

DUALISM IN LOCAL GOVERNANCE:
The Case of Chieftaincy and Local Government
in Small Communities of Akyem
Abuakwa State of Ghana

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requirements for the award of the Degree of Doctor of
Philosophy in Sociology.**

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DECLARATION

I do hereby declare that this work with the exception of acknowledged quotations and ideas attributed to specified sources, is entirely my own and that it is the true record of the goal set.

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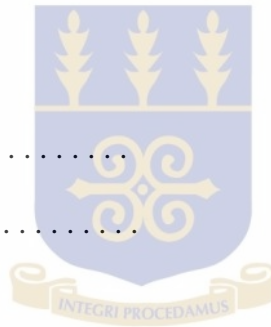
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DEDICATION

This work is dedicated to the late Doris Adomaa Boateng, my only full blooded sister, who encouraged me to persue the PHD Programme but did not live long enough to see its completion.



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LIST OF ABBREVIATIONS

- | | | | |
|-----|-------|---|---|
| 1. | AC | – | Area Council |
| 2. | AG | – | Attorney General |
| 3. | ATR | – | African Traditional Religion |
| 4. | BL | – | Bicameral Legislature |
| 5. | CBO | – | Community-Based Organization |
| 6. | CC | – | Coussey Committee |
| 7. | CCC | – | Coussey Constitutional Committee |
| 8. | CDD | – | Community Driven Development |
| 9. | CEL | – | Council of Elders |
| 10. | CHRAJ | – | Commission on Human Rights and Administrative Justice |
| 11. | CLC | – | Communal Labour Committee |
| 12. | COF | – | Contingency Fund |
| 13. | CPP | – | Convention People's Party |
| 14. | CS | – | Council of State |
| 15. | DA | – | District Assembly |
| 16. | DACF | – | District Assembly Common Fund |
| 17. | DCE | – | District Chief Executive |
| 18. | EC | – | Electoral Commission |
| 19. | FC | – | Funeral Committee |
| 20. | GCYC | – | Gold Coast Youth Conference |
| 21. | HDMB | – | Head of the Decision Making Body |
| 22. | HMT | – | Head of the Management Team |

23.	JPC	–	Joint Provincial Council of Chiefs
24.	LC	–	Legislative Council
25.	LG	–	Local Government
26.	LGO	–	Local Government Ordinance
27.	LGS	–	Local Government System
28.	MCE	–	Municipal Chief Executive
29.	MCO	–	Municipal Council Ordinance
30.	MDMB	–	Member of the Decision Making Body
31.	MMT	–	Member of the Management Team
32.	MP	–	Member of Parliament
33.	NDAP	–	National Decentralisation Action Plan
34.	NDC	–	National Democratic Congress
35.	NDCO	–	National Development Commission
36.	NDMBS	–	Non-member of Decision Making Body but make Suggestions
37.	NGO	–	Non-Governmental Organization
38.	NHC	–	National House of Chiefs
39.	NMT	–	Non-member of Management Team but Participate (NMTP)
40.	NPP	–	New Patriotic Party
41.	PDC	–	People's Defence Committees
42.	PC	–	Prison Council
43.	PNDC	–	Provisional National Defence Council
44.	RA	–	Regional Administration
45.	RCC	–	Regional Coordinating Council
46.	RHC	–	Regional House of Chiefs

47.	RLC	–	Regional Land Commission
48.	SCO	–	State Council Ordinance
49.	SNG	–	Sub-National Government
50.	TA	–	Traditional Areas
51.	TC	–	Town Council
52.	TCC	–	Town Council Chairperson
53.	TCM	–	Town Council Members
54.	TLC	–	Traditional Council
55.	TSC	–	Traditional State Councils
56.	UC	–	Unit Committee
57.	UCC	–	Unit Committee Chairperson
58.	UCM	–	Unit Committee Members
59.	UH	–	Upper House
60.	UNECA	–	United Nations Economic Commission for Africa
61.	URC	–	Urban Council
62.	ZC	–	Zonal Council

ABSTRACT

One of the hallmarks of our rapidly evolving democratic culture as a nation has been the relentlessness with which we have subjected every social institution to scrutiny through open debate and discussion. Consistent with this culture of debate, there has been a flurry of criticisms and commentaries about the institution of Chieftaincy. Not surprisingly, no consensus on the relevance of the institution in the midst of a modern nation-state has so far been achieved.

One side of the debate suggests that the institution is incompatible with modern forms of governance and must therefore be discarded. And, almost invariably, those who suggest that Chieftaincy should be abolished argue that the institution is hereditary and therefore undemocratic. The argument also runs that the institution has lost much of its original functions and that it fosters tribalism, conflict and classism, so to speak.

The polar view asserts that traditional institutions are indispensable for political transformation in the country, as they represent a major part of the country's history, culture, and governance system. This view favours the continued existence of chieftaincy because the institution is seen as playing key roles in the socio-political lives of the people.

It is significant to note that juxtaposed with this chieftaincy institution is the sometimes parallel "modern State", vested with enormous authority in rule making, application, adjudication and enforcement; thus creating political dualism in the country. This dualism transcends all levels – national, regional, district and village level politics – under the present Fourth Republic of Ghana.

The issues have been, do these political institutions exist and function together or in isolation? Are there not interrelations between them? If there are, what are the nature and dynamics of the interrelations between these two separate leaderships as they exist and function alongside each other?

Within the theoretical perspective of the interplay of tradition and modernity as it happens in every social change, this study looks at the possible diverse relations between the traditional rule and local government structures in some small communities (Apapam and Nkronso) in Akyem Abuakwa, with emphasis on the controversy over the relevance of chieftaincy to mainstream politics at the local level. In this regard, the broad objective of the investigation is to examine how the chieftaincy institution and local government in Akyem Abuakwa local communities co-exist and function alongside each other in spearheading socio-economic activities, and maintaining law and order. An additional objective is to assess the issue of whether or not traditional rule has lost its relevance and importance after the establishment of local government under the Fourth Republic of Ghana.

Field data were collected from three categories of respondents: traditional leaders, government functionaries and the people (the ruled). Four main instruments were used, namely, **interviewing** (of traditional leaders and government functionaries); **observation** (of events and practices such as adjudications, deliberations, festivals and funeral ceremonies); **case studies**; and a **survey** of the people (ruled).

Guided by the objectives of the study, the data from the survey were processed quantitatively and analysed alongside the qualitative data obtained from the **interviewing**, **observation**, and selected **case studies**. The **secondary** data obtained from books, journals, newspapers, statistical documents and internet, were used to enrich the analyses of the primary data.

Among the findings which were central to the objectives of the study were that while the traditional leaders were performing central role in governance in the small local communities, the government functionaries, including the assemblymen, were playing peripheral role. Thus, the chieftaincy institution was seen to be well imbedded in the socio-cultural fabric of the Ghanaian communities and that the planners of the local government erred for failing to strongly feature the traditional leaders in main-stream politics. The policy implication therefore is that there is the need for policy makers to develop constitutional provisions which would strongly blend tradition (Chieftaincy) and modernity (national government structures).

Some questions for potential future research are: how do we understand the changing role of chieftaincy in the governance of Ghana? Can Ghanaian chieftaincy promote patterns of democratic self-governance in the country; if so, under what conditions or in what circumstances? How do we successfully harmonize customary laws with western-based statutes to ensure effective local participation, accountability and cost-effective local government implementation? Are there examples of processes of constitutional choice and institutional design via chieftaincy that seek to strengthen citizens' participation in the affairs of local governance?

On the whole, the major issue therefore is not whether the traditional and modern systems of governance are competing against each other but how to integrate the two systems more effectively in order to provide better service to citizens in terms of representation and participation, socio-economic development and access to justice.

CHAPTER ONE

INTRODUCTION

1.1 POLITICAL DUALISM IN GHANA

Political Dualism is a system of rule comprising two different political institutions where contacts with each other are largely not integrated (Lutz and Linder 2004). In Africa, the concept explains the prevailing political situation, where politics constitute the Western or European model of governance that has been "imported" and "adopted" through colonization, and the traditional or indigenous form of governance, which evolved out of the history, tradition and culture of the people. Therefore, the governance structures in African states are of dual nature, where traditional political structure exists alongside the modern state government. For this study, the focus is on political dualism in local governance in Ghana's Fourth Republic – from 1992 to 2013, and it derives its discourse from Political Anthropology rather than from Political Science.

Ghana, like many African states, is experiencing the duality of traditional and modern cultures. The country, at the moment, has more than 40 ethnic groups and within these groups is a variety of traditional forms and institutions (Nukunya, 2003). These include priestly authority, traditional military companies, indigenous health delivery, agriculture and commercial authority. At the apex of these traditional structures is the institution of chieftaincy, which permeates through almost all the 40 or so ethnic groups, limited only in power and influence by state governance structures. The state, on the other hand, refers to the central national government with its appendage local government structures in all the towns and villages in the country. Thus, the present political system in Ghana is a mixture of traditional rule and modern state government. The question is, how did this form of duality come about?

Ayee (2000: 48) traces the history of local governance in Ghana to the introduction of indirect rule by the British colonial authorities in 1878, lasting until 1951. Before the country was colonised, there were various indigenous states which had a well-organised system of governance, constituted by the chief and his council of elders. The chief performed the executive, Legislative and judicial functions in his communities (Abotchie, 2011 151-155). He, together with his council of elders were absolutely responsible for maintaining law and order, and spearheading socio-economic activities (Gyapong, 2006: 183). He also performed the military and religious functions. To Awedoba (2001: 3), therefore, the chief was the symbol and identity of his community. As far as governance was concerned he exercised total influence over the people until the emergence of colonialism (Acquah 2006, Awedoba 2001, Ayee 2000, and Gyapong 2006).

During colonialism, the colonial rulers were quick to realize that the chiefs were important in their societies because according to Quainoo (2000: 1), the lives of their subjects were mobilized around them. Colonial policy was therefore designed in such a way that chiefs were effectively incorporated into the colonial administration through the introduction of 'indirect rule'. By this system, the British ruled the people of the Gold Coast indirectly through their respective chiefs as the former was able to control large administrative areas with few chiefs (Baku, 2001: 56). Consequently, the functions of the chiefs changed considerably during the period of colonial rule as they were made to operate alongside the colonial authorities but they nevertheless, related to each other, particularly when the latter found it necessary (Abotchie, 2006: 177): thus, began dualism in the body politics of the nation.

Post-colonial governments of Ghana, like the colonial government before them, also recognized the importance of chiefs in the mobilization of their subjects. They therefore

followed the example of the colonial government which resulted in, for example, the state judicial and political party administration functioning alongside chiefship judicial and political administration in Ghana (Kwabia, 1988: 181). As Brempong (2006) rightly observes:

Post-Nkrumah regimes and governments have recognized the utility of traditional rulers and progressively reintegrated them into the system of governance as coordinators of developmental effort, public relations officers for their political communities, and as guardians with the government of the day, of the basic national interest (2006: 40).

Thus, realizing the important role that the chiefs play in their communities, succeeding governments decided to govern the nation alongside the chieftaincy institution. Today, even though the country has a constitutional national government, chieftaincy institution duly exists and continues to function alongside the former. It is one of the indigenous institutions which have refused to die in modern Ghana (Kwabia, 1988: 186-188). This ancient institution continues to attract recognition in the modern state political set-up (Awedoba, 2001: 5). As Abotchie et al (2006: 103) put it:

Chieftaincy, a traditional institution with pre-colonial roots in Ghana, not only continues to occupy politico-social and cultural space, it also shares that space with modern statal structures and pan-ethnic institutions that have come into existence since colonial era.

In other words, the political dualism prevailed not only in the past but duly persists at present. The present political dualism transcends all levels – national, regional, district and village level politics – under the Fourth Republic of Ghana (Lutz and Linder 2004: 32-33). At the national level, the dualism is manifested through the Central Government (the executive, legislative and judiciary) on one hand, and the National House of Chiefs (NHC) on the other hand. The Regional levels are the Regional Administration (RA) and Regional House of Chiefs (RHC) for each of the 10 regions of the country. Next are the District

Assemblies (DA) and Area Councils (AC) on one hand, and Traditional Areas (TA) with Paramount Chiefs, on the other hand. Finally, at the town/village level, the national government is represented by local government structure with the assemblyman and unit committee members as government personnel, while the traditional political system is represented by the chief and his council of elders (Ayee, 2000).

In all, at the various levels (national, regional and village), prevails the dual political structure of the traditional and modern state governments. With the quest for effective democratic governance being a major challenge, African countries, particularly Ghana, are paying critical attention to the dual nature of the system of governance that is inherent in their societies due to its historical evolution.

1.2 THE QUEST FOR AN EFFECTIVE GOVERNANCE SYSTEM

Since the early 1990s, the effective practice of multiparty democracy has become top priority of the development agenda of African states in general and Ghana in particular. The authoritarian post-colonial one-party state had failed to deliver development and to link up with the African society. The popular protest in the 1990s in many African States pursuant to the democratization process on the continent is one of the reasons for the renewing of interest in the mechanism of effective practice of democratic governance. For more than two decades now the key words include transparency of government, grass roots participation, decentralization and local government.

In particular, governance at the local level is seen as very key to the successful practice of democracy on the continent (Boone, 2003). If Democracy largely implies ‘power to the people’ then efficiency in governance at the local level is not only necessary but inevitable to Africa’s successful practice of democracy.

In Ghana, local level governance constitutes two parallel political entities; the chieftaincy institution and local government. These two distinct institutions have co-existed and functioned along side each other, ever since the country returned to multi-party democracy in the early 1990s. Local government for example, is presumed to have a number of benefits, including positive outcomes in both democratic and developmental terms. It is assumed that the country's democracy will be deepened by the extension of political representation at the local levels, with democratic processes strengthened through enhanced political participation by the local people and local civil society actors (Abotchie, 2008).

On the other hand, the importance of chieftaincy in local governance, according to some authors like Rugarabura (2008: 101), cannot be over emphasized. To him, traditional leaders today control many aspects of the daily lives of the Ghanaian ethnic communities, including access to land and administration of justice. The impact of government structures on some communities in Africa, for that matter, Ghana, are to some extent invisible in the local areas, and the only authority the people depend on in their daily lives is the traditional political institution. Chieftaincy therefore is assumed to play major role in local governance (Abotchie et al 2006, 103).

On the whole, chieftaincy and local government have ever since the inception of the Fourth Republic served as the channels for participation of the local people in governance. They are therefore very key institutions under the Fourth Republic of Ghana. That is the reason why their co-existence and the potential or inevitable interactions require serious scientific investigations and intellectual analyses as the country makes the effort to deepen its democracy.

1.3 THE PROBLEM STATEMENT

Scientific investigations and intellectual analyses regarding the co-existence and the potential interactions of chieftaincy and modern local government in Ghanaian local communities have resulted in diverse observations and explanations by writers. For instance, while Lutz and Linder (2004: 33) has stated that the structure of chieftaincy in the country remains parallel to that of the local government, Brempong (2006) has emphasized that there are some forms of interactions between the two at various levels. This implies that even though the two political institutions remain structurally separate from each other, they, in practice, relate and interact with each other as they function alongside each other. With the two leaderships providing political and administrative functions in the same local community, the nature of the relations and interactions between them are very key to effective local governance in the country. For as Boone (2003, 21) argues that "...there are diverse patterns of authority relations at sub-national levels and understanding them is critical to understanding the institutional choices constitutive of governance arrangements in Africa (for that matter, Ghana)."

Brempong (2006) for example, has observed that there are positive relations between the two political leaderships and that while the local chiefs are consulted before the government carries out development projects and policies in their local communities, the chiefs in turn offer legitimacy to these government projects in the local communities by lending their support to them. He further noted:

In their position as social and cultural leaders, with authority sanctioned by immemorial custom, traditional rulers are expected to fill in the spaces in socio-economic development in their areas of authority, not covered by the efforts of the central and local government agencies (2006: 27).

Brempong finally asserts that:

the provisions of the 1992 Constitution of the Fourth Republic of Ghana mandate the appointment of traditional rulers to vital agencies of government which envisage them as joint-guardians, with the government of the day, of the basic interests of the state (Brempong, 2006: 27).

The implication is that there are healthy relations between the chieftaincy institution and local government as the two cooperatively function alongside each other in the villages.

Contrarily, however, some writers point out that the relations and interactions between the two distinct leaderships are shrouded with suspicion and hostility. According to Gyapong (2006: 187), the relations between the two distinct leaderships are largely about power struggle between chiefs and enthusiastic assemblymen who feel that they wield more political powers than chiefs. He avers that there have been instances where assemblymen have gone to the extent of leasing land without the consent of the chiefs and their elders.

To Arhin (2001), the chiefs, under the Fourth Republic, are frustrated because they are not consulted as to when and how projects earmarked for their areas are to be implemented. In confirmation, Ayee (2006: 58) points out that there are strained relations between some chiefs and functionaries of the district assemblies and sub-district structures. According to him, the District Chief Executives (DCEs) and the chiefs in some districts are not on good terms while in other districts it is the chiefs and the assemblyman or unit committee members who are at loggerheads (Ayee 2006: 58).

Moreover, it has been noted that the hostile and strained relations between some of these traditional leaders and government functionaries largely emanate from the ambiguous role of state government in relation to local governance. As Ayee (2006: 61) laments that “the

relationship between chieftaincy and the District Assemblies and their sub-district structures is ill defined, unclear and imprecise.”

It can be inferred that there are ambiguous and strained relations between the traditional political structure and local government structure at the local governance level in Ghana. This thesis is therefore an attempt to explore the relations prevailing between the traditional rule and local government in some local communities in Akyem Abuakwa, in order to help policy makers take informed decisions on governance at the local level.

Aside the diverse and strained relations between the two political institutions, chieftaincy, in recent times has relentlessly been subjected to scrutiny through open debates and discussions due especially to the many chieftaincy disputes on one hand, and the nation’s quest for a durable democratic governance on the other hand. Two strands can be identified in this discourse.

One strand contends that chieftaincy is anachronistic, a hindrance to the development and transformation of the country, undemocratic, divisive, and costly (Amegashie, 2006; Abotchie, 2006). Among the arguments advanced by this view is that chieftaincy in the country is bedeviled with many land and succession disputes and that this age long institution remains a threat to the peace of the country. It is also argued that the institution heightens primordial loyalties as chiefs constitute the foci of ethnic identities (*www.ghanaweb.com: Feature Article of Wednesday, 25 January, 2006, by Bannerman N.L.O.*). Furthermore, it is argued that the traditional functions of the chief have largely been taken over by modern institutions (Abotchie, 2006). These schools of thought therefore are not in favour of chieftaincy, hence want the institution to be reformed or

abolished. In other words, the institution is seen to be incompatible with modern forms of governance, hence must be ignored.

The opposite view asserts that the chieftaincy institution is indispensable for political transformation in the country, as it represents a major part of the country's history, culture, and governance system. This view favours the continued existence of chieftaincy because the institution is seen as playing key roles in the socio-political lives of the people (Abotchie, 2006; Tefo, 2001). It maintains that societies in Ghana are made up of traditional norms and values, practices and institutions that must be adopted and adapted to new conditions in the search for a peculiar Ghanaian democratic system of governance (Owusu, 1991); for these traditional institutions and practices, according to Boafo-Arthur (2001: 20), have some positive values to modern practices in Ghana.

On the whole, there is an unending debate over whether or not the chieftaincy institution is relevant to modern governance. Each side of the debate appears to have strong points to defend its case such that it places the chieftaincy institution in a controversial position in Ghanaians' effort at deepening democracy in the country.

Thus, apart from its presence to create diverse but ambiguous relations within the dualism at the local governance level, there is also the controversy over the relevance of the continued existence of the chieftaincy institution. To address the debate and clarify the extent to which chieftaincy is relevant to the attainment of efficiency in national and local governance, it is important to investigate and find out the role that the chiefs and elders are playing alongside government functionaries with regards to governance at the local level. This will inform policy makers to appropriately decide the fate of this ancient political institution, as Ghanaians take the necessary steps to consolidate the country's democracy.

Therefore the main thrust of this study is to look at the diverse but ambiguous and strain relations between the traditional rule and local government structures in some small communities in Akyem Abuakwa, with additional emphasis on the controversy over the relevance of chieftaincy to efficient governance at the local level.

1.4 THE OBJECTIVES OF STUDY

There are two different political institutions for governance in the villages or towns: chieftaincy with traditional leaders such as the chief and his council of elders, and the local government structure with government functionaries such as the assemblyman and unit committee members. An investigation of the envisaged complex relations and interactions between these two distinct political structures as they co-exist remains the paramount aim of this study. Therefore, the three broad aims of the study are to:

- A) Examine how the chieftaincy institution and local government in Akyem Abuakwa local communities co-exist and function alongside each other in:
 - i. Spearheading socio-economic activities; and
 - ii. Maintaining law and order.
- B) Investigate the issue of whether or not traditional rule has lost its relevance and importance after the establishment of local government, under the Fourth Republic of Ghana.
- C) Recommend institutional arrangements within the prevailing dualism as the findings of the study would determine.

Aside the above broad aims, the specific objectives of the study are to:

- i. Explain the socio-demographic background of the people in Apapam and Nkronso;
- ii. Describe how socio-economic activities are carried out in the communities of Apapam and Nkronso;
- iii. Describe how law and order are maintained in Apapam and Nkronso;
- iv. Find out the nature and dynamics of interactions between the modern and traditional leaderships as they function alongside each other in the same communities;
- v. Determine the strengths and weaknesses of the two leaderships as they co-exist and function in the same communities;
- vi. Determine where the leaders of the two different political systems obtain their respective authority and legitimacy;
- vii. Identify which of the two groups of political leaders possibly wields more power and influence;
- viii. Assess the perception that traditional rule has lost its relevance and importance after the establishment of modern (local) government in Ghana; and
- ix. Offer recommendations on how the present political dualism could be amended in order to achieve greater efficiency with regards to grass-root politics.

1.5 THE HYPOTHESES

The study would be carried out along the following two hypotheses:

- i. The higher the level of the authority of traditional leaders in the local communities, the lesser the level of the authority of the government functionaries.

- ii. The greater the level of involvement of the government functionaries in socio-economic activities, the lesser the level of involvement of the traditional leaders in socio-economic activities in the local communities.

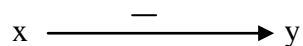
It is worth noting that the two hypotheses were respectively deduced from the above-listed objectives “vii” and “viii”, of the study.

From the first hypothesis, two variables are referred to:

x = traditional leaders’ level of authority

y = government functionaries’ level of authority

The “traditional leaders’ level of authority” (x) represents the independent variable, whilst “government functionaries’ level of authority” (y) is the dependent variable. The relationship between these two variables can be illustrated as follows:



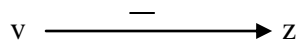
From the illustration, ‘x’ relates to ‘y’. The nature of the relationship is negative. Thus, whenever ‘x’ increases, ‘y’ correspondingly decreases, and when ‘x’ decreases, ‘y’ increases accordingly in response.

For the second hypothesis, the two variables are:

v = government functionaries’ level of involvement in socio-economic activities; and

z = traditional leaders’ level of involvement in socio-economic activities.

“Government functionaries’ level of involvement in socio-economic” (v) represents independent variable, whilst “traditional leaders’ level of involvement socio-economic” (z) remains the dependent variable. The relationship between these two variables can be illustrated as follows:



From the illustration, 'v' relates to 'z'. The nature of the relationship is negative. Thus, whenever 'v' decreases, 'z' correspondingly increases and when 'V' increases 'z' correspondingly decreases.

It is important to note that the analyses of data collected would test the relationships between the above-mentioned variables with regards to hypotheses one and two as stated above.

1.6 THE RESEARCH METHODS

The methods for the investigation are discussed under the following sub-headings: areas of study, target population and sampling, data collection instruments, and techniques for analyzing data.

1.6.1 The Areas of Study

The study, as explained earlier, focuses mainly on local community level politics in Akyem Abuakwa, and the two chosen communities for data collection are Apapam and Nkronso. In this regard, the areas of study would be restricted to these communities. Relatively broad and detailed discussions on the entire Akyem States are made in Chapter Three (3) of this study.

Apapam and Nkronso are relatively small communities with less than five thousand total population. About 2,400 people live in Apapam which is just 4 kilometers from Kyebi, the capital of Akyem Abuakwa States. There are eight clans (Nton): **Agona, Aduana, Ekoona, Asona, Bretuo, Asene, Oyoko and Gyumana**. Each of the clans is represented in the traditional council of elders, and by custom, each of them has a land allocated to the members to farm. The community possesses natural resources such as land, forest timber, minerals and rivers.

On the other hand, Nkronso is about 13 kilometers from Kyebi, with about 2,000 people, including those below voting age. There are six clans with their respective clan heads representing its members on the traditional council of elders where the chief is the head of the council. The six clans are **Aduana, Ekoona, Bretuo, Oyoko, Agona and Asona**. Just like Apapam, Nkronso possesses natural resources such as land, forest timber, minerals and rivers.

1.6.1a The Differences between Apapam and Nkronso

A number of reasons have necessitated the choosing of Apapam and Nkronso for data collection. The study perceives Apapam to be deep rooted in chieftaincy than Nkronso. First, Apapam served and continues to serve as one of the three communities which functioned as the defense units, protecting the Okyenhene in Kyebi. It is one of the ‘Amantonmiensa’, three defense units largely responsible for preventing any ‘enemy’ approaching Kyebi to attack. Thus, this historical link of Apapam and Kyebi continues to prevail and as a result makes chieftaincy much stronger in the lives of the Apapam people. Secondly, the present Apapam chief has been on the throne for over three decades and has strong control and influence on his people. Besides, Apapam is relatively close to Kyebi. Hence, the influence of Okyenman headquarters on the people of Apapam is stronger and easier than on the Nkronso people who are relatively far away from the capital town. The implication is that Chieftaincy, thus, among the people of Apapam is expected to be relatively stronger than the Nkronso people.

On the other hand, the chief in Nkronso died in 2002, and the people, for over a decade, are without a substantive chief, which implies that the chieftaincy institution may not have the same influence on the people of Nkronso as it does in Apapam. Besides, when compared

with Apapam, Nkronso may not have the same strong historical link with Kyebi, the headquarters of the Akyem Abuakwa state and by geographical location, it is relatively far away from Kyebi. The conclusion is that the impact of the chieftaincy institution is expected not to be as strong on the people of Nkronso as it is the case in Apapam.

Given the possible differences of the impact of the chieftaincy institution on the lives of the people of Apapam and Nkronso, the choice of these two communities would help the researcher to explain comparatively, the impact of chieftaincy and local government on life in the local community. It will also help in ascertaining whether or not the chieftaincy institution is still of relevance after the establishment of the local government in the country since the inception of the Fourth Republic of Ghana.

1.6.1b Justification for Choosing Local Communities in Akyem Abuakwa

The reasons for the choice of the study area are that the Akyem Abuakwa state remains one of the largest and relatively organized indigenous political systems in Ghana. The institution has played major role in pre-colonial and post-colonial politics, and its chiefs and elders continue to wield significant authority in their communities today (Abotchie, 2011; Daily Graphic, Jan. 24, 2008: 23). Second, the people of Akyem Abuakwa are a sub-ethnic group of the Akans. Studies such as Nukunya (2003) and Baku (2001) have concluded that the traditional political institutions of Akan groups such as the Fante, Akwapem, Asante and Akyem bore the same major features.

Furthermore, the same studies reveal that the traditional political systems of the other ethnic groups in Ghana such as Dagomba, Gonja, Mamprusi, Ga-Adamgbe, and Ewe reflect striking influences of the Akan system of rule. The third reason for choosing the Akyem Abuakwa traditional political system is that it is relatively well documented just like many

of the traditional political systems of other Akan ethnic groups (Nukunya, 2003: 68). In view of the many studies on the Akyem Abuakwa and Akans in general, it is expected that this study would have enough literature for comparison of facts as well as testing the validity of primary data collected from the field.

