target Population and Sampling Technique**

The study has targeted the political leadership and people of Akim Abuakwa communities<sup>2</sup>. Like most Ghanaian local communities, the people of Akim Abuakwa are governed by two political systems (Boateng 2013; Simensen 1975). They are the indigenous political system and the national government. As noted earlier, the indigenous political system refers mainly to the chieftaincy institution while the national government is represented by the local government system (Boateng 2013). Two groups of political leaders therefore could be identified in Akim Abuakwa: the chief and his council of elders representing the chieftaincy institution, and at the

other end are assemblyman and unit committee members representing the local government structure in the two communities.

The target population of the study therefore includes the chief and his council of elders as well as officials of the District Assemblies. The researcher also purposively sampled 30 chiefs from eleven communities in the Akim Abuakwa traditional area and 15 officials from the East Akim Municipal District Assembly.

## **6.2 Data Analysis**

For the data analyses, the investigator applied the mixed research method where quantitative and qualitative techniques are used together. Concerning the quantitative technique, data was obtained through questionnaires administration on respondents from Apapam, Nkronso, Akooko, Bunso, Akim Tafo, Asiakwa, Akim Apedwa, Maase, Osiem, Osino and Kyebi. The data collected from the respondents was edited in order to correct errors and inconsistencies and then processed using the Statistical Package for Social Sciences (SPSS) software. With the assistance of the SPSS package, the investigator also worked out the statistical analyses involving cross-classifying responses, and the use of measure of the degree and direction of the relationship between two or more variables. Overall, the investigator used the mixed method where qualitative data was the main source of information for analyses, while some quantitative data was used to buttress the findings from the qualitative data. The investigator further used the mixed model approach where some of the qualitative data was quantified and used in the analysis. Thus, the qualitative data from the interviewing and observation was analyzed, while the quantitative data from the survey, together with selected case studies and few secondary data were used to enrich the discussions.

## **6.3 Quantitative Data Analysis**

This chapter presents the analysis of the quantitative data that was collected with the standardized structured questionnaire from the traditional authorities in the study area.

*On whether they think the traditional authorities have a role to play in the development of their area*, 83.9% of the respondents answered in the affirmative and 16.1% answered in the negative. Traditional authorities have been tasked to spearhead development and progress in their various communities therefore, it comes as no surprise that most of the respondents (83.9%) are of the view that traditional leaders have a very significant role to play in the development of their various communities. It is also shocking that a few (16.1%) were of the view that traditional leaders do not have any role to play in the development of their various communities. This may either be due to the fact that they do not adequately understand their roles, or they see their role as only being the custodians of traditional norms and culture.

When asked to mention some of the developmental projects that they in their capacity as traditional leaders have either initiated or supported to be implemented and carried out to help their various communities, 29% of them said they had embarked on numerous infrastructural development projects to help develop their communities, 16.1% said they had engaged the people in their community notably the youth in communal labor to ensure that they all work to solve the numerous challenges facing their community, 12.9% said they had also played the role of the enforcement of religious functions so that people will abide by the moral values of their tradition, another 12.9% also said they have also served as the custodians of the customs and traditions of their community and 6.5% of the respondents also said they had worked hard to empower the women in their various communities. Religious role and the preservation of customs and traditions cannot be categorized as developmental project, and this shows that some of the traditional leaders do not adequately understand the developmental role they are expected to play in their various communities.

Again, on whether traditional authorities assist in the fight against poverty, all the respondents answered in the affirmative saying they all assist in the fight against poverty in their various communities. The question went further to probe how they do it if they say they assist in the fight against poverty. 61.3% said they mobilize funds for the youth to source for the start of their entrepreneurial activities, 35.5% said they have established business centers where they have employed most of the youth in their communities so that they have a reliable and honest source of income, 3.2% said they have also embarked on infrastructural projects that also provide employment for the people thereby helping in the fight against poverty. This shows that all the traditional leaders interviewed are doing a lot in their own ways to fight against poverty.

*On why they think traditional leaders should or should not engage in national inter-party politics*, 67.7% of the respondents said the integrity of the traditional leaders will be undermined if they are allowed to engage in national politics, 16.1% said this development will pose a serious threat to national unity and solidarity. Chiefs are regarded as symbol of unity in their various traditional communities. Their engagement in national inter-party politics undermines the integrity and legitimacy of the institution.

There is a high tendency for various factions to be created paving the way for violent conflict between opposing groups. The confidence that the people have in him begins to erode. Since traditional leaders are the elders of the traditional community, they must be prevented from engaging in national politics. Nonetheless, 16.1% of the respondents were of the view that chiefs must partake in national politics so that their intellectual expertise can be tapped to harness national development.

