CHIEFTAINCY AND THE CIVIL STATE: RELATIONS BETWEEN TRADITIONAL AND MODERN LEADERSHIP AND A LOOK AT CHIEFTAINCY CONFLICTS IN GHANA

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OUTLINE OF THE PRESENTATION

- Background to Chieftaincy
  - Origin of chieftaincy
    - 1a. Sources of Power & b. Key functions of the chief
- The Civil State
- States in Africa vs. Chieftaincy institution
- The Ghanaian context and conflicts in perspective
- Conflict managements in Ghana
- Conclusion & Recommendations
BACKGROUND TO CHIEFTAINCY

Figure 1. Enskinning a Chief in northern Ghana
1 a. SOURCES OF CHIEFTAINCY POWER

- Deities/gods: (divination; sacred consultation)
- Ancestors: (genealogy)
- People: (legitimacy)
- State: (gazetted)
Figure 2. Chiefs and elders in Northern Ghana
# Functions of a Chief

1. **Administration**
   - rulers of communities
   - moderators of communal affairs/Sociol Control

2. **Symbols of cultural heritage**
   - link between living and dead
   - preservation of culture
   - Local patriotism

3. **Adjudication**
   - judicial responsibilities
   - settlement/arbitration of disputes
   - cheap and easy access to justice
MAMPRUGU TRADITIONAL AREA

Figure 2. Mamprugu traditional Kingdom
4. Defense and Security

- make security decision - Stability
- leaders during war/conquest

5. Agents of Development

- Set agenda for community development
- Use royal connections for community benefit
- The rallying force for unity - rep. com & its will - a Father to all
QUALITIES/EMBODIMENTS OF A CHIEF

- Warrior
- Wisdom
- Divine powers
- Development - trade, education, protector of fragile environment
The origin of the modern state can be traced to the **Westphalian peace treaty in 1648. Took place - Münster**

- Two basic principles governed the state at the time **Sovereignty and collective security**
- Many African states were founded in the late 1950s and the early 1960s
- This was as a result of intensive fight for independence from their colonial masters
- Many African countries integrated their existing customary practices and institutions to their newly founded states - even though discredited in post-independence mainly on account of indirect rule alliance with colonial powers
Figure 4 Colonial official pay courtesy call on a chief and elders
Article 270(1) of the Constitution of Ghana clearly states that the institution of Chieftaincy is clearly recognized as part of the governance system in the country (Rep. Constitution, 1992)

The constitution defines who a chief is in Article 277 and the code of ethics for chiefs: “chief means a person, who, hailing from the appropriate family and lineage, who has been validly nominated, elected or selected and enstooled, enskinned or installed as a chief or queen mother in accordance with the relevant customary law and usage” (Republic of Ghana Constitution, 1992).
The Constitution withholds any power from Parliament to “confer on any person or authority the right to accord or withdraw recognition to or from a chief”

The functions and relationship between the chiefs and the government officials are clearly outlined.
In the pre-colonial/colonial times chiefs had their own military force and collected taxes within their jurisdiction without any form of external control- sometimes leading to abuse, misconduct and conflict. Today this is the preserve of the state- controls - Army, police & entire security sector, public sector employment, Educational system.

The central government exercises the ultimate authority and sometimes consult and collaborate with chiefs in matters of community development- Land, roads, electricity despite tensions arising thereof.
TENSIONS BETWEEN CHIEFS AND OFFICIALS OF THE STATE

- There are instances in which the central government have had grudges with chiefs. Eg. Nkrumah in the 1960s and Rawlings in the 1980s.

- Dr. Kwame Nkrumah was alleged to have said "Our chiefs will run and leave their sandals behind them". (Accra Evening News, 5 January 1950, Gocking 2005: 94)
CHIEFS POWER IS HARNASURED BY THE STATE

Figure 5 President Nana Akuffo Addo paying homage to a chief in Ghana
Chiefs in Ghana are thus recognized by the state, not transformed into mere state agents; they possess political power in many localities. - Heart of decentralized governance

Are not below, above nor beside the state-policy implementators at local level
Chieftaincy conflicts in Ghana

Conflict Map of Ghana

Figure 6. Conflict map of Ghana

Courtesy: National Peace Council
Why Chieftaincy conflicts?