1.6.2 Target Population and Sampling Technique

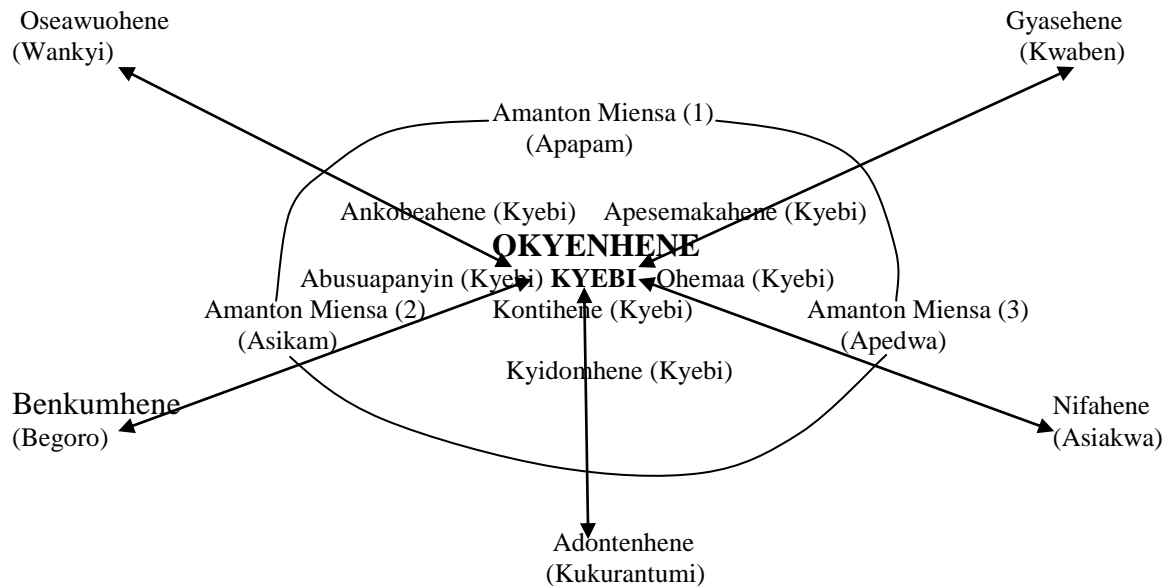
The study has targeted the political leadership and people of Nkronso and Apapam – two Akyem Abuakwa small communities. Like most Ghanaian local communities, the people of Apapam and Nkronso are governed by two political systems. They are the **indigenous political system** and the **national government**. As noted earlier, the indigenous political system refers mainly to the **chieftaincy** institution while the national government is represented by the **local government system**. Two groups of political leaders therefore could be identified in Apapam and Nkronso: the chief and his council of elders representing the chieftaincy institution, while the assemblyman and unit committee members representing the local government structure in the two communities. The target population of the study therefore, largely included three different categories of potential respondents.

- i. The chief and his council of elders.
- ii. The people (ruled) in the communities.
- iii. Government functionaries like the assemblymen and unit committee members.

For each of the two communities, the chief (Ohene) and his council of elders were contacted for data collection. The methods used in collecting data were Participant Observation and Interviews. Apart from the Chief (Ohene), all the members of the council of elders were contacted for information for the analysis of indigenous local political administration (chieftaincy system). All these leaders were approached in the two

communities selected for information. The researcher also visited the Okyenhene's palace at Kyebi and interviewed some of the elders.

DIAGRAM 1.1: AKYEM ABUAKWA MAIN DIVISIONAL CHIEFS



Source; Field data, 20013

Diagram (1.1) portrays the cabinet members of the Akyem Abuakwa State. The Amanton Miensa are the three communities which historically served as defence units, largely responsible for preventing any enemy approaching Kyebi to attack the Okyenhene. Kyebi is the capital and seat of Akyem Abuakwa State. Other members of the council of elders are the Akyeamehene, Sanaahene, Asafohene and Nkosuohene.

The following were the key members of the council of elders who were interviewed:

Kontihene - The vice to the chief or the immediate assistant to the chief;

Abusuapanyin - Elder of the royal family to which the chief belongs;

Obaapanin or Ohemaa - Leader/head of all women;

Gyasehene - Main body-guard of the chief;

Nifahene - Responsible for defense and attack from the rightwing position of the chief during war;

Benkumhene - Responsible for defense and attack from the left wing position of the chief during war;

Kyidomhene - Rear guard of the chief during war;

Sanaahene - Responsible for monies / finance;

Asafohene - Head of the military unit;

Akyeamhene - Chief linguist/spokesman; and

Nkosuohene - Responsible for the development activities of the community.

With regards to government functionaries, the two assemblymen and members of the town council and unit committee members from the two communities were interviewed. In all, forty five (45) government functionaries were interviewed. The investigator obtained information from the government functionaries purposely for the analysis of the modern state (local) government, which was a part of the dual system the study was investigating. The investigator also interviewed the District Chief Executive (DCE), the immediate superior of the government functionaries in the two local communities.

Apart from the traditional leaders and government functionaries, 400 respondents were chosen for questionnaire administration – 200 each from Nkronso and Apapam. The two communities had approximately a total population of 1500 who had attained the voting age of 18 years. This implied that more than a quarter of the total population size was chosen for the investigation, an amount which could give a fair representation of the entire population in Nkronso and Apapam. Given that in sampling, the higher the proportion of the sample size to the population, the higher the representativeness of the sample of the population; the 400 respondents, all things being equal, were expected to give fair representation of the two local communities. Besides, Nkronso and Apapam are very small with regards to their physical size. It is also found that the socio-demographic background of the population in Apapam and Nkronso were relatively homogenous. For instance, apart from the majority of the people being illiterate and semi-illiterate, most of them are

farmers. Thus, based on the homogenous nature of the population, the sample should be assumed to be representative.

Potential respondents were approached in their homes, and **systematic random sampling technique** was used in selecting the houses. It is noteworthy that while the entire population size was 1500, the total houses of the two communities were 306. The implication is that for every house, there were average of 5 (approximately) potential respondents ($1500 \div 306 = 5$) to be administered questionnaire. It further implies that if 400 respondents had been selected for the questionnaire administration, then approximately 80 houses ($400 \div 5 = 80$) would have to be visited for the data collection. Now, to ascertain which specific houses to visit, the entire 306 houses were divided by the 80 houses ($306 \div 80 = 3.8$). The answer which was approximately 4 indicated that for every fourth house in a row, the investigator could administer the questionnaires on the occupants of the said house who were 18 years and above. To do this, two research assistants were recruited. It is significant to note that apart from the main roads, Apapam and Nkronso were made up of lanes or streets to create small neighborhoods in the two communities. Therefore, in each of the two communities, the investigator, together with the research assistants were positioned on different lanes where they entered every fourth house on that neighborhood lane to administer the questionnaires.

1.6.3 Data Collection Instruments

Based on the nature of the research objectives, the study used both qualitative and quantitative methods. Hence, the following instruments were used in collecting data: participant observation, questionnaire administration, structured and in-depth interview, unstructured interviews, and documented information. The afore-mentioned instruments were used to collect two classified data: primary data and secondary data. Below is the study's approach to the collection of data:

TABLE 1.1: DATA COLLECTION METHODS

INSTRUMENT	SOCIAL PHENOMENON	TARGET GROUP	TYPE OF INFORMATION	STRATEGY
Structured & Unstructured in-depth interview	Local political administration in the village	Chiefs, Assemblymen, UCM	Primary data (field study)	Qualitative study
Questionnaire	Local political administration in the village	The subjects (electorate)	Primary data (field study)	Quantitative study
Participant observation	Adjudications, Deliberations, communal labour Festivals, etc	Chiefs, Elders, Subjects, etc	Primary data (field study)	Qualitative study
Books, Newspapers, Documents	Village chieftaincy, Local government	Chiefs, Elders, Subjects, Gov't functionaries	Secondary data	Qualitative & Quantitative studies

Source: Field Data, 2013

As shown by Table 1.1, the sources of secondary data for this study included books and articles, statistical data, journals, theses, presentations, newspapers, magazines and the internet. The secondary data, whenever necessary were used to support and enrich the findings of the study.

For the field study as shown by Table 1.1, the investigator used participant observation, interviewing and questionnaire in collecting the primary data. As noted earlier, there were three different target groups: traditional leaders, government functionaries, and the people (the subjects or ruled). For each target group, a specific data collection instrument was used.

1.6.3a Participant Observation

The study used participant observation to obtain information from the people in the two communities. For two and half years, the investigator lived among the people and

participated in their everyday endeavours, particularly joining the chiefs and traditional elders during deliberations, adjudications, festivals, ritual ceremonies, communal labour, etc. Here, the roles of the chief and the council of elders as well as the assemblymen and the unit committee members were observed with keen interest. Also, the investigator attended meetings held by the unit committee members to deliberate on socio-economic issues involving their respective areas of jurisdictions. The Okyenhene's palace, the political seat of the people of Akyem Abuakwa was visited for information on the political structure and administration of the kingdom. The following information were sought from the chiefs and traditional elders.

- Information on Socio-Economic Activities

- i. The form and nature of the natural resources in Apapam and Nkronso;
- ii. How the land tenure system operated in the two local communities;
- iii. The form and nature of the socio-economic activities in the two communities;
- iv. The relationships and interactions among the traditional leaders, government functionaries, and the people in carrying out socio-economic activities;
- v. The social and communal events such as funeral ceremonies, deliberations and communal labour; and
- vi. The meanings and implications of economic-related ritual ceremonies and festival celebrations in the two local communities.

- Information on the Maintenance of Law and Order

- i. The form and nature of the social control systems in Apapam and Nkronso;
- ii. The customary laws governing the people in the local communities;
- iii. Types of disputes and offenses, and the procedures involved in settling them;
- iv. Types of sanctions in the two local communities; and
- v. The relationships and interactions among the traditional leaders, government functionaries, and the people in maintaining law and order.

It is worthy of note that while participating and seeking the above information, the traditional leaders were interviewed.

1.6.3b Interviewing

While joining the people in the deliberations, adjudications, communal labours, etc. the researcher interviewed the traditional leaders. A checklist for interviewing was prepared, and both structured and unstructured interviews were used.

Besides, the government functionaries directly responsible for the day-to-day administration of the two chosen local communities were interviewed. These government functionaries included the assemblymen, town council and unit committee members, and all of them were interviewed using almost the same list of questions.

The following information were sought from the interview of traditional leaders and government functionaries:

- i. The traditional political structure and local government structure in Akyem Abuakwa;
- ii. The natural resources, and social and communal events in Apapam and Nkronso;
- iii. The socio-economic performance of traditional leaders and government functionaries in the two communities;
- iv. The indigenous and state social control systems in the local communities;
- v. The performance of traditional leaders and government functionaries in maintaining law and order;
- vi. The issues of legitimacy and authority of traditional leaders and government functionaries;
- vii. The weaknesses and strengths of chieftaincy and local government; and
- viii. The relations between local government and chieftaincy.

1.6.3c Questionnaire Administration

The study administered questionnaires to 400 people (the ruled) living in Apapam and Nkronso. The questionnaires were self-administered by respondents with secondary and

tertiary education background while face-to-face questionnaire administration was applied to the respondents who were illiterate or semi-literate. Please, note that the processes involving the questionnaire administration have been explained above while discussing the **sampling technique** of the study.

With reference to the specific objectives of the study, the following information were sought from the questionnaires that were administered.

- i. Socio-demographic characteristics of the people in Apapam and Nkronso;
- ii. Perception of the people on the socio-economic performance of traditional leaders and government functionaries in the local communities;
- iii. How, when and why the people used the indigenous and state legal systems;
- iv. The people's knowledge, perception and attitude towards chieftaincy and national politics (issues); and
- v. The issues of legitimacy and authority of traditional leaders and government functionaries in the communities.

1.6.4 Field Work Schedules

The investigator used the first year of the programme in reviewing the literature on the topic and writing the first three chapters of the study. The beginning of the second year was used in preparing checklists for interviewing and observation, as well as questionnaire for survey. Thereafter, the researcher went to stay with a relative who was teaching at Apapam. For over two and half years, the investigator resided in Apapam and joined in social activities such as communal labour, deliberation, adjudication, funerals and "Ohum" festivals. Nkronso was also visited regularly from Apapam to join the people for the same social activities. The Okyenhene's palace, the political seat of the people of Akyem Abuakwa was visited for information on the kingdom. For the first year that the

investigator lived with the local people, data from observation of social events such as deliberations, adjudication, communal labour and funerals were obtained. The investigator always went to those events with a small note book and a pen to write relevant information, and later recorded the data, using a computer. Contemporary computer program called the Computer Assisted Qualitative Data Analysis Software (CAQDAS) was used to enhance the efficiency at data storage and retrieval.

By the end of the first year of his stay with the local people, the investigator had managed to develop the necessary trust and rapport with both the political leaders and the people. This enhanced his interview with the political leaders and later, the survey. Thus, during the second year of his stay with the local people, the investigator continued to observe events in the communities, while the political leaders were interviewed, and later, questionnaires were administered on the sampled 400 respondents. Two research assistants who were recruited from Kyebi became companions of the investigator throughout the data collection stage on the field. After the data collection, six months were used in processing and analyzing the data collected, and to complete the writing of the thesis. On the whole, the study took three years, with an additional two years extension period.

1.6.5 Data Analyses

For the data analyses, the investigator applied the **mixed research method** (Moini 2011:153) where quantitative and qualitative techniques were used together. Concerning the quantitative technique, data were obtained through questionnaires administration on respondents from Apapam and Nkronso. The data collected from the respondents were edited in order to correct errors and inconsistencies and then processed using the Statistical Package for Social Sciences (SPSS) software. This aided in the categorization and cross

tabulation of responses into their various spheres, which enabled the investigator to observe the trends within the data for meaningful interpretations. With the assistance of the SPSS package the investigator also worked out the bi-variate analyses involving cross-classifying responses, and the use of measure of the degree and direction of the relationship between two or more variables.

For the qualitative technique, the investigator, in most cases, used the **narrative approach** (Moini, 2011) where the data from the participant observation and interviewing of the traditional leaders and government functionaries, were analysed in order to deduce meanings from them. The investigator placed emphasis on the qualitative analyses. The reason is traceable to Chapter One, where it has been indicated that the broad aim of the study is to examine how the chieftaincy institution and local government in Akyem Abuakwa communities co-exist and function alongside each other in spearheading socio-economic activities, and in maintaining law and order. To obtain information regarding the afore-mentioned broad aim, the investigator found it more fitting to **interview** both the traditional leaders and government functionaries, and to **observe** major social and economic events such as communal labour, deliberations and adjudications. Therefore, the two appropriate data collection instruments, which were used, are participant observation and interviewing of the political leaders. In this regard, the data collected were more of qualitative in nature rather than quantitative. That is the reason why the researcher dwelled more on the qualitative analyses.

On the whole, the investigator used the **mixed research method** where **qualitative data** were the main source of information for analyses, while some **quantitative data** were used to buttress the findings from the **qualitative data**. The investigator further used the **mixed model approach** (Moini 2011: 54) where some of the **qualitative data** were **quantified**

and used in testing the hypotheses. Thus, the qualitative data from the **interviewing** and **observation** were analysed, while the quantitative data from the survey, together with selected **case studies** and few **secondary data** were used to enrich the discussions. In the course of the analyses, the study usually indicated the specific source of information.

1.7 OPERATIONALISATION OF KEY CONCEPTS

Some key concepts of the study are operationalised as follows.

1.7.1 Operationalisation of Local Government and Chieftaincy

For this study, the **governance structures** are the **government institutions** and the **actors** are the **elected** and **appointed leaders**. **Local government** is a **sub-structure** of the **national government** of the Fourth Republic of Ghana. The elected and appointed office holders of local government are the **District Chief Executives, Assemblymen** and **Unit Committee members**. These officers are referred to in this study as **(local) government functionaries** or **government personnel**. Operationally, the local government is considered effective if it is efficiently functioning to fulfill its constitutional obligations of spearheading socio-economic activities and maintaining law and order in local communities in the country. On the other hand, chieftaincy is a traditional political institution whose existence dates back to pre-colonial era. The office holders are the **chief and sub-chiefs** who form the **council of elders**. Operationally, the level of authority of traditional leaders refers to the extent to which traditional leaders participate and influence decision making with regards to the spearheading of socio-economic activities, and the maintenance of law and order in local communities. Note that the chieftaincy institution and local government exist side by side in local communities in Ghana.

1.7.2 The Authority and Influence of Traditional Leaders and Government Functionaries

For this study, traditional leaders largely refer to the local chief and his council of elders, while government functionaries include the assemblyman, town council members (TCMs) and unit committee members (UCCs) in the local communities. The extent of authority of both the traditional leadership and government functionaries is measured by representing the traditional leadership with the chiefs and the government functionaries with the assemblymen. The following events relating to governance serve as the measuring rods:

- Adjudications;
- Enactment of local laws;
- Drawing up development programs;
- Deliberations;
- Levying;
- Communal labour;
- Control and management of natural resources; and
- Militarism/Policing.

Each of the above-listed indicators is measured according to the extent of the level of influence that a leader has in the decision-making processes. The more influence one has in the decision making process, the higher his/her level of authority. To ascertain this, each of the above-listed indicators is measured with:

- maximum three (3) points for being **head of the decision making body (HDMB)** who gives the final decision;
- Average Two (2) points for being **member of the decision making body (MDMB)**, who is involved in initiating and taking decisions; and
- Minimum One (1) point for being **non-member of decision making body but make suggestions (NDMBS)**, who makes suggestions and gives advice.

For an illustration, a leader who is the head or chairperson of the committee which takes final decision after a **deliberation** session is said to have more authority than another leader who is a member of the same committee.

1.7.3 The Levels of Involvement in Socio-Economic Activities by Traditional Leaders and Government Functionaries

The levels of involvement of both the traditional leadership and government functionaries in socio-economic activities are measured using the following under-listed indicators:

- Meetings with town council and unit committee members;
- Traditional council/assembly meetings;
- Community deliberations;
- Organizing and participating in communal labour;
- Meetings with government officials and NGOs;
- Managing levying;
- Adjudications of cases; and
- Policing / Militarism.

Each of the above-listed socio-economic activities is measured with:

- maximum three (3) points for being **head of the management team (HMT)**, responsible for the implementation process;
- Two (2) points for being **member of the management team (MMT)**, responsible for the implementation process; and
- One (1) point for being **non-member of management but participate (NMTP)**, in the implementation process.

For an illustration, a leader who is the head or chairperson of the committee which is managing levying is said to be more involved in that than another leader who is a member of the same committee.

1.8 EXPLANATION OF KEY CONCEPTS

Some recurrent concepts of the study are explained as follows:

1.8.1 Political Dualism

The term “**Dualism**” denotes a state of two parts. The term is derived from the Latin word “**Duo**”, meaning “**Two**”. For this study, **Political Dualism** represents the co-existence of **modern government** and **chieftaincy**. The concept is extensively used in this study to represent governance at the local level where local government and chieftaincy co-exist and function alongside each other. It is used interchangeably with the concepts, **Dualism** and **Duality**.

1.8.2 Political Institution

An **institution** is any structure or mechanism of social order and cooperation governing the behaviour of a set of individuals within a given human community. The **Political institution** is an entity which creates, enforces, and applies laws; mediates conflict, makes (governmental) policy on the economy and other social systems, and otherwise provides representation for the population. Examples of such political institutions are political parties, chieftaincy, the judiciary and the central government. For this study, the concept political institution is used for all institutions involved in some sort of governance within a given society. In this regard, the two political institutions under investigation by this study are chieftaincy and local government.

1.8.3 Governance

Governance means the process of decision-making and the process by which decisions are implemented (or not implemented). The World Bank defines governance as the exercise of political authority and the use of institutional resources to manage society's problems and affairs. Good Governance is participatory, consensus oriented, accountable, transparent,

responsive, effective and efficient, equitable and inclusive, and follows the rule of law. For this study, the emphasis is on the participation of local people, especially at the village level of governance.

1.8.4 Government

Since governance is the process of decision-making and the process by which decisions are implemented, an analysis of governance focuses on the formal and informal **actors** involved in decision-making and implementing the decisions made; and the formal and informal **structures** that have been set in place to arrive at and implement the decisions. The **governance structure** is known as the **government institution** and the **actors** are the **office holders** in a **government**. Under a democratic government such office holders are **elected** or **appointed** within the confines of a **constitution**

1.8.5 The Difference between Governance and Government

To distinguish the term “governance” from “government”; governance is what a government does. Governance is the physical exercise of management power and policy, while government is the instrument (usually collective) that does it.

1.8.6 National Governance

While governance can be used in several contexts such as corporate governance, international governance, national governance and local governance; this study focuses on National and Local governance. National governance refers to governance of the entire state or nation while Local Governance deals with governance involving small communities such as the villages. National Governance level is very broad and it includes Local Governance. It also involves the three arms of government, Executive, Legislature and Judiciary.

1.8.7 Local Governance

Local governance comprises a set of institutions, mechanisms and processes through which citizens and their groups can articulate their interests and needs, mediate their differences, exercise their rights and obligations at the local level. Local Governance deals with small communities including the villages. Under the Fourth Republic of Ghana, Local governance includes the chieftaincy institution and local government.

1.8.8 Power / Authority Relations

In a broad sense, politics is a means to the attainment of power and power means the ability to achieve one's own will, even at the resistance or expense of others (Weber, 1968). It implies that all aspects of social life are situations of power and struggle for power; hence, the study of society (and social institutions such as chieftaincy and local government) is the study of power (Kirby and others, 1997: 716). Weber (1968) has drawn a distinction between legitimate and illegitimate power, and that “**Coercion**”, according to him, is the opposite of **authority**. To Weber, illegitimate **power** is gained through the threat of force and/or the use of force, while “**Authority**” is referred to as legitimate power. He identifies three ‘ideal types’ of authority, and describes all of them as **legitimate sources** of power used by leaders (including traditional leaders and government functionaries) to secure the consent of the population. His three ideal types of legitimate power are:

- **Traditional Authority** is based on an established belief in the sanctity of immemorial traditions.
- **Rational-Legal Authority** involves a belief in the legality of enacted rules and the right of those elevated to authority under such rules to issue commands.

- **Charismatic Authority** is based on devotion to the exceptional sanctity, heroism or exemplary character of an individual person, and of the normative patterns or order revealed or ordained by him (Weber, 1968: 215; orig. pub. 1921).

Further discussion on Weber's analyses of Authority and power is provided under the Theoretical Framework of this study.

Meanwhile, according to Cohen (1974), power is analytically conceived as an aspect of nearly all social relationships. These are either economic relations, arising in the course of production, exchange, and distribution; or "purely political", deriving ultimately from command over organized physical force (Cohen, 1974: 18-34). In fact, in every human institution (including the political institution) power relations exist. However, for the nature and dynamics of such political relations, the literature offers a variety of thoughts and models, which are of much interest to this study; hence, aspects of the **Literature Review** and **Theoretical Framework** of this study give further discussions on the issue.

1.9 ORGANIZATION OF THE STUDY

The study has been divided into seven chapters.

Chapter One, among others, deals with the Problem, Objectives and Methods of the study.

It contains the following sub-topics:

- The problem of the study;
- Objectives of the study;
- The hypothesis of the study;
- Research methods;
- Operationalisation of key concepts; and
- Definition and Explanation of Concepts.

Chapter Two includes literature review and theoretical framework.

Chapter Three provides the history and social structure of the study areas

Chapter Four and Five deal with the qualitative and quantitative analyses of data on the political dualism in small communities of Akyem Abuakwa.

Chapter Six is devoted towards a discussion of the findings of the study.

Chapter Seven involves a summary, conclusions, policy implications, and contributions of the research study.

CHAPTER TWO

LITERATURE REVIEW AND CONCEPTUAL FRAMEWORK

2.1 INTRODUCTION

This Chapter presents a critical review of traditional and modern governance structures, and a conceptual framework for their analysis. The chapter is therefore made up of two main sections: the first section reviews the empirical literature while the second section reviews the theoretical literature for the study.

The review of literature is strictly based on the objectives of the study. Hence it involves themes such as the emergence of the dualism in Ghana, the nature of the relations within the dualism, the issue of abolishing chieftaincy in order to abrogate the dualism, and the way forward for effective dualism at the local governance level. Just like the review of literature, the theoretical framework is basically linked to the problem and objectives of the study as stated in Chapter One. In view of this, three perspectives regarding the coexistence of the traditional political institution and modern state government have been discussed.

- i. Perspectives on the **emergence** of the dualism (social change);
- ii. Perspectives on the **legitimacy** of the dualism (functionalism); and
- iii. Perspectives on the **diverse relations** within the dualism (structuralism).

Under this chapter, the discussion of the theoretical framework follows the review of literature.

2.2 LITERATURE REVIEW

Based on the broad objectives in Chapter One of this study, the literature on the dualism of chieftaincy and local government are reviewed under the following themes:

- An overview of the emergence and legal framework of the Dualism in Ghana;

- The nature of the relations within the dualism under the Fourth Republic;
- Constraints of governance at the local level in Ghana;
- The debate on whether or not chieftaincy should be abolished in order to abrogate the dualism in Ghana; and
- The way forward for effective governance at the local level in Ghana and Africa.

2.2.1 An Overview of the Emergence and Legal Framework of the Dualism in Ghana

The discussions of the emergence of decentralization and local government are done separately from that of the chieftaincy institution.

2.2.1a The Emergence and Legal Framework of the Local Government Programme

A careful observation of the history of local government indicates that the people of Ghana, since independence, might have consistently expressed the desire towards effective local participation in the country, but the interests of succeeding governments towards the implementation of local government are far from the people's desire.

Ayee (2000: 48) and Ahwoi (2010: 9) trace the history of decentralization in Ghana to the introduction of indirect rule by the British colonial authorities in 1878, lasting until 1951. During this period the colonial administration ruled indirectly through the native political institution by constituting the chief and elders in a given district as the local authority, with powers to establish treasuries, appoint staff and perform local government functions. Nkrumah (2000) makes an interesting observation that under indirect rule, downward accountability of chiefs to the people was replaced by upward accountability to the colonial authorities. He states that "the democratic ideals underlying chieftaincy in Ghana, which made chiefs accountable to their peoples, began to suffer as the recognition by the central government was more crucial to the chief than the support of his people" (Nkrumah, 2000: 55).

Even though in the immediate post-independence period from 1957 onwards, local government was generally weak and subject to the centralization of power, major attempts at decentralization reforms were introduced at different times thereafter. In 1974 under the military regime of Lt. Col. Acheampong, for example, the government then was generally characterized by deconcentration, and aimed at strengthening central government control at the local level (Nkrumah, 2000: 58). In 1983, the Provisional National Defence Council (PNDC) government announced a policy of administrative decentralization of central government ministries, alongside the creation of People's Defence Committees (PDCs) in each town and village. The PDCs, made up of local PNDC activists as self-identified defenders of the 'revolution', effectively took over local government responsibilities, though often limited to mobilizing the implementation of local self-help projects (Nkrumah, 2000: 58), while the deconcentrated ministries played a more significant role. Ayee (2000: 49) notes that despite the PNDC's populist rhetoric, its interest in decentralization reflected that of previous regimes, that is, an interest in the administrative decentralization of central government and not the devolution of political authority to the local level.

The current programme of decentralization in Ghana was initiated in the early 1990s (Ahwoi, 2010: 35-67). The PNDC government in 1988 introduced a major legislative reform, the *Local Government Law* (PNDC Law 207), which eventually resulted in the creation of 110 designated districts within the ten regions of Ghana. Over the years, additional districts were created by splitting some of the original 110. Hence, there are 216 districts, municipal and metropolitan assemblies in Ghana as at 2013.

