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*Essel, Emmanuel Abeku*

## The Role of Chiefs in Politics in Ghana<sup>1</sup>

### Abstract

*The 1992 Constitution of Ghana clearly bars chiefs from playing an active role in politics. However, chiefs could be engaged in the political space in order to contribute their quota for the development of Ghana. The 2016 electioneering campaign period in Ghana became a field day for most chiefs as they engaged in active politics by endorsing presidential candidates of the various political parties who visited their respective traditional areas of authority to canvas for votes and this situation raised an integrity and identity crises for the chiefs among their subjects. The main objective of this study is to discuss the role of the Chieftaincy Institution in Ghana during the pre and post-colonial periods, the position of the chief and the Fourth (4<sup>th</sup>) Republican Constitution and professes some recommendations for consideration on the role of chiefs in politics in Ghana. This paper is a desk study and the author relied mainly on secondary data, analysis of secondary information and documentary examinations of field reports, news materials, academic literature, books and research findings.*

### Introduction

Adjei acknowledged the fact that, in Ghana, and in most African countries, the chieftaincy institution was purported to have come into existence around the 1300s, long before the arrival of the Europeans on the shores of the country and on the continent.<sup>2</sup> This goes to indicate that, chiefs in Ghana have had their fair share and have played an active role in the day-to-day administration and political space of the country long before colonisation. The chieftaincy institution is recognised as the custodian of the culture and traditions of the people, hence its responsibility is to enact a set of rules to preserve the culture and values of the society. According to Bob-Milliar, “chieftaincy is an indigenous system of governance with executive, judiciary and legislative powers”, he also added that “following their annexation of the Gold Coast State and having realised that they could only rule the people effectively through the chiefs owing to their role as the very embodiment of the people and their authority was obeyed without questioning, the British saw it as an opportunity to exploit it to their advantage to

<sup>1</sup> Consultant: Prof. Gergely Egedy, PhD

<sup>2</sup> ADJEI, Godwin K. (2015): Traditional Akan Royal Chieftly Institution: Evolving Ceremonial Protocol in Chieftaincy at Duayaw-Nkwanta in Ghana. *Legon Journal of the Humanities*, Vol. 26. 4.



achieve their aim and purpose".<sup>3</sup> This act of involving the chiefs in the day-to-day affairs of the country marked the beginning of the chiefs' involvement in the political space of the country.

### The Role of the Chiefs in Pre-Colonial Times

Rathbone posits that chiefs were at the centre of economic powers controlling, as they claim to do, access to land and the people who worked on the land and what could be grown on it, determine the profit of another person's property confiscated and taxes imposed on them.<sup>4</sup> In addition to that, the chiefs were the landowners and they were the only authority that could give authorisation for lands to be allocated or legally be used for whatever economic activities the natives could engage in. Furthermore, they wielded some enormous civic powers, too where they were responsible under the Towns Ordinance Act to ensure that the local physical infrastructure especially roads were maintained and ensure the tidiness and sanitary respectability of their towns and villages. This role was borne out of the need on the part of the chiefs to control mosquitoes and avoid the spread of malaria. Their task was so colossal that it was them who served as a licensing authority for market traders, letter writers, purveyors of medicine and even for the establishment of animist shrines.<sup>5</sup>

In order for the colonial masters to have a field day in their activities, they allowed the chiefs to enjoy these privileges for a long time. Indeed, as the colonial state increased after 1918, the chiefs were recognised more important roles of the colonial status quo where their demands were met, even if not always acceded to, to the detriment of the colonial elites.<sup>6</sup> Even though this policy led to their indirect rule, in a way it placed the chiefs at the helm of affairs where they were acknowledged as leaders and accorded all the needed respect attached to their position.

As far as the judiciary activities were concerned, the colonial authorities extended their control over major crimes such as murder or arson, but the vast majority of the crimes of violence and crimes against property were heard in the chiefs' courts or Native Courts where they had their native authority police forces and established local jails. It is worthy to note that, the chiefs' duties included regulation of everyday matters relating to birth, marriage, death inheritance and any other acts which fell within the purview of customary law. Rathbone said, this was stricter in terms of interpretation and operation, still it differs from one area to the other.<sup>7</sup>

In the words of Ofori Panin, "over time, the colonial authorities became pre-occupied with some other engagements, especially the Second World War which eventually forced Great Britain to take its focus off the colonies for much of the early half of the 20<sup>th</sup> century and through the use of the ordinances and the application of the policy of indirect rule, gave,

<sup>3</sup> BOB-MILLIAR, George M. (2009): Chieftaincy, Diaspora, and Development: The Institution of Nkɔsuohene in Ghana. *African Affairs*, Vol. 108, No. 433. 548.

