

# Chieftaincy as an Enduring Institution and Blueprint for Governance in Africa: Case Study of Ghana

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Despite the fact that the continent of Africa is blessed with lot of human and natural resources, yet its peoples continue to emigrate away from it daily on a scale unprecedented due to lack of economic opportunities and political instability. There is a known correlation between political stability and economic viability. In today's world, political stability simply means a viable and thriving democracy with all its trappings, however democracy as epitomized by the United States and Western Europe seems to be having a difficult time sinking its tentacles in Sub-Saharan African states. The resultant effect of this phenomena on Sub-Saharan African states is an outbreak of conflicts in its various forms, economic stagnation and human flight/brain drain. This paper seeks to find a solution to the issue of political instability on the African continent and perhaps possibly an alternative to Western style democracy. As a matter of fact, a solution might already be in place. This solution however requires us to look into the past rather than the future. Before the Europeans colonized the continent, Africans were organized into different polities that took the form of empires, kingdoms, chiefdoms and in some instance republics. Sadly most of these polities have eroded with time, however, the chieftaincy system as popularized by the Ashanti continues to thrive in modern Ghana. This paper seeks to explore the inner workings of the chieftaincy system that held together a Ghana that was bigger in terms of territory, more culturally diverse than its modern counterpart of which democracy is struggling to hold together.

*Keywords:* chieftaincy, ashanti, political instability, economic stagnation, ghana, democracy

## Introduction

This treatise is an attempt to understand governance as it pertains to states on the African continent. Democracy as a concept of governance seems to be having a tough time sinking its roots on the continent of Africa and this is an issue because in today's world, democracy as a system of governance has become the accepted norm. Kingdoms/Empires thrived on this continent long before democracy was ever adopted as the preferred and accepted method of governance at least since the demise of the United Soviet Socialist Republic in the early 1990s. This being said, states on the continent of Africa that have embraced and adopted democracy as a system of governance continue to have problems communicating their authority over their territory. However, one wonders at how kingdoms/empires that flourished on this continent were able to overcome this particular problem and more so, given that they covered more geographic space than the current states in Africa now occupy. Without a doubt, Africa as a continent is blessed with abundance of natural and human resources,

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yet the statistics for the incidence of poverty on the continent is staggering; the amount of its people in diaspora can't be overstated because of the inherent problem that a lack of governance creates. States on the continent are plagued by a virulent disease that manifests itself in various forms that includes but is not limited to military coup d'état, dictatorship, ethnic cronyism and corrupt democracies. Naturally it begs the question of how these so called primitive kingdoms/empires were able to develop cohesive governmental units whilst modern day democracy are having a difficult time accomplishing the same feat on the continent of Africa. This question is the driving theme of this treatise and an attempt is being made here to examine certain institutions that characterized these kingdoms/empires in general and the Ashanti/Akan kingdom in particular viz a viz modern Ghanaian democratic institutions to find out whether or not these ancient institutions is the way to go in terms of finding a lasting solution to the issue of governance on the African continent. the research below was conducted through a variety of means which includes but not limited to the following: observation of Ghanaian traditions and culture by staying in the country for period of time, interviewing members of faculty at the University of Ghana that have anything to do with governance in the country, interviewing various levels of chiefs, interviewing ministry officials, observing a session of the Ghanaian parliament and interview of certain parliamentarians and last but not the least; the perusal of specific books and journals in the archives and libraries of the University of Ghana Legon, Accra.