Non-partisan District Assembly (DA) elections were held initially in 1988/89 and subsequently every four years (1994, 1998, 2002, 2006 and 2010). Besides, the two-thirds of

DA members elected on an individual, non-party basis, one-third were appointed by the central government, along with a chief executive for each district (Pinkney, 1997: 79). According to Crawford (2003), the aim of the 1988 *Local Government Law* was to promote popular participation and ownership of the machinery of government by devolving power, competence and resource to the district level. Oquaye (2001: 36) has argued that this decentralization exercise was largely introduced to satisfy donor demands, but Ayee (1994) was of the view that it was self-serving motives of the then ruling PNDC government. He pointed out that the real reason for the PNDC's decentralization policy was an attempt to enhance their legitimacy in government and at the same time to rid themselves of political problems (Ayee, 1994: 200-202).

Putting together the reasons provided by Oquaye (2001) and Ayee (1994), concerning the implementation of decentralisation and local government in the country, it could be concluded that effective grass-root participation was not the primary aim for the implementation. This may probably explain the level of impact of the local government programme in the country.

2.2.1b The Emergence and Legal Framework of the Chieftaincy Institution in Ghana

The history of local governance in Ghana, according to Ayee (2000: 48), is traceable to the introduction of indirect rule by the British colonial authorities in 1878, lasting until 1951. Before then, there were various indigenous states which had a well-organised system of governance, constituted by the chief and his council of elders (Acquah, 2006: 66). The chief and his council of elders performed the executive, Legislative and judicial functions in their respective communities.

During the political dualism in the colonial administration, the chieftaincy institution had constitutionally been shaped in terms of its organization and functions. This was done through political interventions in the form of British Orders and Ordinances of Gold Coast Legislature Assembly, and of the relevant provisions of the Constitutions of the Republic of Ghana, 1960, 1969, 1979 and 1992.

- The Constitutional Provisions of Chieftaincy (Dualism) During Colonialism and Immediate Post-Colonialism.

Under the colonial administration, Abotchie (2008) points out that the chiefs were active sub-agents in their Native Authority Administrations and Native Authority Tribunals. The Convention People's Party (CPP) government which ruled the country from 1957 to 1966, made every effort to reduce the political and judicial powers of the traditional rulers. Several measures were adopted by the CPP government to strip chiefs of the powers to control revenues from land (Ninsin, 1989). Various local government reforms during this period, took place which were aimed at attaining such political objective of subjugating the chiefs through the control of their economic livelihood, particularly with regards to land. These included the promulgation of the Local Government Ordinance (MCO) of 1951, the State Council Ordinance (SCO) of 1952 and the Municipal Council Ordinance of 1953. Under the Local Government Ordinance (LGO) of 1951 for instance, elected local councils replaced native authorities – on which chiefs used to serve – thus, significantly reducing the powers of chiefs.

The Local Council Act (1958) abolished the Native Authority tribunals which the colonial authorities used but the Chieftaincy Act (No. 81) of 1961 consolidated previous enactments on chieftaincy and defined a chief as a person who:

- a) has been nominated, elected and installed as a chief in accordance with customary law; and
- b) is recognized as a chief by the Minister responsible for Local government.

Further provisions of the Act pointed out that chiefs held office at the will of the government (Boafo-Arthur, 2001). To facilitate control of stool lands, the CPP government enacted the Administration of Lands Act, 1962 (Act 123) and the Concessions Act, 1962 (Act 124). On the whole, by these laws the chieftaincy institution significantly lost its economic and political independence to the national government and virtually became an appendage to the national government (Ninsin, 1989: 168). The dualism created during the colonial era where the chiefs influentially functioned alongside the colonial authorities was undermined.

- Chieftaincy in the 1969, 1979 and 1992 Constitutions

Apart from the 1960 Constitution, a critical study of the country's constitutions shows that chieftaincy has successively and modestly featured in the 1969, 1979 and 1992 Constitutions. For instance, in the 1969 Constitution was the provision that the institution of chieftaincy together with its traditional council as established by customary law and usage was guaranteed (Article 153). Article 154 (1) further stated that there shall be established a National House of Chiefs, which was to consist of five members each from all the Regional Houses of Chiefs. The House was to handle matters which involve chieftaincy from the regions and to advise government and the relevant authorities on chieftaincy matters. This provision, thus, created the platform for the chiefs and ruling government personnel to interact while performing their duties.

The 1979 Constitution also kept faith with the 1969 Constitutional provisions on chieftaincy, and for instance guaranteed the institution of chieftaincy together with its traditional councils. For example 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, sub-section 2 stated that Parliament shall have no power to enact any legislation:

- i. which confers on any person or authority the right to accord or withdraw recognition to or from a chief; or
- ii. which in any way detracts or derogates from the honour and dignity of the institution of chieftaincy.

It is significant to note that the 1992 Constitution has further strengthened the position and role of chiefs and consequently maintained the already existing political dualism where chieftaincy existed and operated side-by-side with the national government. As far as the position of chiefs is concerned, the relevant clauses contained in the 1969 and 1979 Constitutions were largely maintained in the 1992 Constitution. For instance, Articles 271, 272, 273, 274 and their clauses reflected the provisions of the 1979 Constitution relating to the National and Regional Houses of Chiefs, their judicial functions and advisory activities on customary law. The 1992 Constitution also provided for mandatory appointment of chiefs to the following bodies:

Article 89 (2b): the President of the National House of Chiefs to be a member of the Council of State, the highest advisory body to the President of the Republic.

Article 153 (m): representatives of National House of Chiefs to be members of the Prisons Council (PC).

Article 233(1): two representatives of the Regional House of Chiefs on the Regional Co-ordination Council (RCC).

Article 256 b (i) a representative of the National House of Chiefs on the Regional Lands Commission (RLC).

Article 261 (b): representative of the Regional House of Chiefs on the Regional Lands Commission (RLC).

Meanwhile, the same Constitution departed from the previous Constitutions in stating in Article 276 (i) that chiefs should not take part in active politics and that those who wished to do so, for example to stand for election to parliament, should abdicate. This implies that the two political systems, to some extent, run parallel to each other (Kwabia, 1988).

On the whole, chieftaincy has successively featured modestly in the 1969, 1979 and 1992 Constitutions of the Republic of Ghana, and it has helped in carving the two systems of rule in the country – chieftaincy and national government. Unlike the First Republic during which every effort was made by the government to strip chiefs of their power, successive Republics after the First, recognized and favoured the status, role, and economic base of the age-long institution, thereby consistently creating a dual system of rule since independence.

What is worthy of note is that, while aspects of the constitutional provisions create representations of chiefs within the national government structures, thereby creating relationship between the two political systems, there are also provisions which seek to ask office holders of each of the two political systems to keep their distance, thereby creating a dualism between the two political institutions. It is also important to note that these constitutional provisions are not comprehensive enough to control and regulate the prevailing dualism in the country. In other words, the diverse relations between the chieftaincy institution and local government have the semblance of a legal framework, which is not enough to effectively control and regulate actions of stakeholders within the

dualism. It is therefore envisaged that the findings and recommendations of the study will provide clarity and direction to policy makers to devise a much more detailed constitutional provisions for a “political marriage” of the two institutions to be developed, if necessary.

2.2.2 The Nature of the Relations within the Dualism Under the Fourth Republic

Authors on the duality of chieftaincy and local government have given different explanations to the relations which prevail between the two different political institutions as they co-exist and function alongside each other. Mahmood (1996: 18) has stated that African politics, including the practice in Ghana, contains a duality; two forms of political leaderships – traditional and modern – and that as the two co-exist and function within the same community, they tend to relate and interact with each other. There is therefore the interplay of customary law and modern law as the two relate to each other (Lutz and Linder, 2004: 33).

In Ghana, the relationship between these two political leaderships has either been described as antagonistic and ambiguous, or consensual and harmonious in the literature. Writing on the consensual nature of Ghana’s political system under the Fourth Republic, Brempong (2006) for instance states that traditional rulers act as advisers to the central government on “desirable” and “undesirable” customary laws, and that the provisions of the 1992 Constitution of the Fourth Republic of Ghana mandate the appointment of traditional rulers to vital agencies of government which envisage them as joint-guardians, with the government of the day, of the basic interests of the state (Brempong, 2006: 27).

He further points out that the local chiefs are consulted before the government carries out development projects and policies in the villages, and the chiefs give legitimacy to these policies of the government by lending their support. This implies that the chieftaincy institution and local government complement each other. Put in other words, “traditional

rulers . . . fill in the spaces in socio-economic development in their areas of authority, not covered by the efforts of the central and local government agencies; to maintain law and order by arbitration outside the regular courts” (Brempong (2006: 27).

Thus, while the traditional political structure remains separate from the national government structure, the two, to some extent, cooperate and coordinate as they function alongside each other; hence there is harmony between the two distinct leaderships.

However, contrary to Brempong’s (2006) views, Gyapong (2006) asserts that at the local level, the interactions between traditional leaders and government functionaries are sometimes shrouded with suspicion, tension and hostility. According to him, the relations between the two distinct leaderships are largely about power struggle between chiefs and enthusiastic assemblymen who feel that their political positions are superior to those of chiefs (Gyapong 2006: 187).

This view is confirmed by Arhin’s (2001) observation that the chiefs, under the Fourth Republic, are frustrated because they are not consulted as to when and how projects earmarked for their areas are to be implemented. Aryee (2006) then sums up everything by pointing out that there are strained relations between some chiefs and functionaries of the district assemblies and sub-district structures. The district chief executives (DCEs) and the chiefs in some of the districts are not on good terms while in other districts it is the chiefs and the assemblyman or unit committee members who are at loggerheads (Aryee, 2006: 58).

To him, these hostile and strained relations emanate from the ambiguous relationship between the dual political structures, especially at the local government level. In Aryee’s own words, “the relationship between chieftaincy and the District Assemblies and their sub-district structures is ill defined, unclear and imprecise” (Aryee, 2006: 61).

In all, authors have described the relations between the chieftaincy political institution and local government in three dimensions. They are relations which are: antagonistic and hostile; consensual and complementary; and ambiguous and lacking clarity.

The study envisages that there could be more to the relations between the two different leadership than just being ambiguous, hostile and consensual, and that it is the objective of the study to coherently explore the web of varied relations between the two political institutions as they co-exist in Ghanaian local communities.

2.2.3 The Constraints of Governance at the Local Level in Ghana

The literature point out that there are marked weaknesses of both the chieftaincy institution and local government. According to a World Bank study on the topic: “Decentralization Policies and Practices; Case Study Ghana”, the constraints of the local government includes: the growing disputes over local government geographical boundaries; shortage of personnel at the Sub-National Government (SNG) levels, as the incentives and work conditions are unattractive; inadequate funding as funds are still being held at the centre; current legislation and practice continue to centralize public finance; conflict stemming from the fact that 30% of the District Assembly members are appointed by the national government thereby promoting allegiance to more than one boss, and more to the central government; and the difficulties in managing the power balances within the DAs, particularly between elected officers and government appointees on one hand, and between traditional leaders and government functionaries.

- Constraints of Chieftaincy

According to Dankwa III (2004) the problems facing the institution of chieftaincy in the country include the numerous disputes over succession and land ownership, having outdated customs and practices, lack of written records of the customary laws, and

chieftaincy's affiliation with traditional religion, which makes the institution unattractive to many Ghanaians who hold strong Christian and Islamic faiths.

As outlined above, the constraints of the chieftaincy institution and local government are largely internal problems. Hence, they could be described as intra-problems facing the two political institutions in the country. It is worth noting that one of the objectives of this study is to look beyond these intra-constraints and investigate possible inter-constraints of the duality of chieftaincy and local government. Thus, the study intends to investigate the problems relating to the co-existence of the chieftaincy and local government in local communities in the country.

2.2.4 The Debate on Whether or Not Chieftaincy should be Abolished in Order to Abrogate the Dualism in Ghana

The debate about the role of traditional authority in the modern state governance takes two polar views (Rugarabura, 2008: 94). One view tends to portray traditional communities and their authorities as constitutive of "social harmony", hence, they are natural cell deepening democracy, particularly through effective local participation (Gyapong, 2006: 183). The other position tends to make traditional authority responsible for all the social evils and backwardness preventing the society from evolving towards modernity. In this regard, while some propose the banishment of this traditional institution because they are contrary to the ideals of modern state, others have strongly advocated for its continued existence.

2.2.4a The Argument against Chieftaincy

Many radical modernist (evolutionist) theories propose just the banishment of traditional structures and institutions, for that matter call for an end to the prevailing political dualism in Ghana. According to them, the traditional structures, including chieftaincy are contrary to

the ideals of modern state (Abotchie, 2011: 158-159; Ansah Koi, 1987). To Ansah Koi (1987: 58), the traditional chieftaincy system in pre-colonial era did not demonstrate any of the features of modern representative government. He describes as myth, the perception held by scholars like K. A. Busia (1967) and F.K.Drah (1987) that the chieftaincy system in Ghana exhibited characteristics of modern system of governance.

From this point of view, the custom and the institutions that it has given birth to, have to be removed from the state's political and administrative field. At best they should be merely restricted to historical or private domain. Proponents of such thought further argue that over the years, significant changes have taken place with respect to the functions of chiefs in Ghana. Through colonialism and thereafter most of the functions of the chiefs had been taken away from them. As Boafo-Arthur (2001: 1) observes: "I must admit that the link between chiefs and their subjects have been relaxed over the years due largely to the progressive erosion of the power base of chiefs upon the introduction of modern structures of government."

With regards to the military functions for example, there is no longer the necessity for chiefs to retain armies since the national government assumes such responsibility (Abotchie, 2006: 175). In view of this, Bannerman (2006) argues that the ancient institution is incompatible with modern day realities. To him:

Ghanaians are grateful for what chieftaincy did in the past but we cannot carry this outdated institution into the future. It is out of context and does not support the expressed or implied vision of the country we seek to create (*www.ghanaweb.com: Wednesday, 25 January, 2006, By Bannerman, N. L. O.*).

He then concludes that "chieftaincy is not amenable to reform. It just does not fit in. Let us continue with our democratic experiment and leave chieftaincy behind, . . . so that we can

join modern civilization” (*www.ghanaweb.com: Wednesday, 25 January, 2006, by Bannerman, N. L. O.*).

Chieftaincy, therefore, appears to be exclusive in deposition, and localities must not continue to remain tribal enclaves because of this age long institution. Instead, modern politics must promote tribal integration (*www.ghanaweb.com: Wednesday, 25 January, 2006, by Bannerman, N. L. O.*).

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Thus, the major reason given by those who want chieftaincy abolished is that the institution is too backward in orientation, hence, does not fit into modern socio-cultural situation. It is argued that under the traditional political system, power is exercised over the people by an oligarchy of royalists, the aged, and particular office-holders who were themselves hemmed in by tradition, superstition, and various customary practices (*www.ghanaweb.com: Friday, 8 September 2006, by Amegashie, J. A.*). Chieftaincy is therefore seen as a system of governance with absolute power in one alpha male, the chief. The separation of powers, as we know of modern political system, is rarely practised (*www.ghanaweb.com: Wednesday, 25 January, 2006, by Bannerman, N. L. O.*).

Amegashie (2006) in a feature article, for instance, queried when describing the dictatorial nature of the traditional institution that “why are we willing to accept these chiefs but are unwilling to accept dictator or president for life? We cannot accept a national dictator” (*www.ghanaweb.com: Friday, 8 September 2006, by Amegashie, J. A.*).

He describes as undemocratic the situation where regardless of their age, women hardly become chiefs and only privileged groups, through blood line, have the opportunity to rule (*www.ghanaweb.com: Friday, 8 September 2006, by Amegashie, J. A.*).

Chieftaincy is therefore conceived as expressing none of the features of the modern form of governance. The conception that it does, is traceable to the efforts on the part of various “Africanists” to demonstrate that pre-colonial Africa, for that matter Ghana, at least had rudimentary forms of the now-universal norms of representative government (Ansah-Koi, 1987: 57). In practice however, chieftaincy, as it is argued, is a backward institution, hence, is irrelevant to Ghana’s present democratic governance. This ancient institution accordingly must be ignored. Of course, this point of view has a strong opposing view.

2.2.4b The Argument for Chieftaincy

There is a school of thought which considers the traditional system to be efficient form of governance which could serve as a model for national governance. Scholars like Thiyembe Mwayila (2001: 121) and Trutz Von Trotha (1996: 8) who hold such thought have developed more conciliatory and even realistic approaches. For them, African pre-colonial nations and the traditional authorities that symbolize them have got resources all the more powerful since they represent the traditional legitimacy (chieftaincy) in opposition to the legitimacy of importation (local government) that covers the official political scene. African states, including Ghana, in the present day, are thus, necessarily multinational states; for traditional institutions are still strongly keeping in touch with the people, and Africans are still attached to them (Ayiittey, 1991: 93).

The literature on this thought further argue that prior to the imposition of colonialism, Ghana in particular and Africa in general, had flourishing political institutions and method of leadership selection that mirrored modern Western system of governance. As George Ayittey opines that “. . . according to traditional ideas, a chief could never force his people to do what they did not want to do. He was a leader rather than a ruler, relying for his position on influence rather than force” (1991: 93).

The African traditional system had the mechanism that allowed council of elders not only to assist chiefs in decision-making, but to help curtail, or prevent Chiefs from misrule and plunder (Teffo, 2002: 1). Studying Ghanaian indigenous institutions, scholars like Rattray (1922), Hayford (1903), Sekyi (1947), Busia (1967) and Drah (1987), have positively commented on the efficiency of the traditional system of governance. According to Casely Hayford (1903), the most noteworthy feature of the Akan state system was its representativeness. “The idea of representation”, he observed, was “widely diffused among the people”; and “the right of every adult member of the community to be represented in the State Councils” was “fully recognized and guaranteed”. Casely Hayford became so impressed with the features of the Akan state system that he tended to idealize it. In his opinion, the pre-colonial Akan people possessed:

a system of self-government as perfect and efficient as the most forward nations of the earth today can possibly conceive. A people who could indigenously, and without a literature, evolve the orderly representative government which obtained in Ashanti and the Gold Coast before the advent of the foreign interloper, are a people to be respected (Hayford, 1903 in Ninsin and Drah, ed., 1987: 43).

For Kobina Sekyi (1947), the “Akan-Fanti” traditional idea of kingship is different and even more efficient than that of Europe which saw kings as absolute rulers over the lives and properties of their subjects. To him, the Akan-Fanti idea was that the King was the highest public servant in the state. He was an elected constitutional official. The king was not a legislator in his own right, and he had to govern in accordance with the customary law (Sekyi, 1947).

In English law the King is not a subject, neither is he sovereign: for the Parliament is Sovereign. In our law the ruler is himself the subject because the people are sovereign. Hence the formula which is in use in Elmina state: ‘Ehin no nni man’ (the king has no state). The ruler is merely a representative of the sovereignty of the group” (Sekyi, 1947, in Ninsin and Drah, ed., 1987: 39).

Recent research has confirmed these observations. To Drah (1987), it was representation which made meaningful and orderly, a measure of commoner participation and control in the vital processes of the Akan state system. These included the selection of political heads, composition or membership of councils, discussion by consultation, accountability, and deposition (Drah, 1987: 36).

According to Drah (1987), under the traditional chieftaincy institution, the position of a chief for instance, is an inherited office. A candidate was nominated by the queen mother, elected by members of the royal family, scrutinized by the public and installed by the king-makers. Despite its hereditary nature, traditional rulers were not absolute monarchs. The chief ruled according to a constitution and was aided in government by a council of elders who were heads of the prominent families in the society. Among the Akans, for example, the “Nkwaakwaahene”, the non-hereditary head of a loose association of commoners, (the “Nkwaakwa”) represented commoners.

Drah (1987: 49) then concludes that there is no inherent disharmony between the pre-colonial Akan state system and British parliamentary system of governance. He laments:

British colonial rule distorted and indeed, subverted the traditional political institutions including the Akan system. Such defining characteristics as representation, the elective principle, constitutional limitation of power, accountability and deposition, were almost all eroded (1987: 48-49).

Moreover, while describing the positive features of indigenous political system Assimeng (2006) notes that in none of the analyses, particularly by Busia (1951) and Danquah (1952) was there any evidence that a traditional ruler could persist in ruling when he had lost his or her legitimacy (*www.ghanaweb.com: 2006, by Max Assimeng*).

Meanwhile, due to commendations on the efficient nature of the chieftaincy institution towards good governance by the aforementioned scholars, there is also a growing recognition that Africans, including Ghanaians, must be free to choose or to develop forms of governance in keeping with their local realities, where at least for the present, traditional leaders of the component ethnic groups of African countries (including Ghana) be involved in the governance of their societies (Skinner, 1970: 199-201). C.S. Whitaker (1970) for instance had questioned the assumptions that there could not be a compromise in the leadership of what he called "confrontation societies," (those having many of the mixed attributes of small urban westernized elites and rural agricultural folk largely governed by traditional leaders). He challenges the notion that such collaboration is neither inevitable nor practical. Whitaker notes an emerging stable symbiosis of modern and traditional elements, and cites several cases of "creative adjustments" leading to what he describes as "democratic reforms". He concludes that "significant elements of the traditional political system of the emirates proved to be compatible in practical terms with significant features of the modern state" (Whitaker, 1970: 467).

Whitaker then suggests that the emerging political culture of African countries, including Ghana should do well to take traditional elements into account.

Specifically in Ghana, the direction of the debate is no different. The question sometimes asked is, cannot Ghanaians devise a constitutional system based upon their own indigenous institutions (Drah, 1987, 34)? Martin Wight (1947) offers the answer in his work on the Gold Coast legislative council where he had stated that there was no intrinsic disharmony between the indigenous political institutions of the Gold Coast and the imported 'Western representative' system. The purposes and methods of the indigenous (chieftaincy) and imported institutions (national government) were the same: both embodied the

representative principle and both were government by discussion (Wight, 1947, in Ninsin and Drah, ed., 1987: 34).

Martin Wight's work was confirmed by the report of the Coussey Committee in 1949 which stated that "in embarking upon a new order of political life, we have chosen the British model and have sought to blend it with our traditional institutions."

It is worthy of note that the Coussey Committee was formed in 1949 to work on a constitutional reform for the then Gold Coast. Besides, in 2004 the United Nations Economic Commission for Africa (ECA) organized a workshop in Addis Ababa for prominent monarchs on the continent to look at the feasibility of integrating traditional modes of governance with the modern democratic forms of governance in their quest to bring about a unique system of governance to streamline our political, economic and judicial institutions. The ECA point of departure is that the legitimacy of the democratic state should ultimately be based on indigenous social values as reflected in the traditional governance.

Today, it is still strongly argued that chieftaincy should stay. Chieftaincy is seen to have outlasted almost all other traditional institutions, hence it deserves to stay and be modernized to suit contemporary politics in Ghana. It is seen as a positive force for development in the 21st Century Africa and Ghana in particular (*www.ghanaweb.com: Monday, 16 October 2006, by Amoateng, Y.*). The observation of Boafo-Arthur (2001) tells it all:

I personally think that given its role in Ghana's political set-up, it could be an effective countervailing institution just like Parliament and the Judiciary, especially by drawing public attention to Executive excesses and infractions as well as inactions (Boafo-Arthur, 2001: 20).

In this regard, the existence and possible contributions of traditional rule cannot be isolated from the general processes of national governance – a view which is shared by many

sociologists and political scientists (*www.ghanaweb.com: 2006, by Max Assimeng*). That is the reason why many African countries, including Ghana, have over the years, made the effort to officially recognize the chieftaincy institutions, through provisions in their respective national constitutions.

In summary, authors are divided over the relevance of traditional rule towards modern governance. Some see traditional governance structures as outdated and anachronistic; hence they must be ignored. Others are of the view that traditional rule remain very useful today and must be maintained and integrated in main stream politics. This study intends to investigate this unending debate, which seems to create uncertainties with regards to the contribution that the traditional rule could make towards the consolidation of democratic rule in Ghana. It is the wish of the investigator to clarify this controversy by examining the two sides of the debate, evaluating and weighing them, and then drawing the conclusion as to whether or not traditional rule should be integrated in mainstream politics.

2.2.5 The Way Forward for Effective Governance at the Local Level in Ghana and Africa.

Establishing and sustaining systems of good governance is perceived by scholars and practitioners as one of Africa's most critical current challenges. In countries (such as Ghana) said to be making progress in this direction, the challenge as seen by commentators is to consolidate such gains. To most of the writers, the creation of what is called the "capable state" based on the indigenous values and beliefs is the ultimate goal of African governance initiatives. Below are some of the views on the afore-mentioned point with regards to governance in Ghana in particular and Africa in general:

- In his studies of African states, Goran Hyden (1983) for instance, points out that the analysis of state-building and development in Africa showed the significance of

what he called the “economy of affection,” a network of clan-based and other associational patterns that existed outside the realm of the state and the inability of state-based institutions to control them; thus demonstrating the limitation of the capacities of the African state to effectively drive processes of development. He therefore emphasizes the need for the creation of multiple levels of governance institutions, especially institutions of local governance based on small units enough to promote genuine community involvement (Hyden, 1983).

- Young Crawford (1994), on his part, has made a rigorous analysis of the colonial foundations of the post-colonial state in Africa. He has done an insightful analyses of the changing dynamics of African politics: the erosion of authority and capacity of the post-colonial state in the face of changing external circumstances and internal challenges, the retreat of local communities from the state and the challenge posed by the array of traditional institutions, the place (or lack thereof) of religion, the emergence of civil society, and the increase of internal wars. According to Young (1994), these developments signify the passing of the post-colonial state. Young points out that in order to achieve viable and effective system of modern national governance, African countries must necessarily take into account the local and indigenous patterns of governance and the external environments within which African societies are nested.
- Trutz Von Trotha (1996, 8) has proposed the idea of turning the (administrative) chieftaincy of present days into “civil chieftaincy”, and made suggestions towards appropriate innovations within the traditional rule to meet the political challenges of today. This would be more just, responsive and responsible just as the new type of central government would be.

- Maxwell Owusu (1997) argues that the failure to “domesticate” democracy in Ghana in particular and Africa in general is at the core of the crisis of governance on the continent. Owusu (1997: 120-150) uses the concept of domestication as a horticulturist would: “a process of cultivation, replanting or transplanting of gradual but steady growth...a concern for appropriate local knowledge and conditions...” He stresses that governance in Africa should logically involve what he calls “mixed governments” that are constitutive of traditional chieftaincies and of western-style governmental institutions appropriately adapted to African contexts.
- Boateng (2001) has added to Maxwell Owusu’s recommendation by suggesting that appropriate innovations within the 1992 Constitution of Ghana are necessary, in order to reflect the social, economic and cultural situations of the country. He notes that the chieftaincy institution is a cultural and historical phenomenon with its features largely reflecting the socio-cultural situation of the country, hence suggesting the fusion of certain appropriate features of this ancient institution with the present Constitution of the Fourth Republic, in order to make the latter viable (Boateng, 2001: 170-174).
- Mwayila Thiyembe (2001: 121) speaks of “républicanisation du pouvoir traditionnel” (turning traditional power into a republic). It is about a sort of “marriage of heart and convenience” of these two fields of politics. Its viability requires that tradition get into the republic and the republic into the tradition. In concrete terms, African institutions should be associated with the state project. This process implies, among others, at the micro-local level, the recognition of the traditional power and the rehabilitation of its institutions so that there are chieftaincy’s government and (district) assembly.

- Moreover, Catherine Boone (2003) points out that the nature and strength of centralized authority's hold over local jurisdictions in African countries such as Ghana, depend not only upon the prerogatives emanating from the center but also upon the nature of authority relationships at sub-national levels. To her, there are diverse patterns of authority relations at sub-national levels (including chieftaincy and local government), and understanding them is critical to understanding the institutional choices constitutive of governance arrangements in Ghana in particular and Africa in general. It is important to note that the interrelations between the chieftaincy institution and local government structures at the local level that constitutes aspects of 'the pattern of authority relations at the sub-national levels', which Boone (2003) and the others argue to be important to understand in order to achieve efficiency in governance.