<sup>4</sup> RATHBONE Richard (2000): *Nkrumah and the Chiefs: The Politics of Chieftaincy in Ghana 1951-60*. Suffolk, Boydell and Brewer Ltd. 22.

<sup>5</sup> Ibid. 22.

<sup>6</sup> Ibid. 30.

<sup>7</sup> Ibid. 65.

enormous power to the chiefs over their subjects".<sup>8</sup> However, according to Oquaye, "any man vested with power is liable to abuse it and extend his authority as far as it would go".<sup>9</sup> The power that was placed in the hands of the chiefs led to a situation where there was mismanagement of public resources, judicial abuses, and political corruption, something which was not known in the traditional governance system. However, Ofori Panin further acknowledged that, the majority of the chiefs were illiterate and vesting power into their hands led to a situation where the institution became a potent force for abusing power and many chiefs could not restrain themselves from temptation.<sup>10</sup>

In addition to that, there was also the perception that the chieftaincy institution was not democratic and must be abolished. These misconceptions and false perceptions according to Ofori Panin were borne out of "absence of written procedures and documentation many critics have strayed into mistakenly believing that democratic principles were non-existent in the traditional governance system".<sup>11</sup> He further stated that, there is consultation and popular consensus in traditional governance; this is well demonstrated in the practice of making public announcements or issuing orders, all in the name of the King Council. With reference to Kwame Gyekye as cited by Ofori Panin "among none of those chiefs living under the protection of the [British] government is their authority of such consequences as to withstand the general opinion of their subjects: so that, with all the outward display of royal power the chief moved at the will of the people".<sup>12</sup>

Despite the attempt to make the system unpopular and to have it abolished, the chieftaincy institution saw a transformation where the colonial authorities through the indirect rule system devised an arrangement to delegate authority to the local people for effective control of governance as an extension of central administration to implement certain agenda of government. This gave room for instance to the Gold Coast Ordinance of 1883, which empowered chiefs to maintain law and order.

The use of the ordinance to a large extent, as posited by Ofori Panin, placed enormous powers in the hands of the chiefs, the majority of whom at that time were illiterates and regular indigent".<sup>13</sup> This act on the part of the Colonial Authority, it could be said, served as an avenue for abuse of power. Indeed, in a situation where the chiefs were ignored by the Government and left to fend for their needs as best as they could, several chiefs chose the easier option of simply turning their tribunals into *money mints* instead of the *justice founts* that they were meant to be. The coming into being of this native administration led to the creation of a sub-culture that quickly set on a direct collision course with the people and chiefs.<sup>14</sup> In a situation where the colonial authorities could not stand the culture of corruption in the native administration system, the executive control was established which became the watershed of gradual withdrawal of powers from the chiefs because they were seen to be abusing their offices.

<sup>8</sup> AMOATIA OFORI PANIN, Osagyefo (2010): *Chiefs and Traditional Authorities and their Role in the Democratic Order and Governance*. Paper presented at the 9<sup>th</sup> IEA Ghana Constitutional Review Series. 4.

<sup>9</sup> OQUAYE, Mike (2004): *Politics in Ghana, 1982-1992: Rawlings Revolution and Populist Democracy*. Osu, Accra, Tornado publications. 70.

<sup>10</sup> AMOATIA OFORI PANIN (2010): *op. cit.* 4.

<sup>11</sup> Ibid. 2.

<sup>12</sup> Ibid. 3.

<sup>13</sup> AMOATIA OFORI PANIN (2010): *op. cit.* 4.

<sup>14</sup> Ibid. 4.