*On whether they are consulted by the government in developmental issues*, all of them answered in the positive saying they are always consulted by the government in the development of their various communities. Again, on the issues that they are consulted on by the government in developing their communities, 58.1% said the government consult them on all infrastructural development issues, 32.3% also said the government consult them on issues relating to health, education and culture and 9.7% of them also said the government consult them only on health and culture issues.

Again, *on whether they need support from the government*, all the respondents answered in the affirmative. On the kind of support that they need, 61.3% of them said they need financial support from the government and 38.7% of them also said they need infrastructural support from the government. This shows that traditional leaders in our communities need a lot of support from the government so that they can better deliver their mandated duties.

Finally, on whether the chieftaincy institution in the country be maintained, abolished or refined, 74.2% of the respondents said the chieftaincy institution in the country should be maintained and 25.8% were also of the view that the institution should be refined in order for it to reflect the changing trend in contemporary society.

#### **6.4 Qualitative Data Analysis**

The study focused on the traditional political institutions and modern democratic governance in Ghana. In order to get a comprehensive data on the topic, the study employed both quantitative and qualitative data collection and analysis for the study. Presented above is the quantitative data and presented below is the qualitative data.

Again, on the all-important issue of as to whether traditional leaders be allowed to engage in national politics, most of them answered in the negative with a few of them answering in the positive. As to why their response, the sub-chief (Krontihene) of Akim Apedwa said *it undermines the integrity of my position*. The chief of Asiakwa said *It undermines the integrity of the state*. The chief of Bunso said *it is an affront to the constitution*. The chief of Maase said *the intellectual expertise of the chiefs must be utilized*. This shows that whilst some of the respondents were of the view that traditional leaders engaging in national politics will undermine their integrity and even effect the stability of the state, others were of the view that if chiefs are allowed to engage in national politics, it will help harness development since the intellectual expertise of the chiefs can be utilized.

On how they finance their administration, the chief of Asiakwa said *Sometimes through selling of proceeds from farmlands*. The chief of Akooko also said *through royalties, NGOs and benevolent individuals*. The chief of Kyebi also said *through royalties and sometimes monies from benevolent individuals*. This shows that most of the traditional leaders depend on royalties and individuals for their financial sustenance and this is not good as a nation. The government can allocate a fund to help them since it has been established that they also embark on developmental projects in their various communities.

*On what should be done to revive and strengthen the chieftaincy institution in the face of all these dynamics of social change*, the chief of Osiem said *chiefs must be given top executive positions so that they can contribute to national development*. The chief of Akooko also said *There must be an end to the numerous succession disputes and also, there must be consistent policies guiding the institution*. The chief of Apedwa also said *some part of the central government allocations must be given to chiefs*. The chief of Maase said *“chiefs must be given the privilege to express their opinion on national issues without any constraints”*. This shows that the traditional authority has various recommendations for the government to help improve their administration.

Again, the other aspect of the interview centered on the performance of chiefs in local governance and the relationship between traditional authorities and the district assemblies. Fifteen officials of the East Akim Municipal Assembly were interviewed.

*On the reasons for the ineffective participation of traditional authorities in local governance*, legal constraints were paramount. It was established from the interview that there is lack of a consistent policy regarding the representation of traditional authorities in local government units by successive governments. The Municipal Chief Executive further stated that consequently, under the 1992 Constitution and the Local Government Act (Act 462), 1993, (specifically, Article 242 (d) and Act 462 Section 5(d) respectively) while there is provision for two chiefs from the Regional House of Chiefs (elected by the chiefs at a meeting of the House) to serve on their



respective Regional Coordinating Councils, there is no provision for the automatic membership of chiefs on the District Assemblies.

Similarly, under Legislative Instrument (LI), there is no provision for the automatic membership of chiefs in the sub-district structures such as the Urban, Zonal and Town Councils as well as Unit Committees. Also, it was established from the interview that there is the inherent weakness in the institutional anchoring of the traditional authorities.

Moreover, *on the issue of their partnership with traditional authorities in developmental projects*, it was established from the interview that they only inform the chiefs before the commencement of the projects and after the completion of the projects. It can be ascertained the projects are undertaken by the local assemblies. It was also established that chiefs are only consulted on cultural projects. Some officials from the Urban, Zonal and Town Councils as well as Unit Committees generally stated that their relationship between the District Assemblies and traditional authorities is generally restricted to consultations on the release of land and participation in ceremonial functions.

Considering the *nature of disputes*, the Municipal Chief Executive said they are confronted with land disputes, often it's about the sale of land and ownership of properties. He says that sometimes the chiefs demand that they should be allocated some funds, especially the revenue generated from the taxes collected by the local assemblies. Sometimes there is disagreement in terms of the award of contracts.