To this end, further studies on the prevailing political dualism is necessary in order to understand the envisaged "complexes" and "diversities" of the interactions between the two political institutions; thereby informing policy makers towards appropriate institutional arrangements which would lead to efficiency in both national and local politics in Ghana. Thus, the emerging challenges relevant to this research work is the need to understand more deeply the local and indigenous governing patterns that are resilient in Ghanaian society and to explore the possibilities of synchronizing the two systems into one, as suggested by Maxwell Owusu (1997), P. Boateng (2001) and others.

The conclusions from the afore-discussions are that the emergence of political dualism in the country dates back to colonial era when indirect rule was introduced by the colonialists. Thereafter, successive governments have maintained the duality up to today where at both national and local level of governance, the chieftaincy institution exist side-by-side with the structures of modern state government. For its continuous survival therefore, not only could

it be assumed that the institution of chieftaincy remains relevant to modern governance but that the dualism probably offers unique benefits to socio-economic aspirations of the people of Ghana. This study therefore investigates a social issue which is very important to the people of Ghana

It may also be concluded that the various constitutions of Ghana have helped in carving two systems of rule in the country: chieftaincy and national government. While aspects of the constitutional provisions create representations of chiefs within the national government structures, thereby creating relationship between the two political systems; there are also provisions which seek to ask office holders of each of the two political systems to keep their distance, thereby creating a parallelism between the two political institutions. Nonetheless, these constitutional provisions are not comprehensive enough to control and regulate the prevailing dualism in the country. Based on the findings, this study intends to offer recommendations which will give clarity and direction to policy makers so that more detailed constitutional provisions towards a “political marriage” of the two institutions would be developed, if necessary.

Furthermore, the two institutions have serious constraints which certainly require immediate attention of policy makers. This requires deeper understanding through further investigations and it is the objective of this study in that regard.

Finally, it has been noted that the two political institutions relate to each other and that the relationship is a chequered one. Some aspects of their relations exhibit marked cooperation and harmony while other aspects are characterized with tensions and conflicts. It is the broad objective of the study to investigate these complexes and diverse relations prevailing between these two political institutions at the local governance level.

2.3 THEORETICAL FRAMEWORK

“Dualism” is one of the major concepts used in the literature to analyze many developing countries, including African states. The term denotes a state of two parts which is derived from the Latin word “Duo”, meaning “Two”. The concept expresses the fact that developing countries share many aspects of modernity while norms and practices resulting from custom continue to prevail therein. For this study, the concept is used in a political sense to represent two governance structures – the chieftaincy institution and modern government – with emphasis on governance structures at the local level where the two identifiable political institutions are chieftaincy and local government. Therefore, as explained by Lutz and Linder (2004), “Political Dualism” is a system of rule comprising two different political institutions where contacts with each other are largely not integrated.

Politics in African states, on the one hand, involves the Western or European model of governance that has been "imported" through colonization, while on the other hand, is the traditional or indigenous form of governance, which evolved out of the history, tradition and culture of the people (Mahmood, 1996: 18). Thus, the governance situations in these countries are of dual nature, where traditional political structure existed alongside the modern state government. With the quest for good governance being a major challenge, African countries, particularly Ghana, are paying critical attention to the dual "mixed" nature of the system of governance that is inherent in their societies.

According to Lutz and Linder (2004: 32-33), this form of duality transcends all levels – national, regional, district and village level politics – under the Fourth Republic of Ghana. At the national level, the dualism is manifested through the Central Government (the executive, legislative and judiciary) on one hand, and the National House of Chiefs (NHC) on the other hand. The Regional levels are the Regional Administration (RA) and Regional

House of Chiefs (RHC) for each of the 10 regions of the country. Next are the District Assemblies (DA) and Area Councils (AC) on one hand and Traditional Areas (TA) with paramount chiefs, on the other hand. Finally, at the town/village level, the national government is represented by local government structure with the assemblyman and unit committee members as government personnel, while the traditional political system is represented by the chief and his council of elders (Ayee, 2000).

In all, at the various levels (national, regional and town/village), prevail the dual political structure of the traditional and modern state governments. The issue then is, do these political institutions exist and function in isolation? Are there not interrelations between them; and if there are, what are the nature and dynamics of the interrelations and interactions between these two separate leaderships as they exist and function alongside each other? Finally, is it even necessary that the chieftaincy institution should continue to exist after the introduction of local government in the villages and towns?

Under three thematic areas, this Sub-Chapter offers perspectives underlying the aforementioned issues raised on the co-existence of traditional and modern political leaderships.

- i. Perspectives on the **emergence** of the dualism (social change);
- ii. Perspectives on the **legitimacy** of the dualism (functionalism); and
- iii. Perspectives on the **diverse relations** within the dualism (structuralism).

The preceding perspectives listed above are linked to the three broad objectives of the study, as outlined in Chapter One. The perspectives on the legitimacy of the dualism are linked to the study's aim of investigating the debate on whether or not chieftaincy remains relevant to modern system of governance. The recommendations of the study, in part, draw its direction and focus from the perspectives on the emergence of the dualism, while the

perspectives on the “diverse relations within the dualism” is developed from the study’s objective of investigating the perceived ‘complexes’ of the relations between chieftaincy and local government in some communities of Akyem Abuakwa.

2.3.1 Perspectives on the Emergence of the Dualism

The crust of this study, as it has been noted earlier, is that throughout colonialism and post-colonial era there has been some form of political dualism where the chieftaincy institution and national government exist side by side. Politics, over the years therefore seem to be a blend of tradition (chieftaincy) and modernity (national government). This is a reflection of what social change constitutes as pointed out by Lutz and Linder (2004) that history shows gradual development from tradition to modernity. “Tradition” primarily has a historical meaning as it relates to something that has its roots in the past. It is a practice, custom, or story that is memorized and passed down from generation to generation, originally without the need for a writing system (Lutz and Linder, 2004: 5). Traditions are often presumed to be ancient and unalterable. Traditional societies mainly refer to pre-industrial societies and relates to rural/village communities.

“Modernity”, on the other hand, is a particular kind of time consciousness which defines the present in its relation to the past, which must be continuously recreated; it is not a historical epoch that can be periodized" (Delanty, 2007). Modernity thus, is a transitory and can be described as the end product of social change. Modern societies refer to industrial societies and largely relates to urban communities in developing countries.

In all, traditional societies have certain basic features and functions that are different from that of modern societies. Over the years, scholars of change in society have always conceptualized the transition of societies using these two concepts – Tradition and Modernity

(Lutz and Linder, 2004). They usually distinguish them clearly on a theoretical basis because the transition from traditional to modern societies is characterized by a radical institutional change (Linder, 2002). In practice however, the distinction between traditional societies and modern industrial societies, is not mutually exclusive. Within the same society, one could find the combination of the characteristics of tradition and modernity prevailing. That is why Moore (1963) defines change in society as:

a significant alteration in the social structure which may originate endogenously or exogenously in any institutional area, bringing about changes in other institutional areas, which in turn make for further adaptations in the initial sphere of change (Moore, 1963: 3).

A key aspect of the definition worth noting is the “alteration in the social structure. . . which make for further adaptations in the initial sphere of the change”. It implies that the “end product” resulting from social change, normally maintains aspects of the previous occurrence or phenomena. Thus, change in society does not mean a complete elimination of the old or original phenomenon. Instead, it is a blend of the previous and the fresh/new phenomenon.

This conception of social change is strongly alluded to by Nukunya (2003) who underscores that for every change in society, there is an interplay of tradition and modernity to give an end product which has elements of both. He points out that the assumption that there has been an end of an era of traditional beliefs and practices in Ghana, for example, is merely for analytical purposes, and not a reflection of reality. For Nukunya, (2003), “. . . the institutions which are otherwise definable as ‘traditional’ have continued to persist in the contemporary (modern) Ghana” (Nukunya, 2003; and Abotchie, 2006).

He continues:

. . . The nature of contemporary Ghanaian society involves an interplay of tradition and change. Therefore, any study of contemporary Ghana has to take inspiration from what has gone before. Moreover it will be wrong to think that the institutions of the past just gave way to those of today. They did not. Hence we speak of interplay of tradition and change . . . in any situation of change in contemporary Ghana, it is the traditional social practices which give direction to the changes taking place (Nukunya, 2003: 1).

He then concludes that “in order to fully understand the society of today, a thorough knowledge of traditional institutions is required” (Nukunya, 2003: 1).

Ghana’s current governance system, just like the other social institutions is in transition (Abotchie, 2008: 17); hence, the country’s prevailing political dualism of chieftaincy (tradition) and modern state government (modernity / change). In other words, the prevailing dualism of the chieftaincy institution and local government in Ghanaian local communities is a true reflection of social change principles, which further implies that this co-existence is natural and legitimate. To this end, the principle of the ‘interplay of tradition and change’ gives direction to the recommendations that for the country to attain workable national government (multi-party democracy), it must necessarily fuse some features of traditional political system (chieftaincy system) with the former.

2.3.2 Perspectives on the Legitimacy of the Dualism

As just noted in the preceding discussions, the chieftaincy institution existed before and during colonialism, and has continued to thrive after independence. Today, it co-exists with the national government structures – thereby creating a political dualism both at the national and local level of governance. Theoretical perspectives have been given for the explanation of the “survival instinct” of the chieftaincy institution, which has consistently maintained the dualism since colonialism.

For instance, according to Weber (1968, it is possible to draw a distinction between legitimate and illegitimate power. “**Coercion**” is the opposite of **authority**, and it is illegitimate **power** gained through the threat of force and/or the use of force. “**Authority**” is referred to as legitimate power. This is when a ruler is successful in securing the ‘hearts and minds’ of a population. In the eyes of the population, the ruler has the moral right to rule, and therefore the decisions of the ruler are accepted (Weber, 1947: 324-358).

Weber (1947) indentifies three ‘ideal types’ of authority, and describes all of them as **legitimate sources** of power used by leaders or leading groups to secure the consent of the population. His three ideal types of legitimate power are **traditional authority**, **rational-legal authority** and **charismatic authority**. **Traditional Authority** is based on an established belief in the sanctity of immemorial traditions. **Rational-Legal Authority** involves a belief in the legality of enacted rules and the right of those elevated to authority under such rules to issue commands. **Charismatic Authority** is based on devotion to the exceptional sanctity, heroism or exemplary character of an individual person, and of the normative patterns or order revealed or ordained by him (Weber, 1968: 215; orig. pub. 1921). According to Weber, for any society to function successfully, the ruling class, the chiefs and political party leaders must hold the reign of power and authority. Authority is associated with influence and respect, the ability to secure voluntary compliance with an order without the use of force. When a leader gets authority, he gets the power to rule (Weber, 1968).

Conversely however, some authors, including Englebert (2000), have questioned the legitimacy of the legal rational authority (modern government) in African states in particular, and Third World countries in general. They have argued that the transitional process which resulted in the creation of the modern government in Africa was artificial

and through foreign manipulations (colonialism), rather than evolving naturally from the history and traditions of the people (Englebert, 2000: 67-84).

Thus, political scientists and political sociologists, in their attempt to explain most of the failures of African states and to indicate the way in which reforms should be led, have focused their analyses on the legitimacy of the new political systems created from the advent of colonialism and post independence. It is common to find in the literature the phrase “illegitimacy of African state”, which expresses the fact that the African state is not locally appropriate or rooted. It is a product of transplantation (through colonialism) instead of being a creation of local history (Baku, 2001: 56).

Pierre Englebert, using Kalevi Holsti’s (1996) terminology, has distinguished two sorts of legitimacy: the **vertical legitimacy** and the **horizontal legitimacy**. Vertical legitimacy corresponds to the quality of the relation between society and political institutions. Englebert’s vertical legitimacy captures the degree to which contemporary state (political) institutions evolved endogenously in society or were imported and, in the latter case, the extent to which such imported institutions clash with pre-existing (traditional) relations of political authority. The process of state creation had as a consequence of the fact that

the leadership or the ruling class inherited the (Africa) state rather than shaping it as an instrument of its existing and developing hegemony. As a result, African states were born lacking legitimacy, meaning simply that they were not endogenous to their societies, they were not historically embedded into domestic relations of power and domination, and they therefore suffered from dichotomization between power and statehood (Englebert, 2000: 76).

Horizontal legitimacy, on the other hand, refers to the degree of continuity between pre-colonial (tradition) and postcolonial (modernity) borders and is measured by the percentage of a country’s populations that belong to ethnic groups not partitioned by borders. It is important to note that the borders of African states were drawn according to colonial interest

without any regard to the social and political realities on the ground. Even if ethnicity is itself a fluid concept and unreliable source of identity or institutional affiliation, as Englebert (2000) puts it, the fact that an ethnic group exists on both sides of contemporary border, no matter how intense the ethnic identity, means that the border cuts across a pre-existing area of common political culture (Englebert, 2000: 8). Therefore, it becomes difficult for an imposing state to get the allegiance of a partitioned group.

To Englebert (2000: 71-147), for countries that have lower degrees of vertical legitimacy and horizontal legitimacy, their resources are either spent on activities for rulers to establish control over society by building strong bureaucracies and unnecessarily large armed forces, in order to use coercion and co-optation to maintain tolerance of their rule. They resort to neo-patrimonial policies in order to substitute instrumental legitimacy for the lack of moral foundations of their power. This explains the failure of governments, for that matter, decentralization and local government in many African states. Thus, effective cooperation between traditional authority and modern state government is undermined by the lack of vertical and horizontal legitimacies of the latter.

In all, this study investigates two different political institutions – chieftaincy and local government, hence it largely dwells on the **Traditional** authority and **Rational-Legal** authority as explained by Weber. The difference between the legitimacy of traditional authority and legal-rational authority is that the former is based on a number of factors such as traditions and customary laws of the people but the latter is based on a constitution.

As argued by Englebert (2000), in view of the lack of legitimacy of the legal rational authority, both colonial (through indirect rule) and post-colonial African governments had relied on the traditional political structures for legitimacy, thereby maintaining the dualism;

and as further alluded to by Lutz and Linder (2004), the two political systems are intimately linked and dependant on each other. Fortified by their political, judicial, land, sacred, and ceremonial power, traditional authorities are called upon for acting as go-between between population and state, mobilizing population and conferring legitimacy to the state and its rulers. As for traditional authorities, they need the state to recognize their legitimacy and to get some political and economic advantages for themselves and for their entities (Lutz and Linder 2004: 30-31).

It is worthy of note that it is the perceived failure of modern state governments (legal rational authority) and the role that the traditional political institutions (traditional authority) play in providing legitimacy to the former, that has led some authors to question the viability of the modern state governance structures (such as local government structure) and at the same time, has given strong consideration to the integration of chieftaincy institution in national politics. This has generated the age-long debate among authors with regards to the position and role of traditional leadership in modern governance. This study therefore, in part, conducts investigation into the extent to which the chieftaincy institution is relevant to governance at the local level, under the Fourth Republic of Ghana. Ascertaining the degree of influence and relevance of chieftaincy in local governance would give direction and determination of the nature and extent of its integration in governance at both national and local levels.

2.3.3 Perspectives on the Diverse Relations within the Dualism

The broad subject of investigation by this study is the interplay of tradition and modernity, with regards to the co-existence of the chieftaincy institution and local government in Ghanaian local communities. Lutz and Linder (2004) have painstakingly investigated and presented different models of these interplays at the local and national levels of governance in less developed countries.

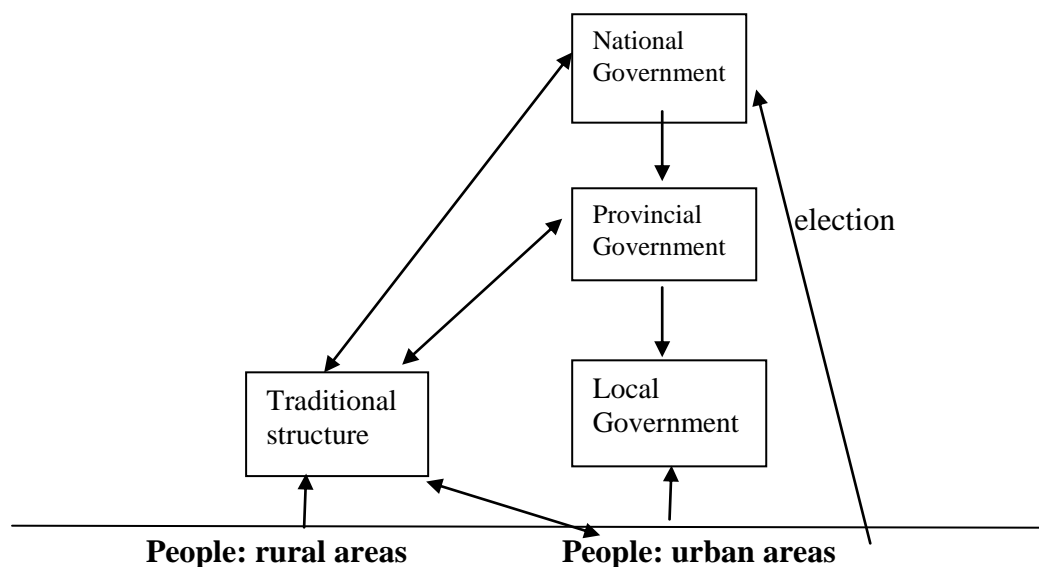
- Models of the Relations between the Traditional and Modern Leaderships

In their study, Lutz and Linder (2004) have postulated five models of relations between traditional authority and modern state government (including local government), which are prevalent in Third World countries, including Ghana.

Model 1: Traditional authorities assuming the role of local government

According to Lutz and Linder (2004), the traditional authority, under this model, assumes fully the local government role in the rural areas where society is still very traditional, and there should be some formal or informal links between the traditional local government and the modern government at the national and/or local levels. This implies that the national government might have the right of administering the traditional leadership. However, in the urban areas with modern structures, a modern local government may be created.

DIAGRAM 2.1: Traditional authorities assuming the role of local government



Source: Lutz and Linder (2004)

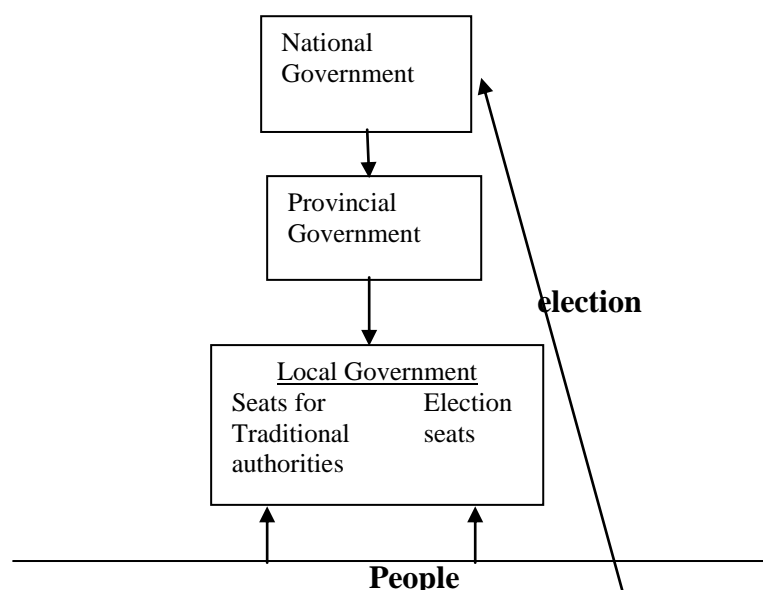
Legal arrangements are installed to allow traditional self-governance in such traditional societies. It includes traditional court systems and legal conflict settlement. Typical case

studies of this model can be found in some countries in Latin America and North America where traditional structures constitute minorities. For example, Bolivia and Columbia experiences reflect this model. Notice that this co-existence is possible despite the fact that social integration of indigenous cultures is still fairly limited. It would be recalled also that in many of the colonial states, the traditional structures and chiefs were the local government – indirect rule. On the whole, this model is viable in rural areas where traditional societies are intact and traditional leaders have a high level of legitimacy among the people (Lutz and Linder, 2004: 30-31).

Model 2: Formal power of traditional authorities at the local level

With this model, Lutz and Linder (2004) have noted that the chiefs have a clearly defined function in local government. Through reserved seats or through allowing (or encouraging) them to run for certain local offices, traditional leaders become part of the local government bodies.

DIAGRAM 2.2: Formal power of traditional authorities at the local level



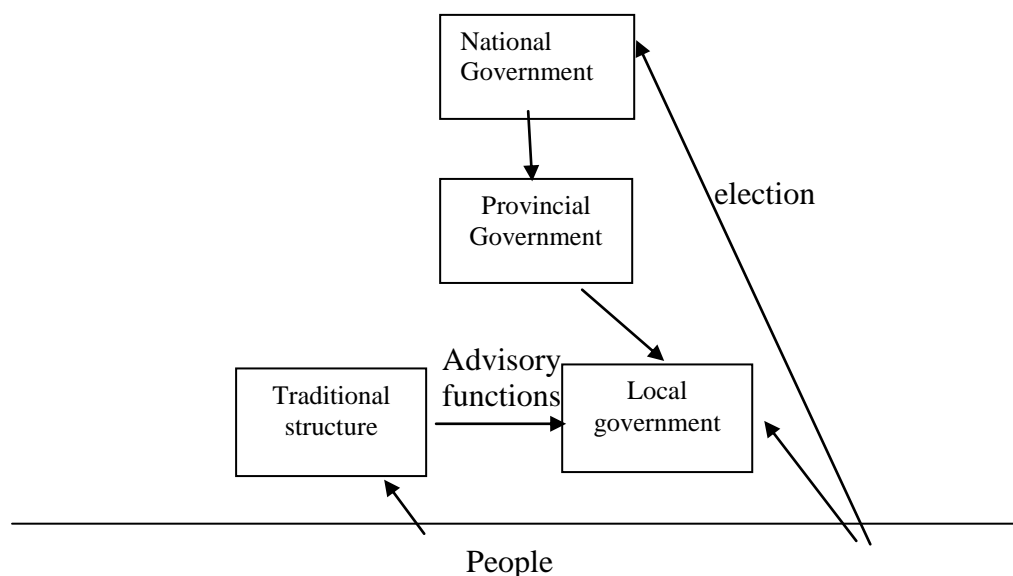
Source: Lutz and Linder (2004)

For this model, the advantage is that it totally incorporates traditional leaders within modern local governance structures. The power and recognition of the traditional leadership, in this case, becomes both functional and symbolic. On the other hand, the disadvantage of this model is that tension and conflict may occur because representatives with different sources of legitimacy are governing within the same structure. Nevertheless, the substantial integration of both the traditional structures and local government structures can further increase the implementation capacity of the latter because traditional leaders have been part of the decision-making procedure, hence lending their legitimacy to the programmes and policies in question (Lutz and Linder, 2004: 34).

Model 3: Traditional leaders serving in advisory bodies of the local government

Countries practicing this model, as Lutz and Linder (2004) opine, do not offer traditional authorities an official role in decision-making. Instead, the traditional leaders constitute a special body or procedure for an advisory function or consult prior to a decision.

DIAGRAM 2.3: Traditional leaders serving in advisory bodies of the local government



Source: Lutz and Linder (2004)

Note that this can be a joint committee of local government and traditional leaders that focus on specific programmes and policies such as health, employment, environment, social practices, gender issues, fund-raising for education, health and other development projects. Local governments may form new participatory bodies which are made up of traditional leaders, or expand existing ones to include traditional leaders (Lutz and Linder, 2004: 35).

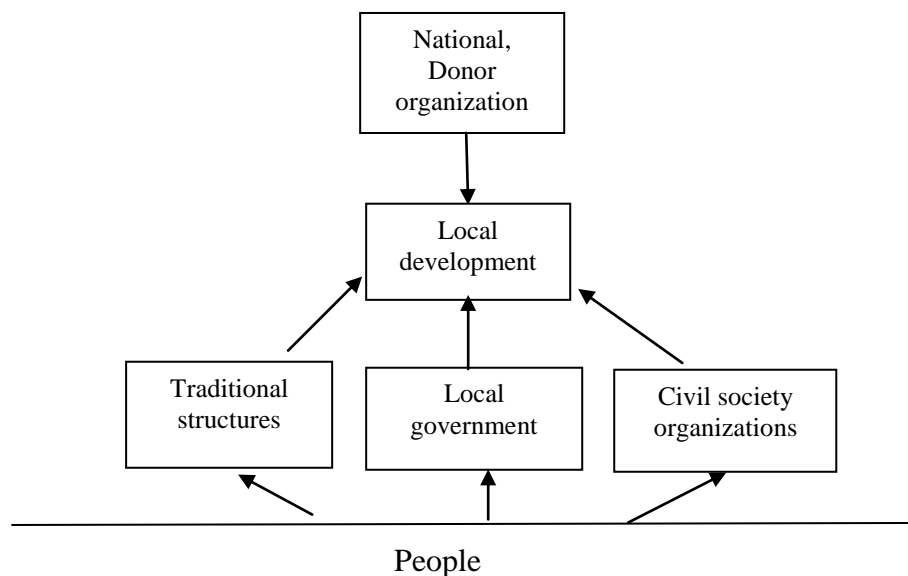
The disadvantage of this model is that the traditional leadership is not given formal role in decision-making, hence their participation and influence are weak and limited. This may lead to tension, frustration and conflict, especially, when officials from the local government ignore the advice of these traditional leaders (Gyampong, 2004: 187). Nonetheless, in reality, as Lutz and Linder (2004: 35) point out, many local governments are unlikely to decide upon an issue against the will of traditional authorities because they know they will need their support.

Model 4: Traditional leaders being involved informally in individual development programmes.

With this model, Traditional leaders are informally involved in individual development programs, policies and projects which are organized by the local government, communities, and non-governmental organizations (NGOs). Lutz and Linder (2004: 36) observe that during the participatory planning phase, traditional leaders could then become one of the many other stakeholders at the local level. They may also organize development programmes. Based on the Community Driven Development (CDD) approach, control and influence over development may usually be given to local community groups, where traditional leaders would be among the other actors, such as elected or non-elected

officials, local governments, agency representatives, Community-Based Organizations (CBOs) and NGOs. According to Lutz and Linder (2004) one of the major features of CDD is to strengthen local groups and facilitate information both from the national and local level, and among different groups within a community. They note that the goal is not so much with formal inclusion. Instead, it is aimed at the strengthening of links between community groups and governments to create a favorable environment for policy and institutional reform, including decentralization.

DIAGRAM 2.4: Traditional leaders being involved informally in individual development programmes.



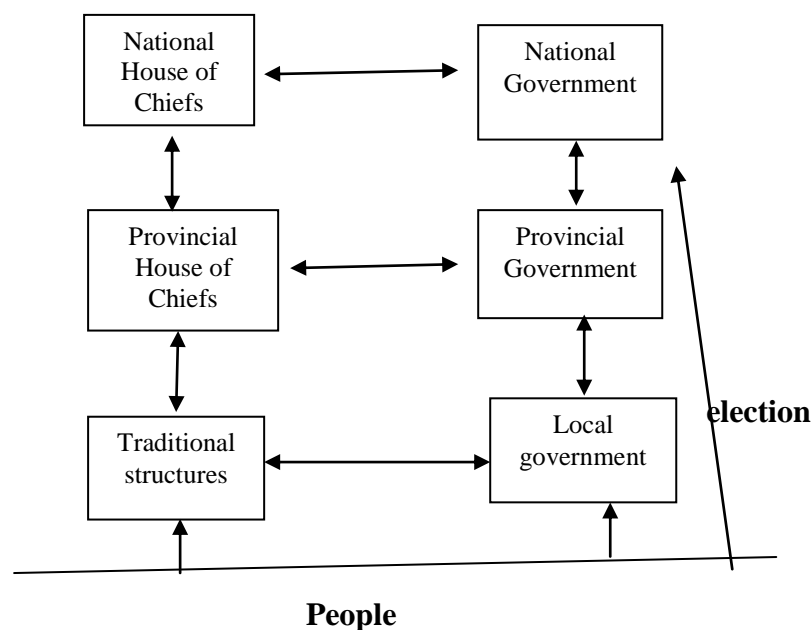
Source: Lutz and Linder (2004)

The marked difference between this model and the others is that traditional leaders are not considered as superior to other interests and community groups. Instead, the traditional leaders are treated as one of many possible actors. Nonetheless, the traditional authorities could participate in any form of development as independent actors, whether or not they are formally recognized within the institutional framework.