### **Preamble**

Long before the advent of modern democracy, men regardless of geographic location have always managed to find a way to organize and govern themselves. How effective that governance is or was again is subject to debate, however there is no contesting the fact that governance existed in all the places that men have thrived before the introduction of democracy. The general assumption is that peoples on the continent of Africa didn't know any better until the European came with their religion and their form of government; the terms "stone-age, barbarian and uncivilized" (Stoeltje, 2006) are the words the European normally uses to describe the inhabitants of this "dark" continent. Contrary to the perception above, governance did thrive on the continent of Africa before the Europeans introduced their form of governance. Empires flourished on the continent of Africa long before any European set foot on the continent. The most famous would be that of the Egyptians, which has been acknowledged to be the mother of all civilization. Aside from the land of pharaohs, other empires and kingdoms flourished in the hinterland part of Africa which in today's lingo is termed as "Sub Saharan Africa". Among the empires that flourished were the Songhai and Mali empires (Ajayi & Espie, 1965), various kingdoms and sultanates like the Yoruba Kingdom, the Benin Empire, the Sokoto Caliphate, the Bornu Empires, the Kanem-Bornu, the Ashanti/Akan Kingdom, the Zulu nation to mention just a few. Aside from empires and kingdoms, some societies organized themselves in a completely different way, for example the Igbo and other societies that can be found in what is now known as Southern Nigeria, these people had a system whereby there was no centralized governance and the community/society was ruled and governed by a council of elders very like the city-states that flourished in ancient Greece (Ajayi & Espie, 1965). Furthermore, not all of these empires were patrilineal in nature, some like the people of the Akan kingdom in general and the Ashanti people in particular had a matrilineal system where inheritance is passed on through the mother's bloodline coupled with the fact that the "Queen mother" was also the one that nominates the king. This is surprising because for a continent that was described as barbaric, here is a form of feminism, institutionalized feminism that had existed long before the Europeans ever dreamt of the concept.

However, if one was to examine the various empires, kingdoms, societies and the various forms of governance that flourished in the hinterland of the continent of the Africa, there is no doubt that one would end up writing a book which unfortunately is not the purpose of this treatise. Without no doubt, democracy is a unique form of governance that has been perfected by the Western world (Western and Northern Europe and the United States of America) in its various variations; for instance in the United States, the democracy practiced over there is defined by the constitution of the country, unlike in the United Kingdom, where no formal constitution exist or in the Northern European countries where social welfare is a big part of their democratic tradition. So it naturally begs the question of why democracy and democratic institutions have not been able to be entrenched on the continent of Africa as it has been done in the United States and Europe. The key to understand this problem that continues to stymie the efforts of modern government in Africa might be hidden away in the history, culture and traditions of the empires, kingdoms and societies that flourished in this part of the world before the advent of the Europeans. Again, this is not to say that all the empires, kingdoms and societies that flourished on the continent of Africa would be examined but for the purpose of this research paper, the Akan/Ashanti kingdom that flourished in the part of Africa that is now known as Ghana would be sufficient for the scope of this paper. However, it needs to be pointed out that regardless of the what the research reveals in the case of the Akan/Ashanti in Ghana, the result would be particular to Ghana because we must not forget that societies emerged and evolved differently based on a variety of factors and the continent of Africa is no exception, in other words, what works in Ghana might not work in the Gambia or in Nigeria.

### **Pre-Colonial Ghana**

Ghana was a new concept that was created by the Europeans even though the name “Ghana” itself which was chosen during the independence was from the ancient Ghana Empire (McKissack, F., & McKissack, P., 1994) that flourished in this part of West Africa eons ago and the name Ghana means “Warrior King”. The colony of the Gold Coast was the name when the area that modern Ghana now occupies was under the control of the British before the name was changed for the independence of the country in 1957. However, before the advent of the colonials, there existed in this part of Africa a number of ancient but predominantly Akan Kingdoms of which the most famous is the Ashanti kingdom. Aside from the Ashanti, there were other groups that rose to prominence in this area such as the Akwamu, the Akyem, the Bonoman, the Fanti and the Denkyira among other groups. There were other non-Akan group that flourished during this period too, some of which included the states created by the Ga, and the Dagomba (Ajayi & Espie, 1965). Although, history tells us a lot about the Ashanti/Akan and their exploits but it needs to be said that the lot of these kingdoms were not a coercive unit particularly because of the dominance of the Ashanti group, whom perhaps because of their wealth and their population size were able to easily dominate the other groups. Nonetheless the Akan kingdoms were characterized by a lot of internal fighting, mostly because the other groups wanted to be rid of the yoke the Ashanti had cast around them. The formal Ashanti/Akan governmental structure was established in the late 17th century (Stoeltje, 2006) after the defeat of the Denkyira by the Ashanti. The defeat of the Denkyira allowed for the fusion of the various legal, religious, political and kingship systems into one system which was embodied in the Ashanti King. The Ashanti were able to accomplish this due to the ingenious scheme of one powerful priest from the Ashanti group named Komfo Anokye (McCaskie, 1995).