### The Role of the Chiefs in the Post-Colonial Period

According to Lentz, in her work *Chieftaincy has come to stay*, he alluded to the fact that, the institution has continued to exist and survived after the end of colonial rule because the chiefs remained a powerful authority in the mediation between the state and the communities.<sup>15</sup> After independence, Ghana maintained the colonial administrative boundaries and the chiefs continued to play their roles and enjoyed the power they possessed at the local level. However, this was not earned on a silver platter. The chiefs gained much importance and enjoyed lots of treats during the colonial period and had anticipated that they would continue to enjoy the same privileges even after independence. The quest on the part of the chiefs to continue to enjoy such rights set them and the educated elites on conflict course. The educated elites felt the demands of the chiefs were being met to their detriment and haven had education in the Americas and Europe and with the growing cosmopolitan modern elitism, considering their background, they should rather be the ones that ought to be quickly incorporated into the governance set-up as the local agents of the colonial administration. This seeming rift between the chiefs and the educated elites led to a situation where the educated elites began to oppose colonialism and anyone who supported it. As a way of making the chiefs more unpopular and the agents to be disregarded in the governance structure and make a case for their course, the educated elites accused the chiefs of a number of wrongdoings some of which included the following:

The chiefs were indicted of selling communally owned lands, which they administered by custom, they were also accused of superintending over a court system, which was unregulated, and their conduct often falling short of basic universal requirements and understanding of fairness. They were again accused of collecting unapproved court charges and sharing it among the chiefly members of the tribunals. It was also established that, though the chiefs were mandated to collect chieftom taxes and keep appropriate books for auditing purposes, a fraction of them were unable to carry out that responsibility. Added to that, they were also blamed for being the complainants and judges in their own courts. Though one can say the chiefs were indeed playing their roles as expected and, in a way contributing their quota to the day-to-day running of the colonial administration, in secrecy, the British colonial officials agreed with the views of the rising educated class that, the chiefs have become corrupt and determinedly unprogressive.

Even though one can say that the chiefs' recognition in the past was borne out of their natural rights, over time it became something the chiefs felt was their divine right and any time to deprive them of these rights was like in the words of Rathbone "close to challenging the most profound of African sensibility".<sup>16</sup>

Though one would have expected that tempers would have cooled down at independence, the reverse happened and the woes of the chiefs rather got to a roofing height when the Convention People's Party (CPP) won the elections and became the government of the day. Though many where of the view that the chiefs would have supported the CPP at least to show their willingness to become allies, this never happened. Most of the Chiefs could not stand the party and this in a way made the party see the chiefs as *non-friends* of the party creating

<sup>15</sup> LENTZ, Carola (2000): *Chieftaincy Has Come to Stay*. Paper on chieftaincy in the societies of North Western Ghana. *Cahiers d'Études africaines*, Vol. 159, No. 40. 153.  
<sup>16</sup> RATHBONE (2000): *op. cit.* 16.

a wedge between them and the governing party of the day, leading to a situation where the party launched a series of critical attacks on the chiefs to make them unpopular.

Using the party's publication, *The Evening News*, a columnist by name Waship Rambler in 1949 referred to the chiefs as "our imperialists who have opposed and suppressed us for a century and have drained all the good elements in our God-given land to their own home towns".<sup>17</sup> Added to that, the party's leader in the person of Dr. Kwame Nkrumah who was also the editor of the paper *Evening Mail* and was charged with the responsibility to approve and disapprove the content of the paper resorted to the use of threatening language directed at the chiefs. In one of such articles he remarked that, "those chiefs who are with us... we do honour... who join forces with the imperialists... there shall come a time when they will run away fast and leave their sandals behind them, in other words, chiefs in league with imperialists who obstruct our path... will one day runaway and leave their stools".<sup>18</sup> If these words were anything to go by, one can boldly say that the battle line was drawn between the chiefs and the CPP administration, leading to an emasculation of the authority of the former.

Furthermore, actions taken and utterances by the party and its leadership subsequently gave an indication that the CPP will not see eye to eye with the chiefs. In order to relegate the chiefs to the background, the CPP initiated a policy where it made it clear that it represented the aspiration not only that of the workers in the country, but, also that of the youth because, all other jobs then in the colony was the preserve of the royals. However, the word youth had gained additional meaning and used differently in the western world. To the CPP, the word *youth* was a different thing and they were those who were empowered by the party as people in action against the forces of evil. According to Nkrumah, "we, the youth in the Gold Coast had not been found wanting, together with the struggling youth of other lands, we shall not rest until we have built the 'Brave New World' we desire either with or without the chiefs".<sup>19</sup> This act of relying on the youth was an action, which broke the camel's back and also served as an initial act to keep the chiefs at bay. Another action that led to the chiefs struggling was the conflict between the CPP and the United Gold Coast Convention (UGCC) as to which the two major political parties have their interest at heart. Truth be told, many of the chiefs felt the constant attacks on them and their status was the doing of the CPP and in most cases there were justifications that most of the *commoners* attacks upon the chiefs were ordered by the local branches of the CPP. It could also be added that, in the early 1950s, there was a sharp rise in the branches of the CPP, something that resulted in a degree of decentralisation and the popularity of the party to execute the agenda against the chiefs.