- Conflicts have always been a major challenge to the Chieftaincy institution.
- According to the Minister of Chieftaincy and Religious Affairs, there are about 356 chieftaincy disputes across Ghana.
- Conflicts of chieftaincy are caused by *succession disputes* that is who has the right to be the next chief or king- death of a chief and the coming in of the next?
- Most of these disputes are caused by inadequate well laid down succession plans and in many cases are subject to manipulation.
CHIEFTAINCY CONFLICTS IN GHANA: (CONT’D)

- The succession to the throne are based on un-codified customs and traditional practices usually based on mythology

- Political relations and ties- “vote givers versus development givers”-Elections

- The Constitution prohibits chiefs from engaging in party politics, the institution is not insulated from politics. In most cases individuals and feuding factions contesting for a throne align themselves to political parties.

- The ultimate control of resources and strong powers of Chiefs- leading to unbridled desire to become a chief - imposters/legitimate royals fighting for ascendancy -some gates wanting to ignore the rotational principle and hold on to power like modern dictators, rules of election and installation of chiefs is often ignored;

- Termless tenure of Chiefs- termature only at death

- Legal institutions and processes- “courts of Chiefs”-House of Chiefs
Figure 7. Mediation officials with chiefs and elders.
EXISTING INSTITUTIONS TO CURTAIL CONFLICTS

- Ghana's constitution put all chieftaincy matters in the hands of the National and Regional Houses of Chiefs- Ministry of Chieftaincy and Religious affairs

- Establishment of the National Peace Council (NPC) by an Act of Parliament. A National Peace infrastructure with offices nationwide for the promotion of peace and mitigation of conflicts in Ghana

- Proactive Civil Society Organizations engagements e.g The Ghana Catholic Bishops Conference, Christian Council of Churches, etc

- Imposition of state of emergences (curfews) in areas with sporadic conflicts usually with heavy presence of the security by the government. Added to the presence of the Security is the willingness of the vast majority of the youth not to allow themselves to be used for violent activities.
Committee of Eminent chiefs in Dagbon

Figure 8. Committee of Eminent chiefs in Dagbon
The Church in Ghana like other Civil Society Organizations has not relented in its efforts at peace building and conflict mitigation especially in conflict prone areas.

The role of the local Church in lowering tensions in the conflicts of Northern Ghana e.g. in Bawku, Bolgatanga, Damongo, Wa, Yendi and in the South Alavanyo-Nkonya has been phenomenal and commendable. The lost of trust, not neutral and lukewarm attitude of the state - The Church comes in to fill the gab

The proactive disposition of the Church in conflict resolution inspired Bishop Vincent Boi-Nai (Bishop of Yendi - “headquarters” of violent communal conflicts in Northern Ghana) to start a Peace Initiative for the integration of Dagbon and Komkombas after the devastative ethnic conflict between the two groups in 1994 & Dagbon Peace campaign following the death of the King of Dagombas in 2001

In recognition of these efforts, the diocese was awarded the Martin Luther King Jnr. Peace Award for Peace and Social Justice and many others.
BIMBILLA CONFLICT MANAGEMENT

Figure 9 Bimbilla conflict management team-
Figure 10. Members of Yendi Peace Centre
Focus on 3 thematic areas

- Peace
- Promotion of good governance
- Human rights and Migration.

Serving 10 administrative districts of the Northern Region with approximately 700,000 people.

Established 2002- legalised in 2007
The Centre for Conflict Transformation and Peace Studies (CECOTAPS) in Damongo has established Satellite Peace Centers (SPCs) in all 5 dioceses.
CONCLUSION

- The chieftaincy institution in Ghana especially in some parts of Northern Ghana - disputes, a threat to the security of Ghana. Chieftaincy disputes are accounting for more deaths than any other civil strife in recent time.

- The meager resources of the region are channeled into managing these conflicts through curfews and allowances for the security personnel.

- Apart from Economic, social, educational effects is Psycho-spiritual. Areas declared “disaster zone” & “Troubled Area” The end result is a cycle of poverty for the region.

- Recent development at the Ministry of Chieftaincy and Religious Affairs are commendable as the minister announced actions to resolve major chieftaincy disputes in Ghana: equipping the judicial committees of the various houses of chiefs to adequately handle such cases and make necessary determinations and recommendations.

- Chieftaincy institution is not only tolerated and respected by the Civil State. Traditional authorities are not problems but asserts for good governance. Part of the achieved democracy of Ghana & Part of the problem and Solutions.
RECOMMENDATION

- The need for Government to organize annual orientation programmes for chiefs towards unity, peace building and national development at the Regional levels.
- Sensitization of chiefs to desist from politics.
- Documentation of customary practices to curb succession disputes- Move from curative to prevention
Thank you for your keen attention