In the old lore of how the Ashanti became the overlords of what later became the Ashanti/Akan empire, this priest materialized the golden stool out of thin air and claimed that the stool had descended from the

heavens and thus decreeing and making the over lordship mandate of the Ashanti ruling class a spiritual one and thus inviolable. Aside from the golden stool which simultaneously represented power and a symbol of the Ashanti nation, the golden stool was also accompanied or enjoined with the seventy-seven national laws of which their enforcement was the charge given to the Ashantehene. The Ashanti were able to effectively govern their territories through a complex system of governance that took into account various aspect of their cultural backgrounds. For instance, the Ashanti had a constitution that was unchangeable. This constitution was called the “*aman mmu*” (Stoeltje, 2006) which literarily translate into English language as immemorial customs. These are customs that are written and set in stone and thus unchangeable as written earlier. Then there was the “*aman bre*” (Stoeltje, 2006) the other part of the Ashanti legal system which was subject to change. The closest translation one can get in English language for “*aman bre*” would be legislation. The *aman bre* represents the daily customs of the people as affected by disputes, disagreements and discords, of which the Ashantehene was expected to mediate, negotiate, arbitrate and adjudicate. Thus the system thrived as long as the Ashantehene thrived because all power within the kingdoms was centered on the person of Ashantehene. Aside from the legal system explained above, the Ashanti also utilized a system of chieftaincy system that granted chiefs some autonomy over their people as long as they swear fealty and loyalty to the Ashantehene. Thus the chiefs in their locality embodied the same responsibilities that Ashantehene embodies at the national level. This system of chieftaincy is fascinating because it continues to remain a resilient institution from before the Ashanti became overlords of Akan people, when the Ashanti became overlords of the Akan people, when the British became masters of the Ashanti ruling class and thus rulers of the vast Ashanti/Akan empire and finally when the Gold Coast gained independence in 1957 and power was handed over to the *Kwame Nkrumah*<sup>1</sup> as the first president of a free African nation. The chieftaincy system survived primarily because of two factors: The first factor would be the fact that they were left alone to govern their own people under the Ashanti over lordship and even under the British indirect rule, they were for the most part left alone albeit curtailed in the scope of their power and they, the chiefs realized that as long as they did what the British wanted, they and their lands were relatively safe. The second factor would be the religiosity of the Akan people themselves. This unique trait allowed the fetish priest Komfo Anokye’s scheme for consolidating power to work effectively because all the chiefs had to do was to swear an oath of allegiance under their gods and this oath they considered binding and sacrosanct.

### **Indirect Rule**

The Bond of 1844 (Van, 1998) signified the beginning of the decline of the Ashanti power/state and the arrival of the British in what is now modern Ghana. It needs to be noted that prior to this period, the Ashanti had erstwhile being trading with the British and other foreigners that came up the coast. The Ashanti primarily dealt in the trading of gold, salt and slaves. It is however, important to note that slavery did exist on the continent of Africa before the Europeans created the international demand for slaves in general and African slaves in particular. As shocking as it might sound to some but it is indeed true that African kingdoms like any other kingdoms that grew in other parts of the world traded in slaves. The institution of slavery is almost as old as man himself. The concept of slavery on Africa was somewhat different primarily because it was motivated by certain factors which included crimes, warfare and population control to mention just a few (Ayesu, 2012).

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<sup>1</sup> Kwame Nkrumah: First president of modern Ghana.