As a way to consolidate their positions and without reading in between the lines appropriately, some of the chiefs openly opposed the CPP and supported the UGCC. It was alleged that in the Northern Territory, the Naa Yiri for instance destroyed the local branch of the CPP leading to a situation where the issue of the position of the chiefs was brought to the fore and the need to have the issue look at. This act prompted the then Chairman of the party, Komla Gbedamah to say that the party was not against chiefs "rather we are fighting to liberate them... Those of them who will be reasonable and willing to be emancipated and will come

<sup>17</sup> Ibid. 18.

<sup>18</sup> RATHBONE (2000): *op. cit.* 22.

<sup>19</sup> Ibid. 24.



to our side will bring home with honour... those of them who... choose to remain stooges... of imperialist must be left to their fate".<sup>20</sup>

In an attempt to defuse the tension existing between the chiefs and the CPP, a territorial council meeting was called to enable the people have a collective voice in their dealings with the colonial administration. However, because the tension had reached a boiling point beyond reconciliatory levels, the chiefs did not attend the said meeting, thus, raising further questions that, there is a bad blood between the chiefs and the CPP Government. This act prompted an editorial in the *Accra Evening News*: "We have now decided to carry on with the struggle with or without the chiefs... we shall no longer continue to put our confidence in the chiefs".<sup>21</sup> This act on the part of the chiefs clearly led credence to the fact that, though the 1950 constitutional arrangement curtailed their involvement and were not proscribed from taking part in politics, still it was not going to be possible due to their subtle support of the UGCC. The CPP placed them in a situation where they were actively involved in politics forcing the CPP to say: "Once chiefs had taken the steps of opposing the CPP, as the CPP said had happened, the chiefs could look forward to no protection from them. We are not in favour of our chiefs being hooted at, or booed or stoned, but it is natural that when they condescend to take the role and perform duties of ordinary citizens, then of course they must take the consequences".<sup>22</sup> The bad blood between the chiefs and the CPP geared further up when it became clear that the CPP's activities had gotten to neck levels and indeed the CPP actions and utterances portrayed a situation when they could no longer work with the chiefs anymore.

In the late 1949's, when the activists of the CPP were jailed, it was expected that the chiefs would serve as a rallying point to press for their release. Rather, the chiefs sat aloof and did not do anything about it and this prompted the party's Chairman Gbedemah to have advocated for a tirade against the chiefs that they should be done away with from the system.

This alarming tone from the CPP made the positions of the chiefs more threatening; however, the CPP's position was that the chiefs were the actors of their own popularity and their non-support of the CPP would make their demise more rapid and this became more evident in a situation where a chief had gone contrary to the oath he had sworn was destooled especially those perceived as anti CPP.

Another tool the CPP administration used to publicly lampoon the chiefs as agents of imperialism was the use of satire through the local drama troupes known as *concert party*. The chiefs were seen as dim-witted and unprincipled agents of the colonial administration, and as was expected the performance of the plays usually had in attendance the Prime Minister, Kwame Nkrumah, something which boldly shows that he was in support of the treatment being meted out to the chiefs.

As time went on and was expected, there was a desire to erode the chieftaincy institution and the transformation of the Native Courts led to a situation where the chiefs were not seen suitable to preside over the courts. It was alleged among other things that their work at the courts was reduced to licensing, market places tolls, hawking, letter writing, the sale of native medicine and the operation of shrines. Surprisingly, it could be said that for the citizenry to engage in these activities they needed to secure a license from the chiefs who were also accused

<sup>20</sup> RATHBONE (2000): *op. cit.* 25.

<sup>21</sup> Ibid. 26.

<sup>22</sup> Ibid. 26.

as people who collected bribes before they rendered such services. However, by the inter war period it came to light that the colonial administration lacked the will and resources to reform the local court system and this further took away some of the authority of the chiefs. It must be emphasised that the removal of the chiefs from the courts undermined their authority by denying them formal role in conciliation and the maintenance of the ethical basis of the law. The local courts came under the supervision of the government sweeping away the powers of the chiefs.