In addition, *on how traditional authorities can be integrated into the formal governance structures at the local level*, majority of the officials called for the establishment of a District House of Chiefs consisting of various traditional councils. One major point of call is that there should be regular meetings and consultations between the district assemblies and the traditional councils. By so doing, there is the need to provide a constitutional-legal provision which calls for consultation between the traditional authorities and the district assembly.

Finally, *on what should be done to strengthen the relationship between traditional authorities and the local assemblies*, the Assemblyman of Kyebi recommended that, the enhancement of the role of traditional authorities in local governance will depend largely on the comportment, competence and behaviour of traditional authorities themselves. In other words, our chiefs must exhibit democratic principles and good governance characteristics. The Municipal Chief Executive also recommended that Ghanaian traditional authorities must see the local assembly not as their adversary but as a partner in development. The Municipal Coordinating Director said that chieftaincy disputes must not be transferred to the affairs of the District Assemblies and their sub-district structures. Otherwise, they are bound to create factions within the local government units, which will affect local development. A Unit Committee member also had this to say that local authorities must be proactive in supporting the chiefs in generating enough revenue.

## 7. Discussions of findings

The study sought to identify the traditional political institutions and modern democratic governance in Ghana and used Akim Abuakwa as the case study for the study. Twelve communities in the Abuakwa Traditional area were specifically selected for the study.

The chieftaincy institutions in the country though indigenous and does not follow the partisan political structure of the day, it can still be of immense benefit and relevance to the people they serve, and this was established by the study. Traditional leaders answered in the positive that they play a very significant role in the development of their communities and stated some of the developmental projects they have either initiated or embarked on. This shows the all-important role that traditional leaders in the country play in the development of the nation. Scholars such as Richard Rathbone reversed their former positions admitting that chieftaincy had and has a prestige at least in some major cases (Rathbone 2000). Paul Nugent in his latest broad outlook on post-colonial Sub-Saharan Africa writes about a reappraisal of the role of chieftaincy in recent scholarship, but it is difficult to see that the changed perspective has already been profoundly introduced into historical analysis (Nugent 2004). These scholars agree with the findings of this study that the chieftaincy institution in the country is still very relevant and chiefs are developmental partners in matters of national development.

On whether the chiefs must engage in national inter-party politics, numerous scholars are of the view that the continuing allegiance of large sections of the population including the educated elite, to their traditional leadership; the inability of the state to create a national identity out of the numerous ethnic groups who have been forced together into a nation-state; the continuing association of chieftaincy with power and wealth; and the flexibility of the institution and its ability to adapt to the changing political order of the postcolonial period has helped preserve society from chaos and anarchy and this has been as a result of traditional leaders staying neutral on political issues.

In a similar vein, other scholars have reasoned that in the light of the comparative failure of the African state to bring about democracy and development because the state has been undermined by greedy and violent political elites within and without Africa, chieftaincy has re-emerged as an important vehicle for more or less authentic indigenous political expression. In this regard, the chieftaincy has become the last glue that holds society together so if they are allowed to engage in national politics and lose the reverence and the respect the people have for them, it will negatively affect peace and stability in the society.

The political and social systems of pre-colonial Africa did not represent “a golden age” and was hesitant to implement the pre-colonial social and political system wholly to modern Ghana. The system however exhibited high tenets of democracy and the protection of human rights ideals and freedoms of expression within the context of their traditional values and cultures. The newly found Alternative Dispute Resolution (ADR) is a recast of time-tested pre-colonial conflict resolution mechanism administered through the chieftaincy institution which sought to reconcile individuals and communities as well as improve social relations beyond mere settlement of disputes of conflicting parties. The chieftaincy institution during the pre-colonial period was not regulated by external legislation beyond the respective traditional councils thus chiefs still maintained numerous powers as compared to recent times. It has also been argued that prior to colonization, chiefs with the support and recommendation of their council of elders enacted laws to regulate their jurisdictions. Hence, three main considerations determined legislation regarding chieftaincy.

Moreover, it is worthy to note that first of all, the chieftaincy institution was tailor-modeled to suit the British Colonial requirement at the time, second attempts were instituted to practice a colonial policy before ordinances were introduced to legalize such practices, and third, chiefs who resisted the laws of the colonial administration were deposed or deported. These factors resulted in the apparent weakness of the chieftaincy institution and the touch of this has still not been lost years after independence. A major inroad made into the authority of the local chieftaincy institution was the requirement to align their position and make it dependent upon the recognition through notices issued by the colonial government. Hence, the colonial regime set out to modernize indigenous institutions and redesign them to suit the British models of monarchy.

## 8. Recommendations

Based on the findings of the study, the following recommendations have been suggested to help revive the chieftaincy institution in the country.