This is not an excuse or a justification of the institution of slavery on the continent of Africa but an explanation to put things in the right perspective. As said earlier, criminal acts was one of the factors that stimulated slavery on the continent of Africa because most of the African Kings/Chiefs had no mechanism for punishing criminals that had performed dastardly and egregious acts like murder; and they rarely ever use the death sentence as popular as that was in Europe during the same period and they had no prison nor believed in the prison system. However, they did have a couple of options open to them and this included either banishment or being sold into slavery. The second factor was warfare and this is important to note because like most kingdoms/empires that ever flourished on planet earth, expansion is inevitable and this resulted into wars over territories and these wars created prisoners of war and prisoners of wars are sold off into slavery. The third aspect was a little vague but nonetheless it is worth mentioning and that is the concept of population control as it is tied into the institution of slavery. Like any society that has graced the earth, people always outnumber the resources available to sustain them; societies that grew in Africa were no different and one of the ways of controlling that growing population was the institution of slavery. Again, this concept is very vague and can't be substantiated at this time, perhaps further research might shed light on how population control in pre-colonial African societies ties into the slave trade. By the time of British domination, the power and strength of the Ashanti/Akan people had started to wane. This was due to a variety of factors which included: the defeat they suffered at the hands of the British, the internal fighting between the Ashanti and other Akan states which invariably led to the latter forming an alliance with the British against the Ashanti and finally, the break in the monopoly of the Ashanti over the gold trade.

However, the British government realized that there were too few of them on the ground to be able to govern the people effectively so they employed the same tactics they used on the Maharajas and Maharani in India and this tactic or policy was termed the policy of "indirect rule". The policy of indirect rule (Ajayi & Espie, 1965, p. 385) was effective because in actual sense, the chiefs still ruled and controlled the people, only this time, the chiefs whom had erstwhile been at the apex of the Akan system became the puppets of the British colonials. In other words, the British controlled the chiefs and they in turn controlled the people. As far as the British were concerned this was a perfect system, however, in order to keep the chiefs in line, the British utilized the simple power of recognition. Any chief that became too problematic for the British was denied recognition which coupled with the fact that they had already limited the powers of the chiefs to the barest minimum and this was an effective tool to keep the chiefs in line. The chiefs as said earlier, before colonialism were the focal point for all aspect of governance but since the advent of the British, that power and authority embodied in the person of the chiefs was reduced drastically. The Native Jurisdiction Ordinance of 1883 was implemented by the British to regulate certain powers of the Native Authority. More so, the law passed by the Native Authority was subject to approval from the British governor who then had the power to suspend, depose and exile chiefs. One of the major powers taken away from the chiefs included the power to oversee any criminal case and the power to adjudicate over foreign nationals (Rattray, 1923). The process of recognizing and withdrawing of recognition of chiefs under the British continued under the rule of Kwame Nkrumah when he became President of the independent nation of Ghana. A lot of debate has been raging over why Mr. Nkrumah continued with the policy of the British regarding the chiefs and why he even enacted laws like the Akim Abuakwa Act of 1958, Ashanti Stool Act of 1958 and the Stool Land Control Act of 1960<sup>2</sup> but simple

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<sup>2</sup> Divisional Chief. Personal interview 20th of July 2012.

logic suggests that Mr. Nkrumah had no choice but to continue with that policy because the institution of chieftaincy was a direct threat to the nascent administration of Nkrumah. Another but unsubstantiated debate is the simple fact that the chiefs didn't do much in terms of fighting for the independence of Ghana from the British. Again, just like above, simple logic will suffice in the explanation of the why most of the chiefs were not part of the struggle for independence. It was for the simple interest that the chiefs knew just as Kwame Nkrumah knew that the concept of Ghana as a nation state with British style government would seriously encroach on the power of the chiefs and they have had a taste of it under the British rule. This is not to say that none of the chiefs strove for the independence of Ghana; the Ashantehene was one of the chiefs that fought against the British and for his troubles, he was deported to the Seychelles for almost 20 years and so also was the Queen mother, who led a revolt against the British, and just like the Ashantehene, she also was deported to the Seychelles (Stoeltje, 2006).