Though a number of suggestions were put up to allow the chiefs to play some active role as they had enjoyed prior to the colonial era and before the attainment of republican status, for instance a request to allow for an Upper House of assembly for the preserve of the chiefs was rejected when the 1951 constitution was being drafted. The drafting of the said constitution and the desire to have a particular system of governance created a problem leading to a situation where people of the Asante block felt they have not been treated well and that they would want to secede from the nation of Ghana and form their own republic. This drew a huge wedge between the CPP Government and the people from the Asante block in the country. To break the front of the Asante Kingdom, the party created a number of paramountcies for most of the areas in the Brong Ahafo Regional states, who owe allegiance to the Asante kingdom. Some of the areas where this occurred were in the area of political polarisation when the National Liberation Movement (NLM) was formed. Indeed, one can say that the CPP was not consistent with its own policies as far as the chieftaincy institution was concerned. In a situation where it wants to get at its opponents, it had created paramountcies to break the front of the chiefs and where it was not in its favour, it had advocated for their elimination. Despite that, the chieftaincy institution was accepted and was made part of the 1951 Republican Constitution giving it prominence as part of the cultural heritage of the nation.

As fate would have it and others not in support of the government of the day, the military staged a coup and overthrew the government of the CPP led by Kwame Nkrumah. With the government of Nkrumah overthrown, the military junta restored most of the chiefs who had lost their stools or skins and status as chiefs owing to their differences with Nkrumah, using the nation's inherited system of how one ascends the throne or skin through either the matrilineal or patrilineal systems respectively.

It is worthwhile noting that though the military governments over the period did recognise the chiefs and restored them to their various positions and gave them the needed courtesies, they never gained any access to playing any prominent roles except the mere recognition accorded them as chiefs who were in charge of their local and territorial jurisdiction of authority, custodians of the country's cultural heritage and as and when one's qualification would allow, and based on one's relationship with the party in power is called upon to discharge specific duties for the state. It must however be noted that, where it matters most, they had made their voices heard on many national issues and in some instances participated in rallying the people for what they called *worthy cause* under all military regimes and republican constitutional rule to date. The chiefs have risen to the occasion and stood for what was right. According to Austin and Luckham, the chiefs stood to be counted because they felt on the issue of trust the review of the 1966-69 Constitutional Commission "the chiefs and professionals caused many to believe that the constitution had been fashioned in defence of privilege, rather than in defence



of democracy".<sup>23</sup> This adds to the fact that the chiefs did not only sit to enjoy their royalty; indeed, they were part of the political system and where it matters most they have spoken their minds to shape the political discourse and system of the nation.

### The Role of Chiefs in the Fourth Republic

As a way of formalising the role of the chiefs and the positions they occupy and to consolidate it and preserve its sanctity, the framers of the 1992 Fourth (4<sup>th</sup>) Republican Constitution devoted a chapter of the constitution to the chieftaincy institution. Chapter Twenty-Two, of the constitution spells out amongst other things how through the traditional councils as established by customary law and usage, the chieftaincy institution is guaranteed. It also gives directives on the processes by which one could become a chief and that "parliament shall have no power to enact any law or confers on any person or authority the right to accord or withdraw recognition to or from a chief for any purpose whatsoever in any way that detracts or derogates from the honour and dignity of the institution of chieftaincy".<sup>24</sup> The constitution further regulates how the system is to operate, where should a national house of chiefs be, its duties and responsibilities, as well as a replication of this at the regional levels. There is also a caveat on how one qualifies to become a chief and for one to be recognised as a chief, the said individual so selected must not have been convicted for high treason and that a chief cannot take part in active politics.

As a means to remind the chiefs of the fact that, per their positions as spelt out in the constitution, they are not to take part in active politics and in order to act within the confines of the law to bring dignity, respect and honour to themselves and the stools and skins they occupy, the National House of Chiefs drew a Code of Conduct in 2016 to help check their activities and also restrain them from becoming campaigners for the various political parties during the electioneering campaigns. Despite the caveat of them being barred from taking part in politics a number of chiefs have had the privilege and the opportunity to serve and continue to serve in some state institutions. In addition to that, others have also had the opportunity of serving as mediators in instances of political differences, between political parties in the country. It is worthwhile noting that the chairman of the Interim National Electoral Commission (INEC) under whose tenure the first elections for the 1992 Republican Constitution were held was a chief. This act gave further weight to the fact that, though chiefs are barred from actively taking part in politics, where their services and expertise are mostly needed, when offered the opportunity, they have discharged their responsibility within the political space, as their qualification or expertise can carry them with distinction thus, heightening the question, whether it is good for the Ghanaian Chief to be barred from politics.