Model 5: Separate structures with various interactions at local and national level

According to Lutz and Linder (2004: 32), some countries have established a parallel structure at different levels of government. Each House of Chiefs at the national and local level does not only exercise certain rights but it has an advisory function at the national and/or local level and/or needs to be consulted for different issues. The diagram below illustrates the interrelations among the various political structures.

DIAGRAM 2.5: Separate structures with various interactions at local and national levels



Source: Lutz and Linder (2004)

Shema (2003) has noted that this model is a common practice in Botswana where there is a House of Chiefs without significant power, but there is recognition of the chieftaincy institution. The President has the authority over the recognition, appointment, deposition and suspension of the chiefs; and the chief is responsible for arrangement of tribal ceremonies, assistance in checking crime, promotion of the welfare of the tribe, and presiding over meetings. Nevertheless, the chief is required to implement the instructions

given to him by the Minister. The chief is paid salary from the state coffers, and the state has complete supremacy over him (Shema, 2003). Another example involves Micronesia (Pinker, 1997: 155), where there is a “Council of Pilung and Tamol” as a fourth branch of state government.

The conclusion is that among the five models discussed above, the last, model (5) best reflects the prevailing dualism in Ghana. Hence, the model gives direction to this study. The institution of chieftaincy and modern government in Ghana lie side by side at the national, regional, district and village levels. The hierarchical structure of the traditional institution involves the National House of Chiefs (NHC), Regional House of Chiefs (RHC), Traditional Areas (with paramount chiefs), and town/village chieftaincy. On the other hand, the hierarchical structure of the national government includes the Central Government (three arms of government), Regional Coordinating Councils (RCCs), District Assemblies (DAs), Town/Area Councils (TACs), and Unit Committees (UCs).

Though these two political structures, to some extent, run parallel to each other, there are some formal and informal relations among the respective officeholders in spearheading socio-economic activities, and maintaining law and order in their respective communities (Boone, 2003). Based on Lutz and Linder’s (2004) general explanation, this study’s major aim is to do detailed investigation to identify possible complexes and diversities of the relations between chieftaincy and local government in some local communities in Ghana. The specific and precise nature, course and level of relations between the two political institutions would be identified as a build up to Model (5) of Lutz and Linder (2004: 32).

CHAPTER THREE

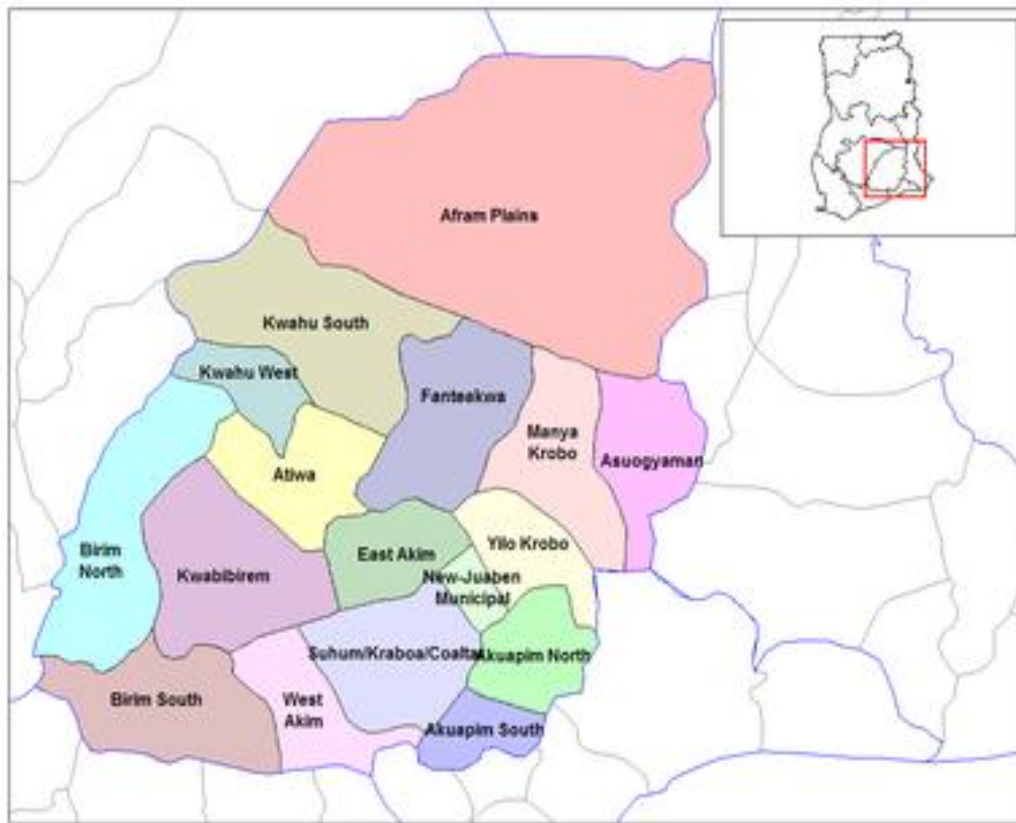
THE HISTORY AND SOCIAL STRUCTURE OF THE STUDY AREAS

3.1 INTRODUCTION

The entire Akyem ethnic group is made up of three different traditional states – Kotoku, Bosome and Abuakwa (Buah 1998: 28). All the three Akyem States were part of the Adansi Kingdom, which were defeated by the Ashantis. In order to avoid being absorbed into the Ashanti Kingdom, some of the Adansis migrated to their present location in the Eastern Region of Ghana to form the three different Akyem states. Among the three states, the Akyem Abuakwa is the largest in terms of land area and population size. The paramount chief of Akyem Abuakwa is called ‘Okyenhene’, which refers to a chief or king of the Akyem people, giving the wrong impression that the other two Akyem States (Bosome and Kotoku) are under his jurisdiction. But these three Akyem states are independent traditional states with respective political structures which are distinct and independent of each other.

As being indicated in Chapter One, among the three states, the focus of the study is on Akyem Abuakwa State and the study areas involve some local communities of this traditional state. Under the current Chapter, the history, social structure, and governance system of the people of Akyem Abuakwa are discussed. The discussion will involve the historical overview of the Akyem (Abuakwa) State, social structure of the Akyem Abuakwa State, and an overview of the existing governance structures in the Akyem Abuakwa in particular and Ghana as a whole.

DIAGRAM 3.1 The 26 Districts of the Eastern Region of Ghana (Includes the geographical location of Akyem Abuakwa State).



The Eastern Region of Ghana contains 26 municipals and districts with the first nine (9) occupied by the Akyem Abuakwa State. The target areas of the study could be located at East Akim Municipal.

- | | |
|--------------------------------------|--------------------------------|
| 1) East Akyem Municipal (Kyebe) | 14) Lower Manya Krobo District |
| 2) West Akyem Municipal (Asaremanke) | 15) Akuapim South Municipal |
| 3) Fanteakwa District (Begoro) | 16) Birim South District |
| 4) Atiwa District (Kwaben) | 17) Birim North District |
| 5) Kwaebibirem District (Kade) | 18) New Juaben Municipal |
| 6) Suhum Municipal (Suhum) | 19) Birim Central Municipal |
| 7) Ayensuano (Coalta) | 20) Nkawkaw Municipal |
| 8) Denkyembour District (Akwatia) | 21) Akyemansa District |
| 9) Upper West Akim (Adeiso) | 22) Afram Plains South |
| 10) Kwahu East District | 23) Kwahu North District |
| 11) Kwahu South District | 24) Kwahu West Municipal |
| 12) Asuogyaman District | 25) Upper Manya Krobo District |
| 13) Akuapim North District | 26) Yilo Krobo District |

DIAGRAM 3.2: The Geographical area of East Akim Municipal**Towns and villages in East Akim Municipal**

Kyebi (capital)	Apapam	Nkronso
Bunso	Maase	Asiakwa
Apedwa	New Tafo	Asafo
Akim Tafo	Osiem	Kukurantumi

3.2 THE GEOGRAPHICAL AND HISTORICAL BACKGROUND OF THE AKYEM (ABUAKWA) STATE

The study areas involve two local communities from the Akyem Abuakwa State. Akyem Abuakwa constitutes one of the three Akyem states, the others being Kotoku and Bosome with Akyem Oda and Akyem Soadro as their respective headquarters (Buah, 1998: 28). The headquarter or capital town of Akyem Abuakwa is Kyebi. The Akyem ethnic group makes up 3.4 percent of Ghana's population, as per the 2000 Census. All the three Akyem States are located in the Eastern Region of Ghana.

For the purpose of decentralization and local governance, the modern three Akyem States have been divided into nine (9) Municipals and Districts. Each district has a capital and the Diagram 3.1 illustrates the various districts and municipals of the entire Eastern Region of Ghana where the three Akyem States are located.

The history of the Akyems is that of brave warriors and industrious people. From oral traditions, the people of Akyem were one of the first Akan tribes to migrate southwards after the fall of the ancient Songhai Empire (Ward, 1966). The Akyems were part of the then all powerful Adansi Kingdom. The Adansis were known for their ability to build illustrious structures in their kingdom; hence the name "Adan-si" (Builders). According to Buah (1998: 17-28), the powerful Ashanti Kingdom emerged under the leadership of Nana Osei Tutu and defeated the Adansis in about the 14th Century and absorbed the Adansi Kingdom into the growing Ashanti Kingdom. In order to avoid the Ashantis, the Akyem nations which were then part of the warrior class of the Adansi kingdom, broke away and crossed the river Pra to settle on its banks (Buah, 1998: 28-29).

Nana Osei Tutu decided to pursue the Akyems across the river Pra to teach them a lesson, and to expand the Ashanti influence. He was however, killed by forces from the Akyems who were camping out on the other side of the river Pra. The King fell dead into the river and the Akyems who carried out this defeat became known as "Abuakwanfo" or "Abuakwafo", (Guerrilla Fighters) – hence, the name Akyem “Abuakwa”. After the battle, the people of Akyem Abuakwa decided to move south-eastwards and eventually settled in several areas along the way until they came into contact with the Akwamus, who were then one of the most powerful nations in the sub-region with their influence spanning modern day Ghana (Addo-Fening, 1997).

The Akyem Abuakwas engaged the Akwamus in a battle and emerged victorious. Thereafter, the Akyem Abuakwas settled in the areas evacuated by the Akwamus and under the leadership of Nana Ofori Panin, pitched their capital at "Kyebirie" (named after a black hat used by a hunter using the area as his hunting grounds). Kyebirie is now known as Kyebi, where the Asona clan remains the royal family of the traditional Okyeman stool (Addo-Fening, 1997).

3.3 SOCIAL STRUCTURE OF THE AKYEM ABUAKWA STATE

Communities in Akyem Abuakwa are governed by two political systems: the traditional political system (chieftaincy) and the national government (decentralization and local government). The family remains a strong political unit and customary laws have very strong impact on the people's lives, right from the family through the lineage to the entire chiefship of each local community. The people also acknowledge the presence and political contributions of the government functionaries, particularly the assemblymen.

The traditional area of the Akyem Abuakwa is sometimes known as "Kwaebibirim" because of its abundance in rich natural resources, including large forests. The area of Akyem Abuakwa is in the tropical rain forest with fertile river valleys, deep loamy soil, and a variety of flora and fauna. The land is watered by the famous river Birim which is largely the source of Ghana's diamond. The major economic activity of the people is farming, particularly the cultivation of food crops such as plantain, cocoyam, and cassava; and the rearing of sheep, goats and fowls.

The people of Akyem Abuakwa practice Traditional African Religion, Christianity, and Islam to a lesser extent. However many of the people, including those who profess to be Christians, acknowledge the existence and influence of ancestors and even perform rituals whenever necessary. Also, despite their Christian backgrounds, many of them visit spiritualists for a solution to what they perceived to be misfortunes caused by witches and other evil spirits. The people celebrate the "Ohum" festival and the celebration is associated with the performances of rituals to the gods and ancestors by the traditional authorities. The products from the Akyem Abuakwas' land and rivers are symbols which are used to remember the ancestors who struggled and persevered to keep the society intact.

Marriage and family are very important institutions and the young people in the communities are encouraged to marry. The people hold the perception that being a responsible citizen involved having a family of a spouse and children. For the majority Christians, the processes involved in getting married included the customary ceremony between the two families of the couples, where dowry is paid to the bride's family. Thereafter, a wedding or blessing ceremony is organized at a church auditorium. Just like other Akan ethnic groups the people of Akyem Abuakwa practice matrilineal family system where an individual inherit from the mother's family line (Nkansa, 1996). The average total number of household members is six but some are as high as 12 and as low as two.

The people attach importance to education and send almost every child of school-going-age to school but some drop out along way. Finally, majority of the people Akyem Abuakwa depend on traditional herbal medicine or visit the drug store whenever they fall ill. It is when such treatment fail that they visit the hospital at Kyebi. On the whole, the social structure of Akyem Abuakwa could be described as having a blend of tradition and modernity.

3.4 OVERVIEW OF THE EXISTING GOVERNANCE STRUCTURES IN AKYEM ABUAKWA

As noted earlier, the people of Akyem Abuakwa are governed by two political systems: the traditional political system (chieftaincy) and the national government (decentralization and local government).

- Traditional political institution (chieftaincy); and
- Modern state government (local government).

Each of these concepts is modestly discussed.

3.4.1 The Traditional Political Institution (Chieftaincy)

Chieftaincy is one of the oldest and much cherished of Ghana's traditional institutions. It represents the traditional or indigenous political authority in the country. It was in existence in various forms in different parts of the country long before the first contact with the Europeans in the 15th Century and has survived without a break right up until the present (Boateng, 1996: 141). Based on the ethnic orientations, the institution is represented in various forms and has over the years, contributed to the social, political and economic development of the country.

3.4.1a Types of Traditional Political Institutions in Ghana

The two main types of traditional political institutions in Ghana are the non-centralized and the centralized systems. The non-centralized or acephalous societies involve a system where the head of a descent group was the rallying point of authority as exemplified by the Talensi, and Kokomba of Ghana (Nukunya, 2003). This does not imply that in these societies, there are no mechanisms that ensure order and stability, and regulate relations amongst individuals and social groups. Nonetheless, the extremely minimal nature of power and the diffusion of such power among several virtually autonomous segments of the entire community, has led to their characterization as stateless or headless societies.

On the other hand, the centralized system exists with a clearly defined hierarchy of authority. At the apex of traditional authority is the King or paramount chief, as it is the case in most Akan states (including Akyem Abuakwa State), Ewe in southern Ghana, Dagbon (Dagomba) of Northern Ghana and Gonja of Northern Ghana.

The chieftaincy institution of Ghana has undergone series of changes since pre-colonial, through colonial to post-colonial periods. The pre-colonial traditional political system was

not the same as the one during and post colonial times. Consequently, it is somehow ambiguous to use the term traditional political system to refer to chieftaincy (Apter, 1972: 80-81). Nevertheless, the term is mainly used in this study to refer to the present practice of chieftaincy. In this regard, whenever the term is used for the pre-colonial and colonial eras, the investigator is careful to indicate the period involved. Meanwhile, the concept of chieftaincy is used interchangeably with traditional political institution/system, indigenous political administration, traditional chiefship or traditional authority.

3.4.1b The Structure and Hierarchy of Akyem Abuakwa (Akan) Chieftaincy

Briefly, just like the other Akan states, this is how the indigenous political system of the people of Akyem Abuakwa is structured. First, there is the village unit which comprises several lineages with their respective heads called, “Abusuapanin” (Dankwa III, 2004: 11-14). The head of the village (sub-chief) is called “Odikro”. The next political unit is the semi-independent division (made up of a number of villages and towns) called “Omansin” with a capital town. The head of this political unit is called “Ohene” and sometimes called “Obirempon”. In the village, town and capital, there are lineages, each with its own elder, chosen by the members of the lineage. The state itself is the final unit which is called “Oman” with the paramount chief or King called “Omanhene”. Several divisions comprise the state. It is worthy of note that each political unit, as Drah (1987, 37-38) points out, has its own council on which are represented the major sections of the community, including representatives from each clan, the youth (nkwakwaahene), and the females (obaahemaa). Hence, there are the village, divisional and state councils, and each of them is a very important component of the political system. The council deals with all issues of importance to its political unit and the state at large (Drah, 1987: 37-38).

Within the various traditional areas exists a hierarchy of chiefs where the lowest is usually the village chief and the highest is the paramount chief. Decentralization of traditional and administrative authority prevails within the hierarchical structure. The devolution of authority is from the paramount chiefs to the divisional and sub-chiefs or village chiefs and sometimes the head of families (Boateng, 1996: 143). These levels of chiefs below the paramount chief are allowed the authority and responsibility to perform functions regarding culture, mediation, arbitration, land administration, among others, without unnecessary interference from the paramount chief who has the highest authority in the designated traditional area. Nonetheless, in some cases the actions or decisions of the sub-chiefs would have to be ratified by their superiors.

3.4.1c Traditional Councils and Houses of Chiefs

In Ghana, the general traditional governance arrangement is such that major activities of chiefs are carried out within the chief's court, Traditional Councils (TCs), Regional Houses of Chiefs (RHCs) and the National House of Chiefs (NHCs). The composition of the councils and the houses in relation to their respective powers and functions clearly demonstrate the practice of decentralization within the traditional authority in the country.

The TCs which are constituted by divisional and some sub-chiefs, and normally headed by the paramount chiefs, serve as links between the people and the District Assemblies (DAs). These councils possess the powers to discuss and determine matters on education, health and transportation within the areas of jurisdiction. The councils have their judicial committees which determine chieftaincy matters except cases where the paramount chief becomes the subject matter (Boateng, 1996: 141-160).

On the other hand, the RHCs which are constituted by paramount chiefs and sometimes divisional chiefs, have the powers to determine matters relating to nomination, election and installation, or deposition of a chief. The NHCs remains the highest authority and composed of five paramount chiefs from each of the 10 Regional Houses of Chiefs, elected by their respective regional houses. The functions of the national house of chiefs are to promote the institution of chieftaincy and to enhance the lives of the people of their respective TAs without unnecessary interference in the affairs of the respective TCs. In other words, traditional rule could be generally described as a form of government “lying midway between absolute monarchy and monarchical democracy” (Danquah, 1928: 12).

3.4.1d The Role of Chiefs in a Changing Time

It would be recalled that in the pre-colonial era most traditional authorities possessed real power, both political and spiritual. The traditional leaders had the right to raise an army, wage war, extol and raise revenue and adjudicate in civil and criminal cases affecting their citizenry (Buah, 1998). It was the emergence of colonialism which led to the erosion of most of the authority and influence of the traditional leaders. Nonetheless, despite the erosion of powers of the traditional authorities through the colonialists’ “indirect rule”, and later their present subjugation by black African/Ghanaian presidents, the chieftaincy institution has survived and continued to have significant influence over the people of Ghana (Abotchie et al, 2006:103).

3.4.2 Decentralisation and Local Government

Decentralization and local government have become increasingly widespread phenomena because they are presumed to have a number of benefits, including positive outcomes in both democratic and developmental terms.

3.4.2a Definition of Decentralisation and Local Government

Decentralization could be implemented in various forms. Ribot (2001) defines the term as “any act in which a central government formally cedes powers to actors and institutions at lower levels in a political-administrative and territorial hierarchy” (Ribot, 2001).

Local government, on the other hand, refers to governance at the local level, and the UNDP defines it as follows:

Local governance comprises of a set of institutions, mechanisms and processes through which citizens and their groups can articulate their interests and needs, mediate their differences, exercise their rights and obligations at the local level. It requires partnership between local governmental institutions, civil society organizations and the private sector for participatory, transparent, accountable and equitable service delivery and local development. It necessitates empowering local governments with authority and resources and building their capacity to function as participatory institutions that are responsive and accountable to the concerns and needs of all citizens. At the same time, it is concerned with strengthening of grass roots democracy and empowering citizens, communities and their organizations such as CBOs and NGOs to participate as equal partners in local governance and local development process.

Common to all definitions of governance is that it is about how power is exercised, and how important decisions in a society are made. It refers not only to institutions, but also to the performance of these institutions. The above definition also emphasizes the importance of state actors.

3.4.2b Types of Decentralisation and Local Government

The three main types of decentralization and local government commonly identified are:

- i. **Administrative decentralization or deconcentration:** refers to the re-location of branches of the central state to local areas and it involves transfer of powers to locally-based officials who are upwardly accountable to the central government ministries and agencies:

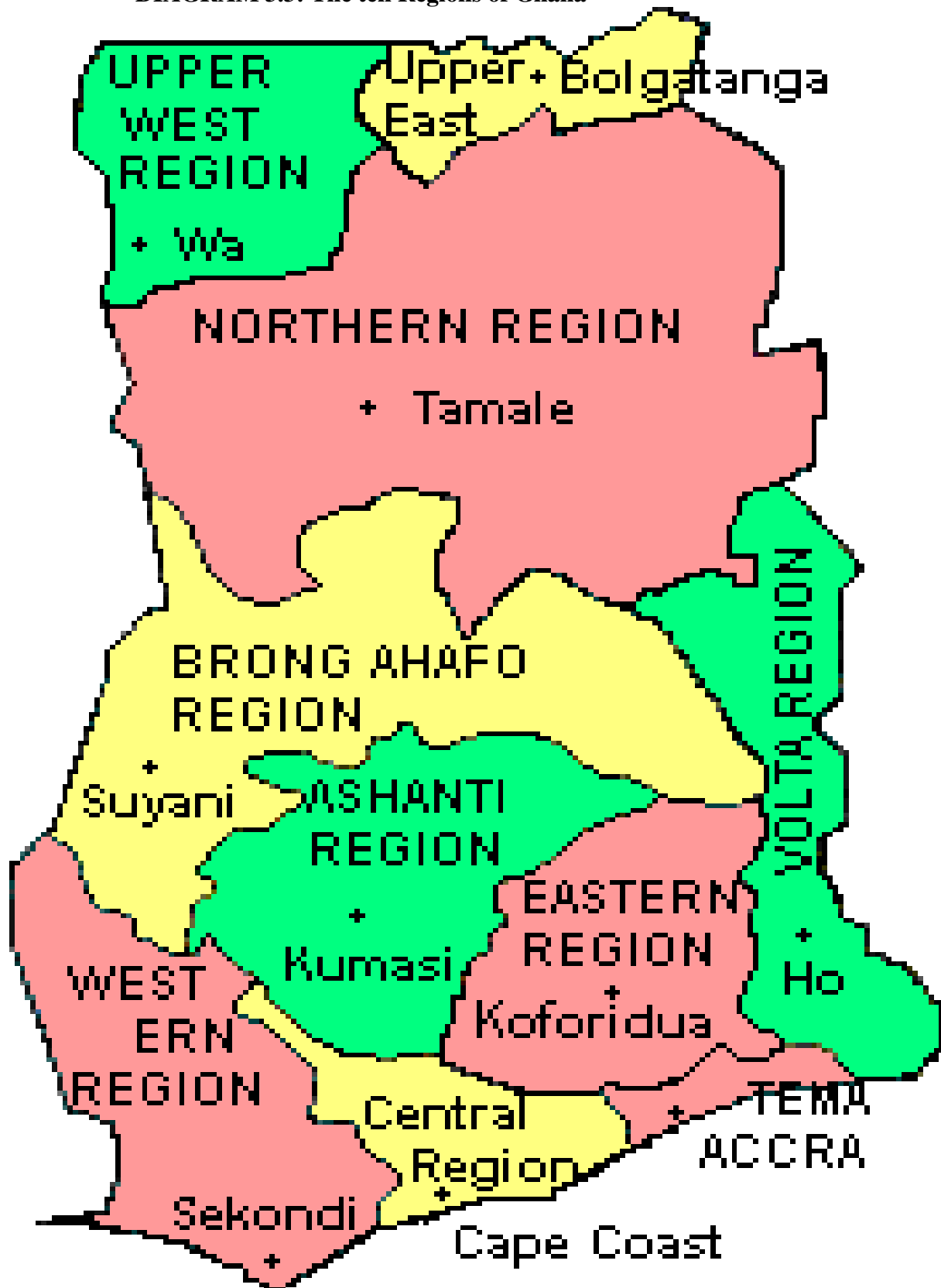
- ii. **Political decentralization or democratic decentralization or devolution (of power):** involves the transfer of powers and resources to sub-national authorities which are largely or wholly independent of the central government, and democratically elected (Manor, 1995: 81-82); and
- iii. **Fiscal decentralization:** deals with the transfer of fiscal resources and revenue-generating powers, including authority over budgets and financial decisions, to either deconcentrated officials and/or central government appointees or to elected politicians.

All the afore-mentioned three types of decentralization are relevant to this study and references are made to them directly and indirectly, especially in the analysis of data in Chapters Four and Five.

3.4.2c National and Local Government Structures in Ghana

Boateng (1996: 126) considers modern state government in the country to be hierarchically structured. Accra, the nation's capital is the seat of the national Government and the administrative power of the national government is concentrated in the capital. The administrative powers of the modern state government are decentralized. As noted earlier, decentralization refers to a political system where there is a dispersal of the centralized structures and facilities to the regional and district centers of administration. According to Abotchie (2008), Ghana currently possesses a local government system which is meant to promote decentralization in the country with the following structure:

Regional Coordinating Councils;
Metro, Municipal and District assemblies; and
Town and Area Councils, and Unit Committees.

DIAGRAM 3.3: The ten Regions of Ghana

All the Akyem states, including Akyem Abuakwa, are located in the Eastern Region

TABLE 3.1: The Number of Districts in Each Region of Ghana

UPPER WEST REGION / 11 DISTRICTS	UPPER EAST REGION / 13 DISTRICTS
BRONG-AHAFO REGION / 27 DISTRICTS	NORTHERN REGION / 26 DISTRICTS
VOLTAREGION / 25 DISTRICTS	GREATER ACCRA REGION / 16 DISTRICTS
EASTERN REGION / 26 DISTRICTS	ASHANTI REGION/ 30 DISTRICTS
CENTRAL REGION / 20 DISTRICTS	WESTERN REGION / 22 DISTRICTS

The districts of Ghana were re-organized in 1988/1989 in an attempt to decentralize the government and to combat the rampant corruption amongst officials. The reform of the late 1980s subdivided the regions of Ghana into 110 districts. By 2006, an additional 28 districts were created by splitting some of the original 110, bringing their number up to 138. In February 2008, more districts (170) were created and in 2012 some were further upgraded to municipal status while new districts were also created, bringing the final number to 216 Metropolitans, municipalities and districts in Ghana.

- The Regional Coordinating Council.

The Regional Coordinating Council is constituted by the following membership:

- The Regional Minister;
- Government appointed person as the Chairman;
- All presiding members (Chairmen) of the District Assemblies in the Regions;
- All Deputy Regional Ministers and District Secretaries; and
- The Regional Administrative Officers who act as Secretaries to the Regional Council.

The functions of the Regional Councils include coordination and formulation of the integrated plans and programs of the District Assemblies, in order to harmonize these programmes with the national development policies approved by the government (Abotchie, 2008: 23).

- Metro, Municipal and District Assemblies.

There are 216 districts in the country as at 2013. The 1992 Constitution provides for District Assemblies consisting of a presiding member elected by the members, one person from each electoral area within the district elected on non-partisan lines. The DCE of the district is appointed by the President with the approval of not less than two-thirds of the members of the assembly appointed by the President in consultation with the traditional authorities and other interest groups in the district (Boateng, 1996: 126). The District Assembly membership is made up of the DCE, government appointees, two-thirds of elected members, and one-third of members nominated by the government.