### **Chieftaincy: The Institution**

Chieftaincy has endured and continues to endure in Ghana (Odotei & Awedoba, 2006). It is the very foundation in which the Ghanaian society past or present is laid. The resilience of the institution can be seen even in the modern world of today. Though it has endured, the institution hasn't escaped the vicissitude of time unscathed. Aside from the trials and tribulations of the past that the institution has endured, today it faces another type of enemy. This enemy manifests itself in terms of illiteracy, poverty, and environmental degradation, lack of resources, ignorance and conflicts. However today, the institution of chieftaincy is guaranteed by the 1992 constitution of Republic of Ghana under Article 270 (1)<sup>3</sup> of the said constitution which states that "The institution of chieftaincy together with its traditional councils as established by customary law and usage is hereby guaranteed". The same constitution also defines what and who can be a chief. In Article 277<sup>4</sup>, the constitution defines a chief as "a person, who hailing from the appropriate family and lineage has been validly nominated, elected or selected and enstooled, enskinned or installed as a chief or queen mother in accordance with the customary law and usage". In modern Ghana, the institution of chieftaincy operates almost the same way it did when the Ashanti were overlords in these lands with the exception that they are not permitted to participate in politics. Loyalty by oath of allegiance is still pretty much the binding principle that holds these chiefs together. The chief is accorded a lot of respect anywhere in the society especially in the community where he is the chief primarily because the chief is expected to assume or even in this case embody the social, political and judicial power in that particular community albeit the fact that the power in question has been seriously curtailed by the government in Accra. The chief is addressed in different names depending on the ethnic group that occupies the territory to which he is chief; for instance, the Akan people refer to the chief as "Ohene", the Ewe addresses him as "Fia", and the Ga calls him "Mantse". In modern Ghana, the chieftaincy adheres (Busia, 1968) to a specific and binding hierarchy that starts from the local level all the way up to the Ashantehene who is actually considered a king<sup>5</sup> (p. 15). Each chief has power within his jurisdiction to mediate, negotiate, arbitrate and adjudicate in local disputes and if the matters can't be resolved, it gets moved up to the next step which will be the Traditional Council, which is always made up of a number of district chiefs and if the matters still doesn't get resolved then it gets bumped up to the Regional House of

<sup>3</sup> The 1992 Constitution of the Republic of Ghana.

<sup>4</sup> The 1992 Constitution of the Republic of Ghana.

<sup>5</sup> Divisional Chief. Personal interview 20th of July 2012.

Chiefs and if again, the issue has not been resolved, then the matter gets moved up to the National House of Chiefs which is the final destination as far the chieftaincy institution is concerned, however if the matter still hasn't been resolved then it can be moved into the Ghanaian Supreme Court. The Ghanaian Supreme Court is the only court in Ghana that hears cases relating to chieftaincy matters. No other court has been given that power. The system of chieftaincy differs from place to place. In the south where the Ashanti and other Akan group are located, the chieftaincy system is matrilineal, that is to say the chief is chosen from the mother's lineage and the chief is also nominated by the queen mother. With the Ga and other groups that are non-Akan, the system is patrilineal and the rule of primogeniture is in effect. However if the deceased chief leaves behind no male offspring; then the new chief is selected by a group of elders called the "kingmakers". In both systems the chief is always a male, although in terms of the Akan group, there have been in some instance, a woman has been enstooled as a chief. It does need to be pointed out that even though this is a rare occurrence, women in the Akan tradition do wield a lot of power. For instance Queen mothers hold courts too just like the chief would and the Queen mother is one of the few if not the only that can address the chief directly in public and in private. The system of chieftaincy in the south is such that the chief's position is hereditary, once a chief has been installed in any level of the hierarchy as a chief, that chief holds that position until he dies unless he commits an egregious offence that can lead to him being destooled. Supposedly in the north, the system is different in the sense that chiefs can move from one level to the other. In other words, the chiefs are graduated from one level to the other. How that system work is still a mystery because nothing can be found on how that system works. Also an important thing to note about the chiefs in the northern part of Ghana is that they are not enstooled, rather they are enskinned; while the south uses stools as a symbol of power, the north uses animal skins as symbol of power. Then there are the Zongo<sup>6</sup> groups. Zongo is derived from the Hausa word meaning the lodging place of travellers. These various groups, in most cases not belonging to the ethnic groupings one can find in the old Ashanti/Akan kingdom and in modern Ghana occupy the greater Accra region. These people for the most part are a mixture of Yoruba, Hausa and Fulani that migrated from Nigeria. Officially, they are not recognized as chiefdoms but it is almost impossible not to take them into consideration because they make up a substantial part of the whole society both from a social, cultural and economic perspective. Not much has being written about them but it is written that in the earlier part of the British domination, a certain Zongo Chief rose to such prominence that if the British needed anyone settled in the greater Accra area, they consulted with him, his name was Chief Braimah (Aniegye, 2012), an astute businessman and a gifted statesman. He was succeeded by his son who was ineffectual but this succession shows that they had adopted the patrilineal and primogeniture mode of succession. Nothing has been written about the son but much has been written about the grandson who became almost as prominent if not more as the grandfather.