Though the role of the chiefs in politics in Ghana has been a checked one, never in the country's history has chiefs been very active on the political front than in 2016 during the electioneering campaigns where most of the chiefs relegated to the background the injunctions of the 1992 Constitution and the Code of Conduct of the National House of Chiefs by actively taking part in politics. Many were said to have been involved in active party political activities, they also became active participants in the electioneering campaigns, and gave endorsements for

<sup>23</sup> AUSTIN, Dennis – LUCKHAM, Robin eds. (1975): *Politicians and Soldiers in Ghana*. London, Frank Cass. 36.

<sup>24</sup> The 1992 Constitution of Ghana.

various presidential candidates depending on which particular political party and presidential candidate vising their area of jurisdiction.

In a news report by Citi Fmonline.com published on the 17<sup>th</sup> of October 2016, it came to light that the two major political parties, the New Patriotic Party (NPP) and the National Democratic Congress (NDC), the then ruling party have intensified their campaigns 60 clear days to the elections and on their visits to various communities to interact with the chiefs and the local people have had the chiefs endorsing them. Even though the then Minister for Chieftaincy Affairs warned and requested that such chiefs be reprimanded because their acts go contrary to the constitution and the chiefs own Code of Conduct, this caution fell on deaf ears and they endorsed the two leading contenders in the elections at will.

According to a report on Ghanaweb.com on 27 October 2016, 46 clear days to the elections, 57 chiefs of the Volta Region of Ghana endorsed the candidature of the opposition candidate. Again, Buzz Ghana, another news outlet also reported that 58 chiefs also endorsed the candidature of the opposition leader. Taking a statistical analysis of the endorsements region by region, the following was what emerged as published by the daily graphic on the 20<sup>th</sup> of December when the acts of the chief and their endorsement of the presidential candidates was being analysed. It became known that when the opposition leader visited the Upper East Region, the Chief of Bawku, Naba Asigiri Azoka Abugrago II, said: "This is the proper endorsement I want to make, God willing this year, you will get what you want and become the President of Ghana."<sup>25</sup> When he visited the Upper West Region too, the Chief of Garu, Naba Asuguru Akuntam Wini again recommended him for the high office of the land. "God willing this year, you will get what you want and become the President of Ghana."<sup>26</sup>

With reference to the incumbent president, when he visited the Northern Region he was highly recommended for a second term by the President of the Northern Regional House of Chiefs, Nayire Naa Bohugu Mahami Abdulai, when he toured the region on his campaigns. "We passionately pray that the almighty God and our ancestral skins will support and back you to achieve your desired aim of continuing to be the President of the Republic of Ghana come December 7, 2016".<sup>27</sup>

In the Brong Ahafo Region, one can say that the endorsement of the incumbent President was even higher. As far back in October 2015, the Chief of Sunyani, Nana Bosoma Asor Nkrawiri told him that he should expect to secure at least 80 per cent of the total votes in the Brong Ahafo Region in the December 7, 2016 elections. This was re-echoed by the Omanhene of Yeji Traditional Area and also the President of the Brong Ahafo Regional House of Chiefs, Nana Pemapin Yaw Kagbrese called on Ghanaians to vote massively for President Mahama in the December polls when he addressed a gathering of elders as part of his campaign tour of the area. The Chief of Bassa, Nana Owusu Sekyi III, also affirmed what his other colleagues had said and endorsed the candidature of the President ahead of the 2016 election.

However, in reference to the possibility and the likely division of the people and their accompanying disrespect to be shown to the chiefs, in the same region of Brong Ahafo, in July 2016 about five (5) months to the elections when the opposition leader visited the same region,

<sup>25</sup> 57 Volta Chiefs Endorse Akufo-Addo. Ghanaweb, 27 October 2016. Available: [www.ghanaweb.com/GhanaHomePage/NewsArchive/48125057](http://www.ghanaweb.com/GhanaHomePage/NewsArchive/48125057) (Accessed: 08.06.2018)

<sup>26</sup> Ibid.