Some of the responsibilities of the District Assemblies according to Ayee (1989) are:

1. The provision and maintenance of public works and services.
2. The overall development of the districts and the preparation and submission of the development plans and budgets for the districts to the government for approval.

Arrangement is put in place to enable the District Assemblies perform their functions. This includes the establishment of an Executive Committee by each of the 216 District Assemblies. This committee is the executing and coordinating secretariat of the assemblies, in charge of the day to day administration (Abotchie, 2008: 25). It is worth noting that the purpose of decentralization (local government) is to promote grass roots participation in decision-making.

- Area Councils (AC) and Unit Committees (UCs).

Parallel to the District Assemblies in the rural areas are the Metropolitan and Municipal Assemblies (MMAs), followed downwards in hierarchical order by the Zonal Councils (ZCs) and the Urban Councils (URCs), Town Councils (TCs) and Area Councils (ACs) for

smaller individual or groups of human settlements with populations of between 5,000 and 15,000, and finally by Unit Committees (UCs) comprising settlements or groups of settlements of between 500 and 1,500 in rural or urban areas (Boateng, 1996: 126). About 8 members constitute a Unit Committee. At the village/town level, there are usually between 3 and 5 Unit Committees. Each Unit Committee is responsible for matters within their geographical area (Abotchie, 2008: 24). A Unit Committee has a chairperson who represents the local community (villages) at the Area Council level. An Area Council membership is therefore constituted by the representatives from the Unit Committees in the villages and towns within specifically defined geographical area.

CHAPTER FOUR

THE PREVAILING POLITICAL DUALISM AS EXPRESSED IN THE SOCIO-ECONOMIC ACTIVITIES IN APAPAM AND NKRONSO

4.1 INTRODUCTION

This Chapter (Four) and the next Chapter (Five) are devoted to data analyses of the study. As noted earlier in Chapter One, the broad objective of the study is to examine how the chieftaincy institution and local government in some local communities in Akyem Abuakwa co-exist and function alongside each other in:

- Spearheading socio-economic activities; and
- Maintaining law and order.

While this Chapter (Four) is devoted to examining how the two political institutions co-spearhead socio-economic activities, the next Chapter (Five) deals with how the two institutions function together to maintain law and order in the local communities. Thus, Chapter Four and Chapter Five respectively have the following broad areas for data analyses:

- The prevailing dualism as expressed in the socio-economic activities in Apapam and Nkronso (for Chapter Four); and
- The prevailing dualism as expressed in the maintenance of law and order in Apapam and Nkronso (for Chapter Five).

Note that the data collected from both primary and secondary sources were analyzed. With regards to the primary source, a large amount of field data was collected from the three categories of respondents: traditional leaders, government functionaries and the people (the ruled). As pointed out in Chapter One, the study used four main methods of research for the field data collection. They are:

- i. **Interviewing** of traditional leaders and government functionaries;
- ii. **Observation** of practices such as adjudications, deliberations, festivals and funeral ceremonies;
- iii. **Case studies**; and
- iv. **A survey of the people** (ruled).

Guided by the objectives of the study, the data from the survey were processed into quantitative data and analysed alongside the data obtained from the **interviewing** and **observation**, and selected **case studies** and **secondary data** were used to enrich the discussions. In the course of the analyses, the study usually indicates the specific source of information – whether the source was from **interviewing**, **observation**, **case study** or **survey**. For the purposes of direction, clarity and simplicity, the analyses of the data collected were strictly based on the objectives of the study. To this end, the data obtained from **observation**, **interviewing**, **survey** and **case studies** were discussed in such a way that some specific objectives of the study were appropriately teased out as the findings of the study (refer to the analyses of the study in Chapter One, under the sub-topic, ‘Methods of Research’).

Meanwhile, as just stated, the analyses of data in the current Chapter involve how the dualism is expressed in the spearheading of socio-economic activities in Apapam and Nkronso. Hence, the following sub-topics are discussed:

- The socio-demographic background of the people in Apapam and Nkronso;
- The prevailing dualism as expressed in the control and regulation of the community natural resources in Apapam and Nkronso; and
- The prevailing dualism as expressed in the implementation of development projects in Apapam and Nkronso.

Nonetheless, the investigator begins the discussion with the socio-demographic characteristics of the respondents.

4.2 SOCIO-DEMOGRAPHIC CHARACTERISTICS OF RESPONDENTS

This section provides descriptive indicators of the social and economic characteristics of respondents on which questionnaires were administered. The aim is to provide information regarding the socio-demographic background on the people who were investigated; and it includes age, sex, occupation, income, and education.

4.2.1 Age of Respondents

As part of the effort to ascertain the socio-demographic of the people in Apapam and Nkronso, a total number of 400 respondents were asked to indicate their ages, and below are the responses, which range from 18 to 60 years and beyond as depicted on Table 4.1.

TABLE 4.1: AGE DISTRIBUTION OF RESPONDENTS

Age Group	Electorate	
	No	%
18-39	186	46.50
40-59	121	30.25
60+	93	23.25
Total	400	100.00

Source: Field Data, 2013

From Table 4.1, the age distribution of the respondents indicates that 186 (46.50%) fell between the youthful ages of 18years and 39 years. This fraction of the population are the youth who could be considered to have been introduced to the duality of chieftaincy and local government, at early age in the 1990s and are expected to be relatively conversant with the dualism. Table 4.1 also shows that a significant number of 93 who are 60 years and above, and who have been introduced to traditional rule in the local communities for a

relatively long time before the advent of the local government in the 1990s. This category of people is likely to be more conversant with the traditional rule than the local government structures. Thus, having the majority 53.50% (30.25% + 23.25%) as older generation with 40 years and above, who have grown up and imbibed the traditional norms and values before the introduction of the local government programme, implies that the chieftaincy institution may still have many of the local people who are strongly attached to it. The chieftaincy institution therefore could be still relevant to the lives of the local people, even after the introduction of local government.

4.2.2 Sex of Respondents

The investigator envisages that the perceptions and attitudes of females and males towards politics differ considerably and that the impact of the political dualism on the local people, in, depends on the composition of the population (including females and males) of the local community in general and the political leadership in particular. Therefore, Table 4.2 presents the sex distribution of 400 respondents in Apapam and Nkronso.

TABLE 4.2: DISTRIBUTION OF SEX OF RESPONDENTS

Gender	Electorate	
	No.	%
Male	178	44.50
Female	222	55.50
Total	400	100.00

Source: Field Data, 2013

The sex distribution from Table 4.2 indicates that in both Apapam and Nkronso, more females (55.50%) than males (44.50%) were interviewed. The reason for more females than males is that whereas many of the male youth have migrated to the towns and cities for economic opportunities, many of the women have stayed put, usually nursing their babies and taking care of aged relatives. Interestingly, with the majority of the population being

female, the traditional leadership had only one female representation (Ohemaa), even though there were over 15 elders constituting traditional council in each of the two communities. Government at the local level exhibited this gender imbalance. For instance, both Nkronso and Apapam had no assemblywomen (they were assemblymen), and the elected chairpersons for all the unit committees were males, which is an obvious negative reflection of the majority female population in the two communities.

4.2.3 Occupation of Respondents

The data on occupation of the respondents from Table 4.3 confirm that Ghana, like other developing nations depends largely on agriculture for economic survival.

TABLE 4.3: DISTRIBUTION OF RESPONDENTS BY OCCUPATION

Occupation	Respondents	
	No.	%
Traders	47	11.75
Farmer	241	60.25
Artisan/Others	112	28.00
Total	400	100.00

Source: Field Data, 2013

For instance, the majority 241 (60.25%) of the respondents said they were farmers. Even those who claimed to be traders (11.75%), and others (28.00%) such as artisans, students and the retired engaged in some sort of farming. Thus, having 60.25% farmers who are largely into crop cultivation indicated that land was one of the most valuable assets of the local people. In this regard, the family and chieftaincy institutions which were responsible for ownership and control of land, could have authority and entrenched influence on the lives of people in the local communities. It also means that the features of the chieftaincy institution (one of the political institutions constituting the dualism) were imbedded in the socio-economic fabrics of the local communities in Akyem Abuakwa.

4.2.4 Distribution of Household Income

The investigator finds that the standard of living of majority of the people in the two local communities was very low. Table 4.4 shows response of 400 respondents who were asked of the monthly earnings of their respective households.

TABLE 4.4: DISTRIBUTION OF HOUSEHOLD INCOME

Response	No.	%
Less than ₵100.00	131	32.75
₵100.00 – ₵300.00	175	43.75
Over ₵300.00	94	23.50
Total	400	100.00

Source: Field Data, 2013

Out of the total 400 respondents in Table 4.4, who were asked of their monthly household earnings, 76.50% (32.75% + 43.75%) of them who were mainly farmers earned not more than ₵300.00 a month. By this figure it means the average household earns not more than ₵10.00, a day. If a household is made up of a man, his wife and one child, then each person would get less than \$2 a day, giving that the exchange rate is ₵2 to \$1. This is less than the UN's stipulated minimum wage of \$3.00 a day per worker. This affirms the poverty situation in the country in general, and serves as uncomplimentary signal that any expensive local government program would not be favourable to the people. For instance, the poor local people are likely to prefer the traditional court to the national court, where they would have to travel to Kyebi for court hearings, and probably have to hire the services of a lawyer.

4.2.5 Educational Background of the Respondents

It was found that many of the people in the local communities were not very well educated. As it could be observed from Table 4.5 that out of the total 400 respondents, a meager 22

(5.50%) of them have had secondary or tertiary education, hence, could be in the position to express themselves well in the English language.

TABLE 4.5: EDUCATIONAL BACKGROUND OF THE RESPONDENTS

Respond	No.	%
None / Drop-out	92	23.00
Middle / JSS / JHS	286	71.50
Sec./Tertiary	22	5.50
Total	400	100.00

Source: Field Data, 2013

However, a whopping 378 (286+92) of the 400 respondents were Junior High School graduates or drop-outs who could barely speak and write in the English language. This implies that the majority of the people in Apapam and Nkronso could hardly read and understand issues pertaining to governance and to put into appropriate use, governance structures such as the local government, national court and police service. They are likely to feel less comfortable with any complex local government programme which would require the use of the official English language. For instance, the local people are likely to use the traditional court rather than the national court where the judge will use the English language before it is interpreted in the local language. Such embarrassing and inconvenient situations are likely going to be avoided by potential complainants who would be seeking justice, thus, making the traditional court the preferred choice.

On the whole, the afore-discussions of socio-demographic of the respondents indicate that the people in Apapam and Nkronso are largely poor and not well educated, and that many of them are more than 40 years old who have already imbibed the traditional rule before the advent of local government in the 1990s. In view of this, the poor and less literate local people, for instance, are likely to prefer the traditional court to the modern judicial

procedures, where they would have to travel to Kyebi for hearing of court cases using the English language, and probably have to hire the services of a lawyer. The conclusion is that the socio-demographic backgrounds of the local people, to some extent, enhance the entrenchment of the chieftaincy institution – one of the two political institutions constituting the dualism.

4.3 THE PREVAILING DUALISM AS EXPRESSED IN THE SOCIO-ECONOMIC ACTIVITIES IN APAPAM AND NKRONSO

The discussions of data under this sub-topic are basically from observation, interviewing and survey. The analyses of data with regards to the activities of both the traditional leaders and government functionaries are apportioned into the following themes:

- How the natural resources are owned and managed;
- Levels of the two leaders' authority as it reflects on the decision making processes;
- The Levels of involvement of the two leaderships in socio-economic activities; and
- Testing of hypotheses.

4.3.1 How the Natural Resources are Owned and Managed

The discussions on how the natural resources are owned and managed in the two communities involve the entire land tenure system in Apapam and Nkronso, which further includes land fertility, forestry, minerals, rivers and building lands. The discussions would focus on teasing out some of the outlined aims in Chapter One of the study. Some of these aims are to explain: how the socio-economic activities such as land control and regulations are carried out, the strengths and weaknesses of the dualism in managing the natural resources, the nature and dynamics of interactions between the two leaderships as they function alongside each other, and the level of authority wielded by both the traditional leadership and government functionaries. Thus, the discussions would be largely directed

toward analysing the interrelations between the traditional leadership and government functions.

4.3.1a The Land Tenure System of Akyem Abuakwa State

The investigator observed that the single most important natural resource in Apapam and Nkronso was land. The land was mainly used for farming and putting up buildings. The other natural resources were the rivers and forest where timber and wild life are obtained. The famous Akyem river, Birim, has its source from one of the mountains in Apapam. The river is used as a source of drinking water. The land is also rich in gold and diamonds. Accordingly, some mining companies have secured concessions but no active mining has begun. What is worthy of note is that Ghana's present political dualism is partly expressed in how these community natural resources are controlled and regulated.

In Akim Abuakwa State, land is under communalistic ownership. Under this tenure system, there exist the state, town/village, family and individual rights to ownership of land. All land is vested in the Akyem Abuakwa traditional stool, and each town or village is assigned stool land as prescribed by the customary laws, and the subjects of the relevant stools become the beneficiaries of these lands.

Characteristically, land ownership is in four phases. First, traditional law among the Akyem Abuakwa people states that all land is vested in the Akyem Abuakwa State Stool with Okyenhene as the overseer of the 'Okyeman' lands. Hence, major decisions concerning the land can never be taken without Okyenhene. For instance, Okyenhene has a share in gold and diamond mined on the land occupied by the Akyem Abuakwa people.

The second phase is the town or village stool land. There are the traditional laws which allow chiefs in the town or village to control and manage land within a certain radius. The law puts

all land under the stool powers of that locality and the subjects of the relevant stool are beneficiaries of these lands within a given territorial area. The 'Okyenhene' therefore, allows the senior chief 'Ohene', the sub-chief Odikro and citizens to exercise some level of control over their territorial or farming areas. Thus, being the administrator of land in the communities, the traditional leaders, particularly the chief, tend to wield power and influence over the local people.

The third phase is the lineage or a group of families recruited matrilineally. Thus, the people of Akyem Abuakwa trace their family descent through the matrilineal line. Usually each lineage has specific land on which the lineage members have the right to farm. The lineage heads are the chief's councilors who assist the chief to rule in the community. The lineage or family head, 'Abusuapanin', is the custodian of the family lands and he ensures that members of the lineage have portions of the family lands to farm. Thus, the ties of kinship largely determine where an individual farms in the two local communities. There are also clans (Nton) in Apapam and Nkronso. They are the Agona, Aduana, Ekoona, Asona, Bretuo, Asene, Oyoko and Gyumana. Each clan has a head who is a member of the council of elders at the chief's palace.

What is worthy of note is that the inherent rights of the chiefs to own and deal with all lands in the communities, grant these traditional leaders enormous power over their subjects, because, the majority of the people in the communities are farmers who depend on land for their economic survival. As noted from Table 4.1, more than 60% of the people in the two local communities indicated that they are farmers who certainly used land for their farming activities. Besides, many of the traders, salary workers, artisans, etc. admitted that they had farms. Land could therefore be valuable commodity in the villages, and that landowners in the local communities could be economically powerful and influential.

Comparing with the assemblymen, one may conclude that the chiefs in the villages who by custom own all lands have enormous authority over the people.

Furthermore, since land was owned by the traditional leaders it was largely controlled and regulated by customary laws and beliefs in Apapam and Nkronso. The chiefs pass laws regarding the holding and use of land, and can appropriate land for public service, subject to giving the holder other land or compensation. For instance portions of land close to the two communities, which the citizens use for farming are consistently taken from them and given out for building houses. Usually, nothing is paid to these land users except a piece of the same plot, with the instruction of using it solely for building and not farming.

Moreover, there was the belief among the people that every land in the community belonged to the dead (ancestors) and that the living manage it on behalf of the ancestors. It is also believed that the land belonged to the yet-to-be-born (future children) hence, the living should hold the land in safe keeping for the children and the unborn. Land, therefore, was not to be sold in the two local communities. Instead, land was usually leased out.

Thus, apart from the national laws which controlled and regulated land acquisition and use, there were also customary laws regarding land ownership and land use in the local communities. There was an inter-play of two different laws: customary laws and national laws – a sign of the interrelations of the two political institutions (dualism) in the local communities. Interestingly, compared with the national laws, it was the customary laws which strongly applied at the grass-root level of governance and practically determined land ownership and land use in Apapam and Nkronso – a sign that the traditional political structures relatively dominate the lives of the local people. It is therefore not far fetched to state that among the two leaderships, it is the traditional leaders who have the enormous authority in Apapam and Nkronso. Even the consent of the traditional leaders is very

necessary before the national government could obtain land for development projects in the local communities. The paradox therefore is that under the Fourth Republic of Ghana, there appears to be ‘independent’ states which are founded on traditional laws.

4.3.1b Managing Community Natural Resources (Land Fertility, Forestry, Minerals, Rivers, etc.)

The communities’ natural resources include fertile land, forestry, minerals and rivers. It was found that these natural resources are largely managed by the traditional leaders with the assemblymen offering assistance when necessary.

- Fertile Land and land for building

In the local communities, land could be classified into at least three categories. First, there is a royal family or stool land, which is inherited by any enstooled chief in the village. This royal land is cultivated for the chief. Cocoa and palm oil are the usual crops cultivated on the land. Next are the community land, which could be used for development projects, then the lineage land which is usually managed by the lineage head, and finally the family land for the individual members of the family.

It was observed that the chiefs and elders dealt with all land-related issues in Apapam and Nkronso. As the communities expand in population size, the surrounding farm lands were used as building plots. In such a situation the owners of such farm lands were mandated to release them for building purposes. Sometimes, a plot or two might be given to the owner while he/she forfeited the rest to the community authority. A grace period is usually given to anybody who acquired a plot to build, after which that land could be given to someone else who is ready to build. Nobody is allowed to buy plots of building-land for farming purposes.

A plot of land sells at GH¢400.00. There is usually a committee formed by the chief and elders to oversee the sale of the land. The proceeds from the sale went into the ‘omanfutuo’, meaning the village/town coffers. Periodic accounts were rendered to the chiefs and the town council. In fact, in Nkronso, it was observed that the assemblyman who doubles as the secretary to the acting chief (Nkronso people do not have a substantive chief), plays a key role in managing proceeds from the land sale. This indicates that there is some level of informal integration of the two political structures of chieftaincy and local government.

It was also observed that the two leaderships in the communities were concerned about maintaining and improving the fertility of the land even though there were no clearly defined customary laws in this regard. There were however decisions that had been taken to protect the land in the two local communities. For instance, mining companies who had secured land concessions in Apapam to mine gold have not been able to start their mining work because according to the chief, he and his elders refused to give their consent. The chief said unless those mining companies present a programme to protect the environment of Apapam, including a programme that will ensure that the mined lands regain their fertility, he would not give his consent to start the mining work on “his land”. Indeed, this demonstrates the extent of the authority that the chief possesses in his locality, because despite the companies securing the mining concessions from the national government, they were unable to begin work without permission from the traditional leaders.

- Forestry and Rivers

In both communities, there are forests and rivers. Apapam for instance, has a large forest reserve with variety of tree species for timber. There are customary laws protecting the

forests and rivers of the two communities. By custom no one is allowed to fell the trees in the forests or use the forest land for farming. It is also a taboo to hunt animals in the forests.

Though there were laws protecting the forest reserve, there were some chain-saw operators and hunters who were defiantly felling the trees and hunting animals. According to the chief of Apapam, the community lacked funds to mobilize people to stop these negative practices. In an attempt to protect the depletion of the forest by chain-saw operators, a Non-Governmental Organization (NGO) had been formed by Okyenhene, Nana Amoatia Ofori Panin II. The Organization is called Brigade. The Brigade has branches in many villages and towns of Akyem Abuakwa State. In Apapam, the Brigade is very active. Its members are predominantly the youth of the village. The Apapam chief is the chairman. The Brigade members prevent the felling of the forest trees. They also protect the forest from hunting activities. One key function of the group is that they plant trees on community land and river banks. A significant observation is that in Apapam, no government functionaries were directly involved in this exercise. Everything largely depended on the chief in mobilizing his people towards this end, which is an indication of the important role that these traditional leaders perform in their local communities. It is therefore not far-fetched to state that the role of the chief is very key to the sustenance of the natural resources in the villages.

Meanwhile, the two communities had rivers which served as drinking water to the people. Apapam is privileged to have the famous Birim river drawing its source from one of the nearby mountains. The chief and elders have strict rules regarding the use of the river. Nobody is permitted to do washing inside the river or along its banks. Anybody caught doing so would be promptly fined. No fishing which would tamper with the course of the river is allowed. In order to protect the river from drying up from direct contact with the sun light, the people are not permitted to farm close to the river banks. The Brigade, the only

NGO in Apapam, under the leadership of the chief, plants and nurtures trees along the banks of river Birim.

The chiefs, their elders, and to some extent, the assemblymen ensure the enforcement of these customary laws. In Nkronso for instance, it is the assemblyman who appears to be directly in charge in ensuring conformity, reporting to the acting chief when necessary. This implies that the local government structure appears to be integrated with the chieftaincy system in Nkronso. The study therefore noted that there was some level of consensus and harmony between the traditional political structures and the local government structures in Nkronso.

- Mineral Resources

The lands of Apapam and Nkronso are rich in gold and diamond. However, mining activities are yet to begin in the two local communities. According to the chief of Apapam, some mining companies have secured land concessions in his village to mine gold. He however pointed out that those mining companies would be allowed to start work only when there are significant benefits to his people. The chief said apart from the share of the mining proceeds to his stool, he wanted to ensure that the mining companies draw up programmes which will provide infrastructure in the community. The chief is also demanding that the majority of the workers of the mining companies should constitute people who are natives of Apapam. Thus, even though the companies had the concessionary right from the national government to mine the land in Apapam, they were unable to begin work due to the directives of the chief. This demonstrates that the chief is powerful in his local community – in fact, more powerful and influential than the government functionaries as discussed below.

4.3.2 The Authority of the Two Leaderships

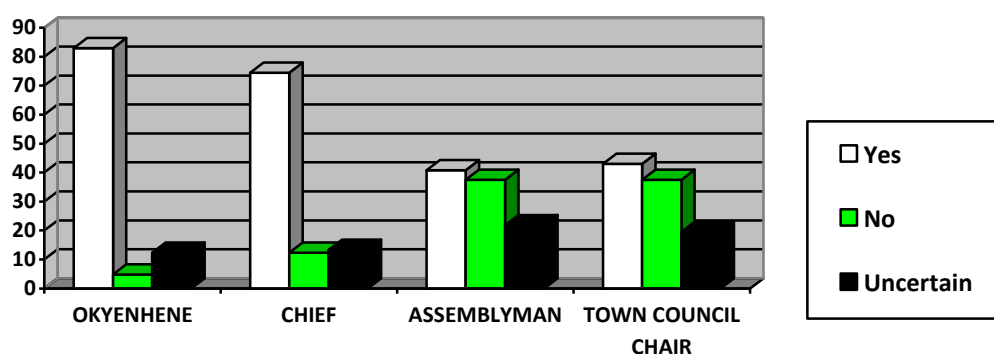
In Akyem Abuakwa communities, the traditional leadership and government functionaries, in theory, exercise different and independent political autonomy. The sources and degrees of their respective authorities are also different. The assemblymen, for instance, obtain their mandate through voting and their legitimacy to manage the local communities lasts only for 4 years, as defined by the Fourth Republic Constitution. After the stipulated four years he/she could renew the mandate by standing for re-election. The town council members on the other hand, are appointed and hardly work independently from the office of the local chief. The unit committee members are also appointed but their positions are not well known to many of the people because they play relatively low profile role and many of them are not even active at all.

Regarding the political power of the chief, he obtains his authority from three major sources: one of them being the traditional beliefs of the people, which link the position of the chief to the ancestors. Thus, the hierarchy of the traditional political structure includes the ancestors at the apex, followed by the chiefs before the members of the council of elders, and then the people follow. It is the belief of the people that the traditional leaders rule on behalf of the elders who are dead. Therefore, the chief is believed to be imbued with spiritual powers of the ancestors and that he should be 'feared' and revered because of their supposed spiritual influence. With such belief, the chief commands significant influence in his community.

The second source of the chief's authority is linked to the practice of the government and district assemblies to seek the chief's support for projects and programs meant for the community so that such development programs would gain the people's acceptance. In this way, the chief becomes the 'arm' of the central government, the most constitutionally powerful entity in the country. Being linked to the ruling government, the chiefs obtain additional power and influence.

Finally, the traditional leaders obtain their authority by their inherent right to own the community lands and to manage the resources therein, including the citizens (including the assemblyman, town council and unit committee members). The chiefs, by custom, possess and exercise authority over all land, be it family or lineage land. The chief always refers to the community as “ma asaase”, meaning, his land. He can use any land for communal purpose. The chiefs’ positions as owners of the entire land in the communities, to some extent, legitimize their rule. He is seen as the over-all land lord and every citizen, to some extent, depends on him for any land use in the community. The chief is therefore seen as the provider of land which majority of the people depends for farming. This certainly makes the position of the chief acceptable to the people. As a landlord, an arm of the ruling government and being supported by the ancestors, the chief is seen by the people as the right person to take decisions and administer everything in the local community, including the citizens on the land. The chiefs’ position and rule, hence, are largely acceptable to the people. The data from Diagram 4.1 confirms that the positions of the chiefs are largely acceptable to majority of the people in Apapam and Nkronso.

DIAGRAM 4.1: PERSONAL RATING OF TRADITIONAL LEADERS OF APAPAM AND NKRONSO



Source: Field Data, 2013

(Multiple choice response)

Diagram 4.1 shows that staggering 83% and 74.50% of the 400 respondents interviewed, respectively said they like the Okyenhene and the chiefs in their communities, while only 17% (12.25% + 4.75%) and 25.50% (13.25% + 12.25) respectively said they are either uncertain or do not really like the two traditional leaders. The implication is that the political rule of these traditional leaders, to the people is legitimate.

For the assemblyman and town council chairman, 40.75% and 43.0% respectively of the respondents have personal liking for them while huge 59.25% (21.75% + 37.50%) respectively said they are either uncertain or do not really like the two traditional leaders. In fact, during the data collection, it was found out that many of the respondents were unable to identify some of the unit committee members and their mandates: and the positions of the two assemblymen were, to some extent, politicized because their elections were subtly done on partisan bases. That is the reason why there is low percentage response for the government functionaries as compared to the percentage of the response for the chiefs. In other words, when compared to the traditional leaders, the indication is that the positions of the government functionaries are relatively not seen as legitimate as the former's. Thus, unlike the local government structures, the chieftaincy system is more institutionalized and acceptable to the people.

- Using Indicators of Socio-Economic Activities to Assess the Level of Authority of the Two Leaderships

His rule being acceptable, the chief tends to have abundant influence on the local people. The influence or authority of the traditional leadership and government functionaries are assessed using data from interviewing and observation. Using the **mixed model approach** (Moini, 2011), the two different leaders' level of influence (authority) in decision-making regarding some key socio-economic activities, were measured. Thus, the data from

indicators of socio-economic activities, obtained through interviewing and observation, rather than perceptions of the respondents, were quantified and analysed. Below are the indicators of socio-economic activities in the local communities, which were used.

- Adjudications;
- Drawing up development programs;
- Deliberations;
- Levying;
- Communal labour;
- Funerals;
- Control and management of natural resources; and
- Militarism/Policing.

Each of the above-listed indicators is measured according to the extent of the level of influence that one has in the decision-making processes. The more influence one has in the decision making process, the higher his/her level of authority. Thus, each of the above-listed indicators is measured with:

- maximum three (3) points for being **head of the decision making body (HDMB)** who give the final decision;
- Average Two (2) points for being **member of the decision making body (MDMB)**, who is involved in initiating and taking decisions; and
- Minimum One (1) point for being **non-member of decision making body but make suggestions (NDMBS)**, who make suggestions and give advice.