### Conclusions

From afar, it would be easy to surmise that the chieftaincy system as adopted by the Ashanti is an ancient form of what in today's democratic world is termed "Federalism", a system of government where the provinces have autonomy but in certain matters like the military and taxation, they are subject to the overarching power at the center; a system of governance popularized by the United States of America. However on closer inspection,

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<sup>6</sup> Zongo: This is a Hausa word that means lodging place of travellers. So the zongo communities in Ghana are actually communities of Hausa/Fulani/Yoruba people that migrated into what is now known as Republic of Ghana. There are heavy concentrations of them in Accra central and the greater Accra Region.

one can easily come to the conclusion that this system is inherently different from federalism. For one, all powers in the chieftaincy system flows from the Ashantehene and every chief from a Sub-Chief to a Paramount Chief is a manifestation of that power. Furthermore, from a superficial point of view, it appears that governance in Ghana runs on two parallel paths that never meets: On the one hand is the parliamentary system and on the other hand is the chieftaincy institution. However on closer inspection one would realize that not only is the above perception not true but the two systems of governance is connected in more ways than one. Although, the constitution of the Republic of Ghana prevents the chiefs from participating in politics, yet they can be appointed to various positions in the government by the administration of the day for their expertise in certain matters. The politicians understand the value of the chiefs because they understand that they are more in tune with what is going on in the country than anybody else because they are always in touch with the people in their communities. Aside from their association with the communities at the local levels, they are also the custodians of the land as guaranteed by the constitution of the country. In terms of Foreign Direct Investment (FDI), the chiefs have the authority to invite and negotiate with investors planning to invest in Ghana and by so doing contributing to the welfare and development of not only the peoples in their communities but the country as a whole. So however one looks at the institution of chieftaincy in Ghana, it is a part and parcel of the whole governmental structure and because the chiefs are not allowed to participate in politics, they have no vested interest but the welfare of their people because these are the folks that they are accountable to. Democracy in Ghana is unique, primarily because Ghana has systematically and successfully infused their traditional and cultural governance into the type of the democracy that works within the modern Ghanaian context. This system like all system is not without its adherents and detractors; for instance, there are some that still believe the institution of chieftaincy in nothing but a blight that needs to be curtailed seriously if not completely eradicated, while some suggest that the institution will best serve the government if instead of politicians at the local level that the institution of chieftaincy should be utilized at that level, after all, the chiefs are more close to the people than anyone else (Kwesi, 2012). However, the question needs to be asked; can the chieftaincy institution be a blueprint or format of governance other African states can follow? It is a little bit too early to tell because Ghana is unique in the sense that the majority of the ethnic groups here for the most part share a common heritage and this is an important factor that cannot be overlooked. Will the same hybrid version of democracy work in a place like Nigeria where the ethnic groups have no common ancestry? Herein lies an opportunity for more research and until the research has been conducted, there is no way to definitively say whether this system will work in these other states but for now it seems Ghana is reaping the benefit of this hybrid form of governance because according to the Ibrahim Index of African Governance (IIAG)<sup>7</sup>, Ghana currently ranks seventh in Africa and second in West Africa in terms of political stability and good governance.

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<sup>7</sup> IIAG: The Ibrahim Index of African Governance. The index scores each countries based on 4 criteria which includes Safety & Rule of Law, Participation & Human Rights, Sustainable Economic Opportunity and Human Development.



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