<sup>27</sup> 57 Volta Chiefs Endorse Akufo-Addo. Ghanaweb, 27 October 2016. Available: [www.ghanaweb.com/GhanaHomePage/NewsArchive/48125057](http://www.ghanaweb.com/GhanaHomePage/NewsArchive/48125057) (Accessed: 08.06.2018)



the Chief of Tuobodom and the Akyempemhene of the Techiman Traditional Council, Nana Obeng Ameyaw Barimah II, declared his support for him when he went there to campaign. The endorsement was on all fronts and in every nook and cranny of the country. However, when all was settled, the elections held, the results declared, and the incumbent president lost the election to the opposition leader, the President of the National House of Chiefs Togbe Afede XVII had to apologise to the elected President to forgive the chiefs who erred and engaged in partisan politics during the political campaigning season. He added that "even though the code of conduct of chiefs and the Constitution precluded chiefs from taking active part in politics, some of our members could not live up to the expectations".<sup>28</sup>

Indeed, there was an uproar that some of the chiefs should abdicate their positions for having sworn to do so if the candidate they endorsed do not win the elections. In the words of the former President of Ga-Dangme Traditional Council, Dr. K. B. Asante, one of such chiefs in the person of Gbese Mantse Nii Ayi-Bonte II should vacate his throne honourably to avoid being embarrassed by a section of the public, especially the kingmakers. The crime of the traditional ruler, prior to the December 7 polls was that he vowed that he would relinquish his stool if the incumbent loses the elections. On the contrary, as at the time this article was being written the said chief has not done the honourable thing he vowed to do. These acts are what in the estimation of many causes the chieftaincy institution to lose its sacredness and in the estimation of many, the institution and its actors should be banned. Moreover, they further argue that the chiefs were an embodiment of unity and peace, thus it would not be good for them to actively engage in politics because should they engage in it, they would lose the respect of their subjects and also will find it difficult to unite them under their authority for effective development. Those in favour of these arguments hold the view that a conflict of interests would arise and subjects whose political party the chiefs did not endorse would sit on the fence and in some cases even undermine the authority of the chiefs. Thus, in order to have their status respected and well recognised and not bring about division in their area of authority makes it imperative for the institution to be taken away from the statutes books of the nation so that everyone can actively take part in politics.

In addition to that, it has become an open secret that most chiefs are always accused for being engaged in politics. According to Boateng, a number of allegations has been levelled against the chiefs buttressing the above argument that the chiefs have become *politicians*. Some of these allegations include open association with political parties, declaration of personal support for political parties, canvassing for political parties, intimidating subjects who do not support the chief's favourite party.<sup>29</sup>

He further added that chiefs, in playing their traditional roles, interact with the Government at all levels. In the process, familiarity, especially where a government has stayed in power for a long time, the sweetness of influence peddling and power brokering and perhaps sheer greed and graft get them so entangled with governments that they are unable to extricate themselves from the traps of partisan politics.

<sup>28</sup> Forgive 'Political' Chiefs – Togbe Afede. Graphiconline, 31 January 2017. Available: [www.graphic.com.gh/news/general-news/forgive-political-chiefs-togbe-afede.html](http://www.graphic.com.gh/news/general-news/forgive-political-chiefs-togbe-afede.html) (Accessed: 08.06.2018)

<sup>29</sup> BOATENG, Peter (2013): *Dualism in Local Governance: The Case of Chieftaincy and Local Government in Small Communities of Akyem Abuakwa State of Ghana*. Unpublished Thesis submitted to the Department of Sociology, University of Ghana, Legon, Accra. 14.

However, proponents of the institution hold a contrary view. In the words of Amotia Ofori Panin "despite the public tirade and vehement call to exclude chieftaincy from the political system... The whole chieftaincy institution is so closely bound up with our communities that its disappearance would spell disaster and what they symbolise in society are so vital that the subject of their future must be approached with greatest caution. No African of the Gold Coast is without some admiration for the best aspects of the Chieftaincy and all would loathe doing violence to it".<sup>30</sup>

The Chieftaincy institution cannot be done away with from the body politics of Ghanaians because the institution is well knitted in the culture of the people and every Ghanaian owing to the fact that he or she is an embodiment of that culture hold dearly to it and that chieftaincy as Ofori Panin put it is the "embodiment of the cultural essence of the life of the people and that destroying one is destroying the other".<sup>31</sup>

In addition, Dipholo opines that the institutions of traditional leaders in many African countries have persevered and resisted invalidation. They have been entrusted with responsibilities such as settling disputes of minor cases and other ceremonial duties, whilst they are ignored in local government processes. As a result, some communities now consider traditional leaders helpless.<sup>32</sup>

Furthermore, traditional leadership is critical, and cannot be ignored. Traditional leaders play a social role in rural communities and therefore help in rural community development through stimulating participation in development programs. There is a need for traditional authorities to be recognised through the constitution in the same way the local authority is recognised, to allow tradition and local authorities to work together without overlapping responsibilities, for the good of the society in general. On the other hand, chiefs who are not elected officials, should avoid executing their roles on political party lines, and become partial (manipulated by the ruling party), as this will result in the loss of trust by the communities to which they are accountable.