- The government through the national house of chiefs must set up a fund to help chiefs in the various communities so that they can be paid something if not a regular salary for serving their various communities. Towards effective implementation of local governance in the country, the central government must formulate a comprehensive national financial policy which will make traditional authorities more proactive. In other words, chiefs should be allocated a portion of the District Assemblies Common Fund (DACF) to be widely known as the ‘Royal Fund’. The District Assemblies Common Fund (DACF) as stipulated in the 1992 Constitution of the Republic of Ghana. Article 252 (1) and (2) states that: “There shall be a fund to be known as the District Assemblies Common Fund. Subject to the provision of this Constitution, Parliament shall annually make provision for the allocation of not less than five percent of the total revenues of Ghana to the District Assemblies for Development; and the amount shall be paid into the District Assemblies Common Fund in quarterly installments.” The Royal Fund, as suggested can be allocated in similar fashion. In this regard, chiefs can actively participate in national development agenda.
- For traditional leaders to appear non-partisan, political parties should desist from using chiefs as campaign instruments. Chiefs should in practice, abide by the provisions of the constitution and resist various temptations in the form of monetary and other inducements that may compromise the legitimacy, integrity and dignity of this noble institution.
- There is the need to find resolution to the chieftaincy disputes, particularly those pertaining to succession and land ownership. Chieftaincy disputes have been a major obstacle to the deepening of grass-root democracy in Ghana. The Ministry of Local Government must be more proactive. There must be a broad consensus between the Ministry, Land Commission, local authorities and all relevant stakeholders in ensuring the demarcation of the boundaries. The National and Regional Houses of Chiefs must be more proactive in dealing with issues of succession.
- The institution of chieftaincy can be effective as long as it could maintain its autonomy and legitimacy. Traditional leaders can rely on their own in-built mechanisms and administrative structures to implement their own policies.

Chiefs must be more proactive in mobilizing funds to undertake their own developmental projects. Chiefs must be given autonomy to generate revenue through local taxations. Chiefs are better managers of the land and economic resources. Report of the Committee of Experts stipulates that the institution of chieftaincy at the level of local government has a more easily perceivable role to play in mobilizing resources for development. Similarly, the National Decentralization Action Plan, (2003-2005) also recognizes that traditional authorities are important partners in ensuring judicious natural resource management.

- The government can regularly conduct training and sensitization programmes for the traditional authorities in the country so that they will be abreast with the ever-changing trend of society and will also know how to deal with such changes and continue to be relevant to the society. National and Royal Colleges must be established to train chiefs and local authorities on peace making and peace building measures to be used in the event of ethnic conflict which has become more prevalent in the Ghanaian traditional communities.
- Institutional representation is necessary because most chiefs especially the paramount chiefs have complained that government has never consulted them in the nomination of the 30 per cent government appointees to the district assemblies and the number of people to be nominated to the sub-district structures such as the Urban Councils, Zonal

Councils, Town Councils and Unit Committees. A second chamber must be created to ensure chiefs have adequate representation in governance.

## 9. Conclusion

The study sought to identify the challenges facing chieftaincy institutions in modern democratic governance in Ghana and used Akim Abuakwa as the case study. Both quantitative and qualitative methods were used in collecting data in the selected communities for the study. The quantitative data employed a standardized questionnaire whilst the qualitative data employed an interview guide. These data collection tools were used to collect primary data for the study. Secondary data was collected through articles, journals and online materials that related to the topic under study.

At the end of the study, it was established that the traditional authority system is still relevant in modern democratic system notwithstanding the emergence of formal institutional structures and political environment, conflicts and other immense changes it has encountered. It was also established that most traditional authorities in the country embark on developmental projects for their various communities. The study again established the need for the chieftaincy institution in the country to be refined to be abreast with the changing trend of modern democratic society. The participation of traditional authorities in local governance depends on the following factors: (a) a relationship of partnership and interaction between chieftaincy and the District Assemblies and their sub-structures; (b) chieftaincy itself must exhibit democratic principles and good governance characteristics such as non-partisan compartment, objectivity, fairness, transparency, accountability and tolerance. It concluded by making some recommendations for stakeholders in the institution. A major recommendation is that there is the need to find solutions to the chieftaincy disputes, particularly those pertaining to succession and land ownership. If all these recommendations are implemented, it will go a long way to enhance the legitimacy and integrity of the chieftaincy institution and thereby promote local governance. Future studies may employ the Principal-agent theory in assessing the level of accountability between the central government and local authorities.

## Notes

1. By implication case study provides a detailed analysis of the subject being studied.
2. The people Akim Abuakwa are a sub-ethnic group of the Akans. Studies (Nukunya 2003; Brukum 2006) have revealed the traditional political systems of the other ethnic groups in Ghana such as Dagomba, Gonja, Mamprusi, Ga-Adamgbe, and Ewe reflect striking influence of the Akan system.

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