In situations where a leader is the head of the decision-making body who is responsible for taking the final decisions, that leader's authority and influence regarding the situation is very strong, hence, the score will be **Three (3) points**. Where a leader is member of the decision making body who is involved in initiating and taking decisions, the score of that

leader is **Two (2) points**. In the cases where the leader is not member of the decision-making body but makes suggestions and gives advice, his level of authority could be **be strong**, and that his score will be **One (1) point**.

As an illustration, let us assume that the level of Authority of the Apapam chief is being measured. We could begin with the indicators regarding his level of influence on decision making for communal labour. One would realized that the chief takes the final decision on when, where, what and even how communal labour should be carried out. In this regard, as far as decision-making involving communal labour is concerned, the chief has the maximum **Three points**.

Another illustration could be made on the assemblyman in Nkronso, concerning his level of influence in decision-making regarding the same communal labour matters. Since he could only propose or make suggestions for the final decision to be made by the acting chief regarding communal labour matters, the assemblyman's level of influence on decision-making in these matters could be measured with a score of **Two points**.

A leader with three points has higher level of authority than a leader with two points or one point. All the other indicators could be measured in the same way as illustrated above. It is also important to note that the data on authority of the **chiefs** and **assemblymen** in Apapam and Nkronso were collected and used to respectively represent the **traditional leadership** and **government functionaries** in the two local communities. Using the observational and interviewing methods, the data below were collected on the level of authority of chiefs and assemblymen in Apapam and Nkronso.

Tables 4.6 and 4.7 depict the extent of authority being wielded by the chiefs and assemblymen in Apapam and Nkronso respectively. In Apapam, Table 4.6 shows that the Chief has maximum influence (three points) on decision-making with regards to all the 8 listed indicators. For decision-making regarding **adjudications, deliberations, and funerals** the chief remained the chairperson (3 maximum points each), while the assemblyman (1 point each) who resides in Kyebi, occasionally visited Apapam for such community activities.

TABLE 4.6: USING INDICATORS TO ASSESS THE LEVEL OF AUTHORITY OF THE TWO LEADERSHIPS IN APAPAM

ITEM (Extent of influencing decision making)	HDMB (3 Points)		MDMB (2 Points)		NDMBS (1 Point)		TOTAL			
							CHIEF		ASSEMB- LYMAN	
	Chief	Asbly- Man	Chief	Asbly- Man	Chief	Asbly- man	Actual Score	Maxm score	Actual score	Maxm Score
Adjudications	3					1	3	3	1	3
Funerals	3					1	3	3	1	3
Drawing dev't programmes	3			2			4	3	2	3
Deliberations	3					1	3	3	1	3
Levyng	3			2			3	3	2	3
Communal labour	3			2			3	3	2	3
Control of natural resources	3					1	3	3	1	3
Policing / Militarism	3					1	3	3	1	3
Total	24			6		5	24	24	11	24

Source: Field Data, 2013

It is significant to note that due to a protracted chieftaincy dispute in Apapam, the chief and the assemblyman had very poor relations and that the traditional leaders never invited the assemblyman to such meetings, even though the latter, whenever he was aware of such meetings, could attend without resistance from the traditional leaders. For the Control of

Natural Resources (water bodies, trees, gold, diamond, etc.), it is the Okyenhene who, through the traditional leaders in Apapam, had set up an NGO for the purpose. The assemblyman almost plays no role in this regard. It is **levying and drawing of development programs** that the Assemblyman in Apapam tended to feature prominently (obtaining 2 points each), because those local activities, to some extent, needed the involvement of the Assembly from Kyebi

Table 4.7 depicts the extent of authority being wielded by the chiefs and assemblymen in Nkronso. Whilst the chief obtained the maximum 3 points for each of the 8 indicators, his assemblyman counterpart also consistently secured 2 points for each of the indicators.

TABLE 4.7: USING INDICATORS TO ASSESS THE LEVEL OF AUTHORITY OF THE TWO LEADERSHIPS IN NKRONSO

ITEM (Extent of influencing decision making)	HDMB (3 Points)		MDMB (2 Points)		NDMBS (1 Point)		TOTAL			
							CHIEF		ASSEMB- LYMAN	
	Chief	Asbly- Man	Chief	Asbly- Man	Chief	Asbly- man	Actual Score	Maxm score	Actual score	Maxm score
Adjudications	3			2			3	3	2	3
Funerals	3			2			3	3	2	3
Drawing dev't programmes	3			2			4	3	2	3
Deliberations	3			2			3	3	2	3
Levying	3			2			3	3	2	3
Communal labour	3			2			3	3	2	3
Control of natural resources	3			2			3	3	2	3
Policing / Militarism	3			2			3	3	2	3
Total	24			16			24	24	16	24

Source: Field Data, 2013

The reason for the consistency in obtaining 2 points for each of the indicators is that the assemblyman had good relations with the acting chief (the substantive chief died a decade

ago). In fact, the assemblyman doubles as secretary to the acting chief and was a member of almost every committee set up for socio-economic aspiration of the local people. Indeed the assemblyman in Nkronso was very active leader in his community.

In order to compare the levels of authority of the chiefs and assemblymen, Table 4.8 is produced out of data from Table 4.6 (Apapam) and Table 4.7 (Nkronso).

**Table 4.8 COMPARING THE LEVEL OF POLITICAL LEADERS' AUTHORITY
IN THE LOCAL COMMUNITIES.**

RESPONSE	LOCAL CHIEF						ASSEMBLYMAN					
	APAPAM		NKRONSO		GRAND TOTAL		APAPAM		NKRONSO		GRAND TOTAL	
	NO	%	NO	%	NO	%	NO	%	NO	%	NO	%
HDMB (3 Points)	24	100	24	100	48	200.00	-	-	-	-	-	-
MDMB (2 Points)	-	-	-	-	-	-	6	25.00	16	66.67	18	81.67
NDMBS (1 Point)	-	-	-	-	-	-	5	20.83	-	-	5	20.83
Total Authority	24	100.00	24	100.00	48	200.00	11	45.83	16	66.67	28	102.50

Source: Field Data, 2013

It can be seen in Table 4.8 that the chiefs in Apapam and Nkronso amassed the maximum 24 points (100%) each. Therefore, the two leaderships wielded the same level of authority. However the same cannot be said of the two assemblymen in Apapam (11 points or 45.83%) and Nkronso (16 points or 66.67%), implying that the government functionaries wielded relatively less authority in the two local communities. The summation of the scores of the two assemblymen in Apapam and Nkronso is 102% (45.83%+66.67%) while those of the two chiefs together constitutes the maximum 200% (100%+100%). This could imply that the level of authority of the two government functionaries represents barely half of the level of authority of the two chiefs in Apapam and Nkronso.

Also, having the maximum points, it could be inferred that the traditional authorities in each of the two local communities, to some extent, play central role in political administration of the local communities, while the existing local government structures remain peripheral. This further implies that an efficient local governance system in the small communities of the Akyem Abuakwa will depend on the extent to which chieftaincy is officially integrated in main-stream politics; which affirms Ayee's (2000) assertion that we:

....as a nation cannot move forward without decentralization and we as a nation cannot move forward with decentralization without the involvement of the chiefs and many of the problems facing the DAs could be solved if the chiefs were involved in the decentralization process (Ayee, 2000).

4.3.3 The Involvement of the two leaderships in socio-economic activities in Apapam and Nkronso

In order to ascertain whether or not the two different leaderships actively participate in the political administration of the local communities, the level of involvement of the chiefs and the assemblymen were measured, via the use of socio-economic activities in Apapam and Nkronso. Using the **mixed model approach** (Moini, 2011), the two different leaders' level of involvement in the participation of socio-economic activities in Apapam and Nkronso, were measured. The data from the indicators of socio-economic activities were obtained through interviewing and observation, rather than the perceptions of respondents (survey). Using Moini's (2011) **mixed model approach**, these qualitative data were quantified and analysed. Below are the indicators of socio-economic activities in the local communities, which were used in ascertaining the level of involvement of chiefs and assemblymen:

- Managing community development projects;
- Community deliberations;
- Organizing and participating in communal labour;

- Funeral management;
- Managing levy;
- Adjudicating cases; and
- Policing / Militarism.

Each of the above-listed socio-economic activities is measured with:

- maximum three (3) points for being **head of the management team (HMT)**, responsible for the implementation process;
- Two (2) points for being **member of the management team (MMT)**, responsible for the implementation process; and
- One (1) point for being **non-member of management team but participate (NMTP)**, in the implementation process.

In situations where a leader is the **head of the management team (HMT)** for the implementation of any of the seven (7) listed activities, that leader would amass **3 points** for being highly involved in political administration in his/her local community. Where the leader is a **member of the management team (MMT)** for the implementation processes, that leader would secure **2 points**, and when that leader is **non-member of management but participate (NMTP)** in those socio-economic activities, the leader would attract only **1 point**. As an illustration, let us assume that the level of involvement in **deliberations** in Apapam by the chief is being measured. One would realize that the chief is the ‘chairperson’ of all deliberations and it is his office which organizes such events. In this regard, except ill-health the chief necessarily takes parts in all deliberations in Apapam, and would score the maximum **3 points**.

Another illustration could be made with the assemblyman in Nkronso, concerning his level of involvement in deliberations. Since the Nkronso assemblyman is also secretary to the

acting chiefs, he (the former) is a **member of the traditional council** in the local community, hence the assemblyman necessarily participates in all deliberations. In this regard the assemblyman would score **2 points** for his involvement in deliberations in Nkronso.

The other indicators could be measured in the same way as illustrated above. The data on involvements of the **chiefs** and **assemblymen** in Apapam and Nkronso were collected and used to respectively represent the traditional leadership and government functionaries in the two local communities.

TABLE 4.9: USING INDICATORS TO ASSESS THE TWO LEADERSHIPS' LEVEL OF INVOLVEMENT IN SOCIO-ECONOMIC ACTIVITIES IN APAPAM

ITEM (Extent of involvement or participation)	HMT (3 Points)		MMT (2 Points)		NMTP (1 Points)		TOTAL			
							CHIEFS		ASSEMB- LYMAN	
	Chief	Asbly- Man	Chief	Asbly- man	Chief	Asbly- Man	Actual score	Maxm score	Actual Score	Maxm score
Managing community dev't projects	3			2			3	3	2	3
Community deliberations	3					1	3	3	1	3
Organizing & participating in communal labour	3			2			3	3	2	3
Funeral management	3			2			3	3	2	3
Collecting and managing levy	3			2			3	3	2	3
Adjudications of cases	3					1	3	3	1	3
Policing / Militarism	3					1	3	3	1	3
Total	21			8		3	21	21	11	21

Source: Field Data, 2013

Using the observational and interviewing methods, the data from Table 4.9 and Table 4.10 were collected on the level of involvement in economic activities by the chiefs and

assemblymen in Apapam and Nkronso. Therefore, Tables 4.9 and 4.10, depict the extent of involvement in economic activities by the chiefs and assemblymen in Apapam and Nkronso respectively.

In Apapam, Table 4.9 shows that the Chief remains the **head of the management team (HMT)** for all the 7 listed socio-economic indicators and he therefore obtains the maximum **3 points** for each of the indicators. For the assemblyman, however, Table 4.9 indicates that he remains **a member of the management team (MMT)** which is responsible for **managing community projects (2 points)**, **organizing communal labour (2 points)**, **militarism (2 points)**, and **managing levies (2 points)**.

For community **deliberations, adjudications, and funerals**, the assemblyman in Apapam remained a **non-member of the management team (NMMT)**, and therefore obtained only 1 point each. The reason for remaining NMMT is that it was the norm that these events were exclusively managed by the traditional leadership. Besides, due to the poor relations between the assemblyman and the chief, resulting from prolonged succession disputes, the assemblyman who resided in Kyebi was never invited to those events. But occasionally, the assemblyman voluntarily participated in those three events (deliberations, adjudications, and funeral), even though he was not officially invited.

Meanwhile, the data from Table 4.10 relates to the extent to which the chief and assemblyman in Nkronso are involved in socio-economic activities. The chief obtained the maximum **3 points** for each of the 7 socio-economic indicators except **development projects** and **levying**, which he got 2 points each. Contrarily the assemblyman in Nkronso secured **2 points** for all the indicators except those that the chief got **2 points**, where he (assemblyman) obtained the maximum **3 points**, implying that the traditional leadership

plays central role in socio-economic activities in the community, while the government functionaries to some extent, remain active assistants to the traditional leaders.

TABLE 4.10: USING INDICATORS TO ASSESS THE TWO LEADERSHIPS' LEVEL OF INVOLVEMENT IN SOCIO-ECONOMIC ACTIVITIES IN NKRONSO

ITEMS (Extent of involvement or participation)	HMT (3 Points)		MMT (2 Points)		NMTP (1 Points)		TOTAL			
							CHIEFS		ASSEMBLY- MEN	
	Chief	Asbly- Man	Chief	Asbly- Man	Chief	Asbly- Man	Actual Score	Maxm score	Actual score	Maxm Score
Managing community dev't projects		3	2				2	3	3	3
Community deliberations	3			2			3	3	2	3
Organizing & participating in communal labour	3	3					3	3	3	3
Funeral management	3			2			3	3	2	3
Collecting and managing levy		3	2				2	3	3	3
Adjudications of cases	3			2			3	3	2	3
Policing / Militarism	3			2			3	3	2	3
Total	15	9	4	8			19	21	17	21

Source: Field Data, 2013

It is worthy of note that one of the major reasons for the active involvement of the assemblyman in socio-economic activities is that he doubles as secretary to the acting chief and therefore join in all official engagements of the chief. Thus, in the situation, where both the chief and assemblyman in Nkronso cooperate effectively to manage the community, implies that the local government program and traditional rule can coexist effectively to ensure efficiency in governance at the local level.

Meanwhile, for the purpose of comparing the levels of involvement in socio-economic activities by the chiefs and assemblymen in both Apapam and Nkronso, Table 4.11 is summarised from the data in Table 4.9 (Apapam) and Table 4.10 (Nkronso). In other words, Table 4.11 below sums up the information from Tables 4.9 and 4.10.

4.11 COMPARING THE LEVEL OF POLITICAL LEADERS' INVOLVEMENT IN SOCIO-ECONOMIC ACTIVITIES IN APAPAM AND NKRONSO

RESPONSE	LOCAL CHIEF						ASSEMBLYMAN					
	APAPAM		NKRONSO		GRAND TOTAL		APAPAM		NKRONSO		GRAND TOTAL	
	NO	%	NO	%	NO	%	NO	%	NO	%	NO	%
HDMB (3 Points)	21	100	15	62.50	36	162.50	-	-	9	35.50	9	35.50
MDMB (2 Points)	-	-	4	16.67	4	16.67	8	33.33	8	33.33	16	66.67
NDMBS (1 Point)	-	-	-	-	-	-	3	12.50	-	-	3	12.50
Total Level of Involvement	21	100.00	19	79.17	40	179.17	11	45.83	17	68.83	28	114.67

Source: Field Data, 2013

As depicted in Table 4.11, for the assemblyman in Apapam to obtain 11 points (45.83%) out of 21 maximum points (100%), is an indication that the local government program is performing below average in Apapam. Indeed, there is no unit committee in operation in Apapam, and the assemblyman who resides in Kyebi makes occasional visits to attend to the needs of the people in the community.

However, this is not the case in Nkronso, where the assemblyman got 17 points (68.83%), implying that the local government system was relatively vibrant and impacts on the lives of people of Nkronso. Apart from the effective operations of the town council, there are 5 unit committees (UCs) which members meet regularly. The assemblyman meets these UC

once every two weeks for deliberations and together they carry out most of the socio-economic activities in the local community.

Moreover, the aggregation of points of the two chiefs in Apapam and Nkronso, as indicated in Table 4.11, is 40 (179.17%) while that of the two assemblymen is 28 (114.67%). The difference of 12 points (74.50%) is an indication that the chiefs are 37.25% (74.50 divided by 2) more active in political administration than the assemblymen in the two communities. It could therefore be inferred that abandoning the chieftaincy institution would create a major administrative vacuum in the local communities, which the local government could hardly serve as efficient replacement, at least in the short run. The conclusion then is that an efficient local governance system in the country will depend on the extent to which chieftaincy is officially and adequately integrated in main-stream politics.

Moreover, while the chief in Nkronso as depicted by Table 4.11 obtained a total of 19 points (79.17%) out of a maximum 21 points (100%), the Apapam chief secured 21 points (100%) out of the maximum 21 points (100%), implying that the chief in Nkronso is relatively not as active as the chief in Appam. The reason why the Nkronso chief is relatively less active is that the substantive chief died a decade ago and it was the head of the royal family (Abusuapanyin), an elderly man, who had stood in as acting chief for the past decade. The traditional leaders in Nkronso are divided by a long standing chieftaincy dispute over who to succeed the deceased chief as substantive chief. Also, some members of the Nkronso royal family is involved in litigation with the Okyenhene over the candidate to succeed the deceased chief in Nkronso. All of these had not only weakened the unity of the traditional leadership in Nkronso but it had undermined the positions and expected roles

of the chiefs and elders in the community. That is why from Table 4.11, the Nkronso chief got 19 points instead of the 21 maximum points.

Contrarily however, the Apapam chief, as noted from Table 4.11, is very active in managing socio-economic activities in his community because he had been on the throne for more than three decades and had effective control over his subjects. Secondly, Apapam, unlike Nkronso is relatively deep rooted in chieftaincy. Historically it served and continues to serve as one of the three villages which functioned as the defence units, protecting the Okyenhene at Kyebi, the capital of Akyem Abuakwa. It is one of the 'Amantonmiensa', three defence units largely responsible for preventing any enemy approaching Kyebi to attack. In other words, this historical link of Apapam and Kyebi, the Okyenman capital, continues to prevail and as a result, makes chieftaincy much stronger among the Apapam people. Furthermore, Apapam is relatively close (2 miles) to Kyebi, the capital of Okyenman. Hence, the influence of Okyenman headquarters on the people of Apapam is much easier than on the Nkronso (7 miles) people who are relatively far away from the capital. That is why the chief in Apapam amassed the total maximum (100%), while the Nkronso chief got (79.17%).

Nevertheless, comparing the total figure of the two chiefs 179.17% (100%+79.17%) and that of the two assemblymen 114.66% (45.83%+68.83%), one would realize that the chiefs secured a whopping 89.83% ($179.17\% \div 2$), while the assemblymen settled for a modest 57.33% ($114.66\% \div 2$). This points out that indeed the two traditional leaders run the administration of their respective communities while the assemblymen provide the assistance. It is not far-fetched to state that governance in these small local communities depends largely on the traditional leadership and that any effective local government programme must necessarily and prominently feature the traditional leadership.

4.3.4 The Hypotheses of the Study

The study is carried out along the following two hypotheses:

- i. The higher the level of the authority of traditional leaders in the local communities, the lesser the level of the authority of the government functionaries.
- ii. The greater the level of involvement of the government functionaries in socio-economic activities, the lesser the level of involvement of the traditional leaders in socio-economic activities in the local communities.

Each of the hypotheses is tested, using the **mixed model approach** (Moini 2011: 54) where some of the **qualitative data** are **quantified** for the purpose. Thus, the qualitative data from the **interviewing** and **observation** regarding the two leaderships' levels of authority and involvement in socio-economic activities are quantified and used in testing the hypotheses. In testing the two hypotheses, it is assumed that the two groups of leaders, traditional leaders and government functionaries, are respectively represented by the chiefs and assemblymen and that the tests are done separately for Apapam and Nkronso.

4.3.4a Testing the First Hypothesis,

The first hypothesis which is re-stated below is deduced from objective "vii" in Chapter One of the study.

The higher the level of the authority of traditional leaders in the local communities, the lesser the level of the authority of the government functionaries.

Two variables are referred to as:

x = traditional leaders' level of authority

y = government functionaries' level of authority

The "traditional leaders' level of authority" (x) represents the independent variable, whilst "government functionaries' level of authority" (y) is the dependent variable.

Therefore, in testing whether there is a relationship between the traditional leaders' level of authority and the government functionaries' level of authority, one could proceed by stating the above statement as a Null Hypothesis. Thus, there is no relationship between the traditional leaders' level of authority and the government functionaries' level of authority. The alternative Hypothesis is that there is a relationship between the traditional leaders' authority and the government functionaries' level of authority. The testing of the hypothesis is depicted in Tables 4.12A & 4.12B for Apapam, and 4.13A & 4.13B for Nkronso. The afore-mentioned Tables are deduced from Table 4.8. Therefore, the tests of the first hypothesis for Apapam and Nkronso are as follow:

TABLE 4.12A MARGINAL PROPORTIONS OF LEVEL OF AUTHORITY AND THE TYPE OF LEADERSHIP IN APAPAM

TYPE OF LEADERSHIP	LEVEL OF AUTHORITY AND INFLUENCE (APAPAM)		
	HAVE AUTHORITY	NO AUTHORITY	TOTAL
CHIEF	100%	0%	100%
ASSEMBLY-MAN	45.83%	54.17%	100%
TOTAL	145.83%	54.17%	200%

Source: Field Data, 2013

TABLE 4.12B CHI-SQUARE TEST OF ASSOCIATION BETWEEN LEVEL OF AUTHORITY AND THE TYPE OF LEADERSHIP IN APAPAM

	PRE STAT
Chi-square	74.281
Df	1
Critical value	3.841

At 5% level of Significance

From Table 4.12B, since **74.281** > 3.841, the test is significant and it is concluded that level of authority and influence is related to the type of leadership. Thus, in Apapam, the authority of the traditional leaders relates with that of the government functionaries. The

level of traditional authority determines the government functionaries' authority influence in the local communities. The implication is that traditional rule is a determining factor for efficient implementation of the local governance in Apapam. The computation of the Chi-square could be found at the Appendix IV of the study.

Meanwhile, the second test of the first hypothesis (for Nkronso) is as follows:

TABLE 4.13A MARGINAL PROPORTIONS OF LEVEL OF AUTHORITY AND THE TYPE OF LEADERSHIP IN NKRONSO

TYPE OF LEADERSHIP	LEVEL OF AUTHORITY AND INFLUENCE (NKRONSO)		
	HAVE AUTHORITY	NO AUTHORITY	TOTAL
CHIEF	100%	0%	100%
ASSEMBLY-MAN	66.67%	33.33%	100%
TOTAL	166.67%	33.33%	200%

Source: Field Data, 2013

TABLE 4.13B CHI-SQUARE TEST OF ASSOCIATION BETWEEN LEVEL OF AUTHORITY AND THE TYPE OF LEADERSHIP IN NKRONSO

	PRE STAT
Chi-square	39.981
Df	1
Critical value	3.841

At 5% level of Significance

From Table 4.13B, since **39.981** > 3.841, the test is significant and it is concluded that level of authority is related to the type of leadership. It means that in Nkronso the authority of the traditional leaders has correlation with the authority of the government functionaries. This is a confirmation of the test in Apapam that chieftaincy could be a major determining factor for implementing efficient local government program. To ascertain how the Chi-square was arrived at, the Appendix IV could serve that purpose.

4.3.4b The Second Hypothesis

The second hypothesis, which is deduced from the objective “viii” of the study, is as follows:

The greater the level of involvement of the government functionaries in socio-economic activities, the lesser the level of involvement of the traditional leaders in socio-economic activities in the local communities.

For the second hypothesis, the two relevant variables are:

v = government functionaries’ level of involvement in socio-economic activities; and

z = traditional leaders’ level of involvement in socio-economic activities.

“Government functionaries’ level of involvement in socio-economic” (v) represents independent variable, whilst “traditional leaders’ level of involvement in socio-economic” (z) remains the dependent variable. Therefore, in testing whether there is a relationship between the two variables, one could proceed by stating the above statement as a Null Hypothesis. Thus, there is no relationship between the government functionaries’ level of involvement in socio-economic activities, and traditional leaders’ level of involvement in socio-economic matters. The alternative hypothesis is that there is a relationship between the two variables. The testing of the hypothesis is illustrated in Tables 4.14A & 4.14B, and 4.15A & 4.15B. It is important to note that Tables 4.14A and 4.15A below are deduced from Table 4.11. The tests are done separately for Apapam and Nkronso.

Therefore, the tests of the second hypothesis for Apapam and Nkronso are as follow:

TABLE 4.14A: MARGINAL PROPORTIONS OF LEVEL OF INVOLVEMENT IN SOCIO-ECONOMIC ACTIVITIES AND THE TYPE OF LEADERSHIP IN APAPAM

TYPE OF LEADERSHIP	LEVEL OF INVOLVEMENT IN SOCIO-ECONOMIC ACTIVITIES (APAPAM)		
	ACTIVELY INVOLVED	NOT INVOLVED	TOTAL
CHIEF	100%	0%	100%
ASSEMBLY-MAN	45.83%	54.17%	100%
TOTAL	145.83%	54.17%	200%

Source: Field Data, 2013

TABLE 4.14B: CHI-SQUARE TEST OF ASSOCIATION BETWEEN LEVEL OF INVOLVEMENT IN SOCIO-ECONOMIC ACTIVITIES AND THE TYPE OF LEADERSHIP IN APAPAM

	PRE STAT
Chi-square	74.281
Df	1
Critical value	3.841

At 5% level of Significance

From Table 4.14B, since **74.281** > 3.841, the test is significant and it is concluded that level of involvement in socio-economic matters is related to the type of leadership. The result consequently points out that in Apapam, the level involvement of government functionaries in socio-economic activities impact on the traditional leaders' level of involvement in socio-economic matters. The procedure for obtaining the Chi-square is at the Appendix IV.

The second test of the second hypothesis is as follows:

TABLE 4.15A: MARGINAL PROPORTIONS OF LEVEL OF INVOLVEMENT IN SOCIO-ECONOMIC ACTIVITIES AND THE TYPE OF LEADERSHIP IN NKRONSO

TYPE OF LEADERSHIP	LEVEL OF INVOLVEMENT IN SOCIO-ECONOMIC ACTIVITIES (NKRONSO)		
	ACTIVELY INVOLVED	NOT INVOLVED	TOTAL
CHIEF	79.17%	20.83%	100%
ASSEMBLY-MAN	68.83%	31.17%	100%
TOTAL	148.00%	52.00%	200%

Source: Field Data, 2013

TABLE 4.15B: CHI-SQUARE TEST OF ASSOCIATION BETWEEN LEVEL OF INVOLVEMENT IN SOCIO-ECONOMIC ACTIVITIES AND THE TYPE OF LEADERSHIP IN NKRONSO

	PRE STAT
Chi-square	2.778
Df	1
Critical value	3.841

At 5% level of Significance

From Table 4.15B, since $2.778 < 3.841$, the test is not significant and it is concluded that level of involvement in governance matters is not related to the type of leadership. It means that for Nkronso, the null hypothesis is accepted, meaning that the involvement of the government functionaries in spearheading economic activities and the maintenance of law and order have nothing or very little to do with the type of leadership. Thus, the involvement of the government functionaries in socio-economic activities does not impact on the traditional leaders' involvement in the same activities. The above statement represents the null hypothesis. The implication is that the introduction and presence of the local government programme does not necessarily reduce or take away the relevance and importance of chieftaincy in the local communities. Also, it implies that the chieftaincy institution has what it takes to survive and thrive in the ever increasingly changing Ghanaian societies.

4.4) THE PREVAILING DUALISM AS EXPRESSED IN THE IMPLEMENTATION OF DEVELOPMENT PROJECTS IN APAPAM AND NKRONSO.