It has also been observed that the role of traditional authorities is dynamic; it has changed though from one regime to another, under colonialism and post-colonialism. In most countries where the chieftaincy institution is practiced, traditional authority remains legitimate, and a source of organisation in the countryside, despite the fact that their functions differ from one country to another, depending on government policy.

It is common knowledge and a widely known fact that in most African villages, communal cultural identity is largely driven by the traditional governance systems of chieftaincy, as Ladouceur<sup>33</sup> observed it. Keitumetse also affirms that the chieftaincy institution hosts and manifests ethnic awareness and identity. Therefore, the relationship between chiefs and

<sup>30</sup> AMOTIA OFORI PANIN (2010): *op. cit.* 7.

<sup>31</sup> Ibid.

<sup>32</sup> DIPHOLO, Kenneth (2007): *Reducing Dependency and Promoting Community Participation in Development: Case Studies of Participatory Rural Appraisal and Community Action Plans in Botswana*. (Unpublished). 22.

<sup>33</sup> LADOUCEUR, Paul A. (1972): The Yendi Chieftaincy Dispute. *Canadian Journal of African Studies*, Vol. 1, No. 1. 158.

contemporary ethnic communities is a catalysing phenomenon that shapes identity creation and identity politics amongst African communities.<sup>34</sup>

## Conclusion

In conclusion, one can say that the chieftaincy institution is one of the most revered institutions in Ghana and Africa as a whole. It is a form of governance system that has existed for centuries even before the advent of colonialism. Although the chieftaincy institution remains a very relevant system of governance, many however, believe that, the power of chiefs has become weak because it has been subsumed under the current system of western governance, which involves the Executive, the Legislature and the Judiciary. Thus to be seen, heard and lobby for development into their areas of jurisdiction is for them to engage in subtle politics. From the above discussed, can one say the chiefs have committed any crime of lobbying for development into their areas and for their people? The answer to that big question has remained and would always remain no. This is because the current position of the law gives room for any smart chief to take advantage of it and subtly do politics, something the constitution and the Code of Conduct of the chief's flouts upon. However, given the needed legal backing to the constitution of chiefs barred from active politics and the term active, well explained and in some cases those found culpable to have engaged in politics punished, one cannot and indeed, it would be difficult for the chiefs to be excluded from the body politics of Ghana.

## Recommendations

To help deal with the problem, the following recommendations are suggested as a means of helping to address how the chiefs can be engaged in the political space. The chiefs in the first place must exact their authorities and let the politicians who later win elections to form government know that they are also subjects to them and they need not run to them begging for favours, rather it is the political heads who must come to them for advice and counselling. Not only that the law as it stands now in barring chiefs from active politics is so vague and there is the need for it to be made to bite and the chiefs made to understand that, even non engagement in active politics include pronouncements and indirect plea to the subjects to toe a certain line as the chiefs desire.

Owing to the fact that it is argued that the chiefs are forced to actively campaign for political parties so as to lobby for development projects to their areas, it is recommended that the nation should have a development blue print that would allow for equal distribution of the nation's natural resources and its development.

Furthermore, appointments and engagements of chiefs for any national duty should be on a rotational basis and this should be documented with the help of the National and Regional

<sup>34</sup> KEITUMETSE, Susan O. (2016): *The Politics of the Past: Evolving Ethnic Cultural Identities in African Traditional Governance Systems*. 36. Available: [www.researchgate.net/project/5-Evolving-Ethnic-Identities-in-Traditional-Governance-Systems-Chieftaincies-of-African-Democracies-Shoshong-Village-Botswana](http://www.researchgate.net/project/5-Evolving-Ethnic-Identities-in-Traditional-Governance-Systems-Chieftaincies-of-African-Democracies-Shoshong-Village-Botswana) (Accessed: 08.06.2018)

Houses of Chiefs, so that every chief regardless of his or her political affiliation as the case may be could be engaged in the political space at one time or other.

Lastly, the Code of Royal Ethics for Chiefs drafted in 2016 to conduct the activities of the chiefs should be given a legal backing for the chiefs to adhere to them. In addition to that the nature of politics as practiced in Ghana which is centred on political exclusivism and marginalisation, should be done away with.

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