Being largely farmers, the people of Apapam and Nkronso cultivate cash and food crops. The cash crops are cocoa, oil palm, and to some extent, plantain, cassava and cocoyam. Small scale farming is the usual practice in the two local communities. The individual farmers mobilize their own resources without direct assistance from the central government. The major support from the government is the mass spraying of cocoa farms. When the farmers were interviewed, their requests for support included ready and attractive market for their products. They also requested government support for loan facilities and supply of fertilizer, cutlasses, boots, etc. Thematically, the prevailing political dualism in the two local communities is expressed in the following socio-economic activities:

- **Initiation of socio-economic development through:**
 - a) Development programmes from deliberations with the people;
 - b) Making input into government development projects; and
 - b) Appeals to government functionaries and NGOs.
- **Implementation of socio-economic development such as:**
 - a. Communal labour
 - b. Joint project with Government and NGO
 - c. Administering funeral contributions (implementation)
 - d. Levy and contributions for development projects

4.4.1 Initiating Socio-Economic Activities

Under this sub-topic, the discussions are directed at some of the objectives of the study, as stated in Chapter One. It includes explaining how socio-economic activities are initiated in the communities of Apapam and Nkronso; and finding out which of the two political leaderships possibly wields more power in initiating socio-economic activities.

From the observation and interview of the two different leaderships in Apapam and Nkronso, it is found that many of the economic activities are initiated by the chiefs and elders. When the people are facing any problem it is the chief who assembles them for deliberations on the matter. The final decision must receive the chief's approval before it could be implemented. During the yearly 'Ohum' festivals, the chief arraigns for a meeting with the people to deliberate on matters pertaining to the development of the local community. The assemblyman is accordingly invited to such meetings. The natives who live outside the local community are expected to contribute in kind and cash, probably to compensate those residents in Apapam and Nkronso who contribute to the development of their communities through regular communal labour activities.

On the other hand, the assemblymen, town council members, and unit committee, particularly in Nkronso meet regularly to discuss development issues of their community. When these government functionaries decide on any development programme at their meetings, it is their respective chiefs who make the final inputs. Though not the norm, the traditional leaders can even reject completely, decisions taken by the assemblymen and town council members.

Based on the outcome of the hypothesis investigated, it can be suggested that the traditional leaders are key stakeholders with respect to the socio-economic development in their communities. It also means that the local government structures, to some extent, play peripheral role to the chieftaincy institution in the local communities of Akyem Abuakwa. Confirming this, it would be recalled from Table 4.8 that when the levels of authority of the two leaderships were measured, the chiefs scored the maximum 100% $[(100\% + 100\%) \div 2]$, while the two assemblymen got 56.25% $[(45.83\% + 66.67\%) \div 2]$. The implication is that the chiefs in the local communities wield enormous authority to the extent that they appear to perform a central role with regards to the socio-political activities in the local communities, while the assemblymen, town council and unit committee members operate peripheral role.

Meanwhile, another form through which traditional leaders initiate development programs is by suggestions and making appeals to government officials and NGOs, particularly when they visit the local communities. When a government official, (Minister, DCE, Technocrat, etc.) visits any of the local communities, he/she must necessarily pay a courtesy call on the chief at his palace. In fact, the people would hardly open up to any high profile visitor, if the respective chiefs are not accorded their due respect through courtesy calls at their respective palaces (Aidoo, 1978: 48).

Even when the visitors had ignored the chiefs and approached the assemblymen or any government functionary, the latter, as it was the custom, would together go with the said visitor to see the chief. Any official visit to the local community by the president, ministers, members of parliament, DCEs, opposition leaders, etc. must necessarily include paying the chief and his council of elders, a courtesy call. The people of the local communities consider it an act of arrogance if the said visitor fails to call first, on the chief. It would even not be taken kindly if the visitor calls on the chief after carrying out his/her mission in the local community.

Case Study 1

In the mid 2008, some officials from the Ministry of Health came to Apapam to educate the people on sanitation. As usual it was the chief that they contacted to assemble the people. When the investigator asked the traditional leaders why the officials did not contact the assemblyman to carry out their mission, the Okyeame (linguist) retorted that the assemblyman remained a 'supporting staff' of the chief as far as the administration of the community was concerned.

This is a confirmation of the earlier discussions that the traditional leaders (not the government functionaries) wield a lot of political power, hence, they control the affairs of the local communities.

Meanwhile, when government and NGO officials visit the chief, the traditional leaders would inform their visitors of the problems facing the people and they would thereafter appeal for assistance. Sometimes, the chief would specifically outline the problems facing the community, how they could be addressed, and the attempt he and his people have made towards addressing them. As usually expected, the visitor may inform the chief and his council of elders, how he/she could assist. On the other hand, government functionaries,

including the sector ministers, MPs and DCEs, often seek the inputs of the chiefs when initiating any socio-economic activities in the local communities. They visit the local communities and interact with the chiefs and the assemblymen and sometimes with the people to ascertain their views concerning policies of the government and how those policies affect their communities.

Case Study 2

In the early part of 2008, the DCE visited Apapam to discuss the government plans to put up a clinic in the community. The DCE first reported at the chief's palace. It was the chief who called for emergency meeting of the people for deliberation. Even though the assemblyman joined in the deliberation, it was the chief through whom the DCE arraigned for the meeting.

The implication is that the traditional leaders in Apapam and Nkronso play major roles with respect to initiating socio-economic activities in their communities. During interviews with the assemblymen and UCCs in Apapam and Nkronso, these government functionaries admitted that they largely depend on their respective chiefs in implementing socio-economic activities in their communities. While interviewing one of the unit committee members on how development projects are initiated in his community, he queried: "what would you do if the landlord (the chief) thinks otherwise of your development plans?"

In other words, the government functionaries acknowledge the traditional leadership to be foremost to any other leadership in the local community as far as political administration is concerned. As far as initiating economic development is concerned, the investigator notes that the political dualism prevailing in Apapam and Nkronso indicates that the "political power pendulum" swings favourably towards the traditional authorities. The traditional leaders are relatively powerful and influential in their communities than the assemblymen and UCCs.

4.4.2 Administering Socio-Economic Activities in the Local Communities

The political dualism in the country as the investigator observes, is also expressed in the socio-economic activities in Apapam and Nkronso. These socio-economic activities include:

- a. Communal labour;
- b. Administering funeral contributions (implementation);
- c. Joint project with Government and NGO;
- d. Levy and contributions for development projects; and

The ensuing analyses are carried out with reference to the relevant objectives as in Chapter One of the study. It includes explaining how socio-economic activities are carried out in the local communities; finding out the nature and dynamics of interactions between the two distinct political leaderships as they function alongside each other; and identifying the strengths and weaknesses of the two leaderships (dualism) as they co-exist and function in the same communities.

4.4.2a Communal Labour

It is the frequent habit of the people in Apapam and Nkronso to jointly work to clean their environment and to provide and renovate social amenities such as schools, KVIPs and electrification. This type of work is called “communal labour”. Anybody who has completed Junior High School or is 18 years and above is mandated to participate in communal labour. The physically challenged and the aged are exempted. The communal labour involves weeding around the rivers. It is also used in weeding alongside the road and public places. In Apapam, renovation work on the community buildings such as schools, KVIPs and the palace, are partly or totally done through communal labour. In fact, using communal labour, the palace of the chief of Apapam was undergoing major renovation work during my study.

In Apapam, Wednesday is the day set aside for communal labour activities while for Nkronso, it is Sunday. There are Communal Labour Committees (CLCs) in the two local communities to oversee the communal labour activities. The assemblymen are member of the committee, which implies that there is some level of integration between the two leaderships. Those who do not attend the communal labour are noted and usually summoned at the chief's palace for explanations and possible sanctions. The usual sanction is a fine of GH ₵20.00. Any offender who fails to pay the fine is either ostracized or reported to the police at Kyebi who would in turn prosecute the offender.

Case Study 3

In Apapam, two residents, Kwame Addo and Kwasi Ampofo in the year, 2007, failed to participate in communal labour without tangible reasons. They were summoned by the chief and a fine of ₵20.00 was imposed on each of them. They failed to pay the fine and after two weeks the chief lodged a complaint with the police at Kyebi where the two were apprehended and arraigned before court. The court eventually fined them ₵100.00 each. They certainly honoured the fine.

Thus, the informal nature of the customary laws appears too tempting for some people to disobey the orders of the chief. In such circumstances, the traditional leaders usually rely on the national government structures to punish the culprit. The fact that the modern state courts punish offenders based on customary laws, implies that there is some level of integration, hence consensus and harmony between the chieftaincy institution and national government structures, at the local level of governance.

Moreover, as just noted earlier, where a person adamantly continues to absent himself or herself from communal labour, he or she may be ostracized. It means such a person when he/she dies, would not be given a befitting funeral ceremony. When anything bad happens to him/her in the bush, the Asafo, the 'military' in the local community, would not be called

upon to assist. In fact, he/she will not be acknowledged in any public gathering. This implies that the traditional leaders not only wield enormous authority over their subjects but that some of the customary laws appear to be in contradiction of the provisions in the 1992 Constitution. For, paradoxically, the Constitution of the Fourth Republic gives all Ghanaians the rights to reside in any place of their choice in the country. Yet, it appears there is an 'independent' state (Akyem Abuakwa State) within the Republic (Ghana), which has conflicting customary laws to the universal laws of the Republic. Thus, for the chief to have the power to ostracize his subjects in contradiction to the provisions in the Fourth Republic Constitution, is an indication that there are conflicting features within the dualism prevailing in the communities of Akyem Abuakwa.

Meanwhile, for a communal labour to be carried out, the chief would usually instruct the community crier to go around a day before, to inform the people that Nana (the chief) expects everyone to assemble for a communal labour the next day, usually in the morning. In Apapam, the work is supervised by the "Mranteehene", the traditional head of the young men (the youth). The assemblyman in Apapam does not even live in the local community. He lives in Kyebi, where he sometimes joins the people for communal labour.

In Nkronso however, it is the assemblyman who does the supervision. The reason is that unlike in Apapam where the influence of the traditional leaders is much stronger, the people of Nkronso are without a substantive chief for over ten years, after the death of the immediate past chief. The acting chief is very old (in his 80s), and he is not active as a younger leader would be. In view of this, the traditional leadership in Nkronso is not as strong as the one in Apapam, in spearheading socio-economic activities and in maintaining law and order. This has created the administrative space for the assemblyman to play key

role in spearheading socio-economic activities and in maintaining law and order. The assemblyman even doubles as the secretary to the traditional leaders. The implication therefore is that the two different political systems in the communities tend to accommodate and complement each other whenever it is necessary. It could be said that there is interrelation and interdependence between the chieftaincy institution and local government structure in the local communities. Hence, the dualism prevailing in the local communities is not entirely parallel as indicated in some of the literature.

4.4.2b Funeral Administration

The chiefs and their respective council of elders administer funeral ceremonies in the two communities. In fact, when the investigator interviewed both government functionaries and the traditional leaders, they all said that by convention, the district assemblies all over the country have agreed with the traditional leaders, for the latter (chiefs and elders) to solely manage the funeral matters of their respective local communities. In view of this, it was found that the assemblymen and unit committee members in the local communities do not play any role at all in funeral administration, especially regarding when and how funerals should be conducted. It is only in Nkronso that the Assemblyman who doubles as secretary to the chief, tends to play some sort of influential role in decision making regarding funeral celebrations.

Meanwhile, the traditional leaders have laid down rules in managing funeral matters in the communities. When someone dies, the family of the dead person will send a delegation to the chief to officially inform him and his elders. The delegation is usually headed by the lineage or extended family head (abusuapanin) and drinks are sent along. The chief receives the drinks and then gives his consent for the necessary arrangement to bury the dead person and organize his/her funeral ceremony. If the chief has something against the lineage or the

dead person, he would reject the drinks. In such a situation, the family or lineage of the dead person would arrange for a meeting to seek the chief's pardon (see **Case Study 4**). Depending on the magnitude of the issue, the lineage may be fined and/or slaughter an "atonement" sheep, "mpata dwan". Where the issue is very serious, the chief may ignore the apology and stop any funeral ceremony for the dead person – a sign that the traditional leaders wield enormous power in their respective communities.

It is the policy in the two local communities for every person of 18 years and above to make funeral contributions, usually known as "nsuabo". Each person contributes 50 Pesewas to support the family of the dead person in organizing funeral ceremony. This funeral contribution is administered by the chief and his elders. The chief appoints officers of funeral contribution funds, who constitute a funeral committee. It is the responsibility of the committee to note down defaulters so that appropriate sanctions are meted out to them. All the proceeds from the contributions are given to the dead person's family to defray the cost incurred in organizing the funeral ceremony. Defaulters of the contribution are fined and the amount added to the "oman futuo" (community coffers).

Case Study 4

Maame Adwoa Maanu of Apapam continually failed to honour her funeral dues till her death in 2003. Her family members were fined GH¢200.00, some bottles of drinks and a sheep before they were allowed to organize her funeral ceremony.

There are rules in organizing the funeral. It is the dead person's family members who give the date for funeral ceremonies but the family must seek the consent of the chief before that day could be used for the ceremony. Sometimes, the chief would suspend all funeral ceremonies because he is performing rituals towards the "Aday" or "Ohum" festival celebrations. This responsibility of the traditional leaders to administer funeral matters presents them as powerful leaders in their communities.

As noted earlier, the traditional leaders use funeral ceremony as a tool to punish individuals and families who dare break customary laws in the local community. Any person who defies the orders of the traditional leaders is prevented from having a befitting funeral ceremony when he or she dies. Even his family members would face the same fate when any of them dies. The threat of being denied a befitting funeral ceremony compels the people to observe the customs of the village. Thus, the traditional laws, to some extent are enforced through the aforementioned sanction, which implies that the chieftaincy institution has its own mechanisms for effective maintenance of law and order in the local communities.

4.4.2c Development Projects with Government and NGOs

The study observed that the ruling national government always depends on the chiefs to inform and educate the people of the villages on national issues. The chiefs normally summon the people where such national issues are explained to them. Sometimes the community crier (dawuruboni) sends the information to the people.

Case Study 5

In 2006, government health officials visited Apapam and Nkronso to educate the people on sanitation. The chiefs assembled all their respective subjects where the government officials interacted and discussed sanitation issues with them.

In this case, the traditional political structure becomes an arm of the national government to implement policies of the state. Therefore, the political dualism prevailing in the two local communities, for that matter Ghana, is not entirely parallel as pointed out by some scholars like (Kwabia, 1988). Instead, there is constant interaction and in fact interdependence of the traditional political system and modern state government.

Moreover, the study notes that the traditional leaders and the people in the two local communities also join with government or NGO to carry out development projects.

Case Study 6

At Nkronso for instance, a JHS building was financed by the government while the people contributed towards it through communal labour. The school building is made up of 6 classrooms, a staff common room, a store and a library.

Case Study 7

At Apapam, a Kindergarten school building was put up in 1998. It was a joint project of government and the people of Apapam. The government provided roofing sheets while the people were levied 50 Pesewas per person in addition to communal labour.

Case Study 8

The Okyenhene has established a Non-Governmental Organisation (NGO) which is responsible for maintaining and improving the environment. In Apapam the chief is the branch Chairman of the NGO. The youth largely constitute the membership and they plant trees in the bush and banks of river Birim. The Okyenhene is the financier of the NGO at Apapam.

On the whole, it was found that the chiefs supported and complemented government policies and programs by serving as the arm of government to explain national policies and programs to the people; and by providing labour and finance through communal labour and levies respectively.

The chiefs, therefore, serve as the link between government and the people, which implies that the traditional political institution and the national government accommodate and depend on each other whenever it is necessary. There are therefore interrelations and interactions, for that matter consensus and harmony within the prevailing dualism in the local communities.

Nevertheless, it was observed that certain provisions in the Fourth Republic of Ghana, puts chiefs in a dilemma with regards to their role as the arm of government. The 1992 Constitution states in Article 276 (1) that “a chief shall not take part in *active party politics*;

and any chief wishing to do so and seeking election to parliament shall abdicate his stool or skin.”

Why should Article 276 be complied with? When the chiefs and sub-chiefs in the two villages were asked to comment on Article 276 (1), they all agreed that partisan politics is divisive hence, chiefs are likely to lose respect and loyalty of a section of their subjects if they indulged in partisan politics. Bofo-Arthur (2001), among others, has listed the following reasons from chiefs who are in support of Article 276 (1) of the 1992 Constitution:

- Chiefs lose their respect when identified with political parties;
- As leaders, chiefs should be the rallying point and the spiritual head and should be able to unite their people. They may not be able to perform this function to any appreciable satisfaction if they engage in partisan politics;
- Since the *oman* (town, community or village) belongs to the chief, he should embrace all subjects irrespective of their political affiliation or inclinations. A chief may not be able to do this if he is a member of another political party;
- Although chiefs are by nature politicians, joining political parties may set them against their subjects who may be members of other political parties;
- As the father of the community, a chief should be neutral so as to be able to arbitrate in an impartial manner; and
- A non- partisan chief becomes the conscience of the nation with sufficient moral authority to call politicians to order when matters appear to be getting out of hand.

Notwithstanding the aforementioned reasons, Table 4.16 shows the response of 400 people from both Apapam and Nkronso who were asked whether chiefs should engage in partisan politics.

TABLE 4.16: CHIEFS AND PARTISAN POLITICS

Response	Electorate	
	No.	%
Yes	158	39.50
No	203	50.80
Uncertain	39	9.70
Total	400	100.00

Source: Field Data, 2013

More than half 203 (50.80%) of the respondents said chiefs should not dabble in partisan politics because such action will divide their subjects instead of uniting them. Contrarily, a significant 158 (39.50%) of the respondents think chiefs can reasonably engage in partisan politics so that they could attract government socio-economic projects in their areas. Only 39 (9.70%) of the respondents were uncertain as to whether chiefs can engage in party politics.

The implication from Table 4.16 is that there is a split decision of the people on the issue of whether chiefs should engage in party politics. Each of the two factions seem to have tangible reasons why chiefs should or should not engage in party politics. Those who agree with the chief's involvement in partisan politics argue that it is necessary for the chief to do so in order to be in the good books of the ruling party for the purpose of attracting government development projects. Those who hold the polar view argue that the chief is supposed to be a peace broker and unifier of his people, as such, dabbling in partisan politics would undermine his role in this regard.

On the whole, while the traditional leaders of Nkronso and Apapam want to remain as neutral as possible, they also acknowledge that in practice, their positions do not permit them to be entirely neutral in political issues. As their positions in the communities include

constantly seeking the well-being of their subjects through especially the promotion of socio-economic development, the chiefs are obliged to be in good standing with the politicians who are in government so as to obtain the latter's favour.

The chiefs, thus, must tread carefully in order to remain in the good books of the ruling government. Favourable comments on government policies (programs) are expected from the chiefs while they necessarily shelve their dissenting views. A chief is therefore constrained to explain government policies, sometimes on the platform of the ruling party. This compromises his neutral position and sends wrong signals to his subjects as to his political allegiance, since his action is in contradiction to the provisions of Article 276 of the Fourth Republic Constitution.

On the contrary, being repositories of knowledge, and revered by their subjects as such, chiefs are also expected in the name of national development and democratic consolidation to be forthright in championing the rights of individuals. This implies also the ability of the chief to speak out against government excesses capable of derailing the country's fragile democratic dispensation, thereby undermining the country's development. Such action may portray the chief as being in the camp of the opposition and eventually fall out of favour of the ruling government. The consequence is that the community of that chief is likely to be denied the necessary government development projects.

On the whole, the study noted that the position of the chief necessitates his interventions in national politics (but not party politics). Nevertheless, whether his intervention is negative or positive towards the ruling government, it would portray him as acting in contravention to the Constitution of the Fourth Republic of Ghana; as such, put his political neutrality in doubt. Remaining politically passive implies negligence to his traditional position as

productive leader of his community. The conclusion then is that between Article 276 (1) of the 1992 Constitution and the realities on the ground, there is the puzzle concerning the position of the traditional leaders in the two communities. The investigator therefore found that whether or not the afore-mentioned constitutional provisions are observed, the chief remains as a potentially controversial leader over his subjects.

4.4.2d Levies and Contributions

The investigator observed that the people were usually levied and were encouraged to make voluntary contributions. In Apapam for example, the people were levied toward the provision of electricity power, Kindergarten school and a bridge. In Nkronso, the people were levied purposely for the provision of KVIP and electricity power. It is worth noting that the assemblymen in the two local communities play major role with regards to levies for development programmes. They are always included in every committee set up to administer levies, which imply that there is some level of interactions, hence, integration within the dualism in the communities.

Case Study 9

The people of Apapam in 2001 built a broken bridge leading to the town. Each citizen was levied 20 Pesewas to purchase materials for building the bridge. Led by the Nkosuohene (Head of development) the people were also encouraged to make voluntary contributions. The assemblyman was a member of the committee which managed the funds from the levy and voluntary contributions. Communal labour was then used in building the bridge without assistance from the central government.

Case Study 10

At Nkronso the people were levied 50 Pesewas per person, in 2007, to install electricity power in the community. Some of the wealthy people donated in kind. The assemblyman was the secretary to the committee which was largely made up of some traditional leaders to oversee the disbursement of the levy funds.

Moreover, when levying or making voluntary contributions, the Nkosuohene (Head of development) is expected to set the pace by making impressive contribution. His donation, as expected, should be enough to justify his position and to encourage others to do the same. A three or four man committee is usually formed to handle funds from the contributions and levies. They are accountable to the entire people and are periodically called upon to present the statement of accounts before the assembly of the entire people. The membership usually includes the assemblyman and the Sanaahene (the chief's treasurer): an indication that the local government structure is somehow accommodated by the traditional political administration, thereby leading to an enhancement of checks and balances within the dualism.

The levies are not arbitrarily imposed on the people by the chiefs. Instead, the chiefs create public forums for deliberations until the people take a decision on whether or not they should be levied. Besides, the chiefs cannot go ahead and levy their people without seeking clearance from the District Assembly. Paradoxically this appears to be a clear submission of the traditional authority to the local government structure, over which the traditional leaders seem to customarily preside. That is, in the two local communities, the assemblymen and unit committee members who are functionaries of the local government structure at some point appear to work under the traditional authority of the chiefs, yet in other situations the chief must submit to the tenets of the same local government structures – a clear sign of the ill-defined and complex nature of the dualism in local communities, as observed by Ayee (2006) that “the relationship between chieftaincy and the District Assemblies and their sub-district structures is ill defined, unclear and imprecise” (2006: 61).

From the afore-discussions, it can be concluded that the chieftaincy institution and the local government structures in the two local communities, do not exist and function in isolation.

Instead, they complement and depend on each other. Political dualism therefore prevails in Apapam and Nkronso (two Akyem Abuakwa communities). This prevailing political dualism, indeed, is expressed in levying, control of natural resources, and communal labour. For instance, how levy and communal labour are managed in the two communities indicate that there are effective interrelations and interactions between the two leaderships, and that the two political institutions are not parallel to each other in their operations. As they co-exist, the two political institutions cooperate and build consensus in their operations in the local communities. Nonetheless, the relations within dualism are, to some extent, not clear and ill-defined.

CHAPTER FIVE

THE PREVAILING DUALISM AS EXPRESSED IN THE MAINTENANCE OF LAW AND ORDER IN APAPAM AND NKRONSO

5.1 INTRODUCTION

As noted in the introductory section of Chapter Four, the analyses of data of the study have been classified into two broad topics as follows:

- How the dualism is expressed in spearheading socio-economic activities in Apapam and Nkronso; and
- How the dualism is expressed in maintaining law and order in Apapam and Nkronso.

Chapter Four was devoted to the analysis of data regarding the prevailing dualism as expressed in the spearheading socio-economic activities in Apapam and Nkronso. In Chapter (Five), the data regarding how the dualism is expressed in the maintenance of law and order in Apapam and Nkronso, is discussed. Themes regarding the maintenance of law and order in Apapam and Nkronso are discussed with the view of teasing out the objectives listed in Chapter One.

In Apapam and Nkronso, the study observed that there were no police stations and modern judicial institution (court). Social control in the two communities, to some extent, depended on the traditional rule. In the two communities, therefore, law and order were maintained through the prevailing dualism of chieftaincy and local government structures. The nature of this dualism in maintaining law and order is expressed through the:

- Sanctions in the communities;
- Offences in the communities;
- Adjudications in the communities;

- Deliberations and legislations; and
- Military activities;

Each of the above-mentioned themes is analysed as a separate sub-topic with reference to the objectives in Chapter One of the study.

5.2 SANCTIONS IN THE TWO LOCAL COMMUNITIES

Sanctions in Apapam and Nkronso can be classified into two: traditional sanctions and sanctions of the law court. These sanctions, through the relevant data would be analysed with reference to how sanctions are applied to maintain law and order, the dynamics of interrelations between the two leaderships' sanctions, and assessing the strengths and weaknesses of the two leaderships' sanctions. Other objectives to be considered under this sub-heading are to ascertain the respective sources and levels of power of the two leaderships through sanctions, and to find out whether or not traditional rule (sanctions) has lost its relevance and importance after the establishment of modern (local) government in Ghana.

5.2.1 Traditional Sanctions

The traditional sanctions include ostracism, banishment and fines. There are also psychological and supernatural sanctions.

5.2.1a Ostracism (wuramu tuo)

The study noted that ostracism was one of the serious punishments in Apapam and Nkronso, and it was the customary right of the chief to exclusively pronounce this punishment on disobedient and adamant citizens. Interestingly, it is a right which even the sitting president of the Republic of Ghana cannot constitutionally exercise over Ghanaians. This is therefore

an indication of the level of authority being wielded by chiefs in the country. The offences which attract this form of punishment include showing gross disrespect towards the chiefs and consistently breaking customary laws which regulate actions of the people in the local communities. For instance, consistently failing to pay a funeral contribution, adamantly failing to turn up for communal labour (oman dwuma), or going to farm on sacred days (dabone) like “Akwasidae” and “Awukudae” may attract such punishment. Usually the chief summons his elders to decide the punishment before it is made public through the town crier (dawuruboni). Sometimes, the chief will declare it before some witnesses but may not necessarily make it public. Whenever it is announced, there is that kind of spontaneous indifference or lukewarm attitude from the people towards the ostracized person. Such a person will for ever encounter hostile attitude from the people as long as he or she chooses to live in the community.

The ostracized person is allowed to live in the community but he/she would not be officially acknowledged by the traditional leaders as a member of the community. The person cannot seek the “Asafo” (the military) and judicial services of the traditional leaders when he/she is in trouble. The person cannot contribute to any public deliberation and when he/she dies, no funeral ceremony would be organized for him or her. The issue of not having funeral ceremony for the ostracized person is a strong punishment indeed to both the person and his or her family. It is the belief of the people of Akyem Abuakwa that the spirit of a dead person who has not been given a befitting funeral ceremony, would keep remaining restless and hanging around (Abotchie, 2011: 135), while most of the time harassing and causing misfortunes in the lives of the family members. Table 5.1 indicates that the majority of the people in Apapam and Nkronso have strong belief in life after death.

TABLE 5.1: BELIEFS OF RESPONDENTS IN LIFE AFTER DEATH

Response	Electorate	
	No.	%
Yes	331	82.75
No	28	7.00
Uncertain	41	10.25
Total	400	100.00

Source: Field Data, 2013

Table 5.1 shows response of 400 people from both Apapam and Nkronso who were asked whether they believe in life after death. While a meager 28 (7.00%) of the respondents think there is nothing like life after death, a significant 41 (10.25%) of them were uncertain as to whether or not there is life after death. A massive 331 (82.75%) of the respondents said they believe there is life after death for the human spirit. These respondents include Christians, Moslems and Traditionalists. The Christians for instance believe there is a place called heaven for the human spirit, while the traditionalists believe in the existence of ancestors.

It is the people's belief in life after death that constrains them to conduct themselves in a manner that would not attract "wuramu tuo" (ostracism). For, it is almost indispensable, as customs of the people of Apapam and Nkronso demand, for families to provide befitting funeral ceremonies for their dead members so that the spirits of the dead would not remain restless.

Case Study 11

A misunderstanding ensued between Maame Akua Aboagyewaa and Madam Mary Ohene over ownership of a piece of land in 2005 at Nkronso. Mary reported the matter to the acting chief of Nkronso who invited the two parties for peaceful settlement. Akua disrespectfully told the chief that she had no case with Mary to be settled and left the meeting abruptly. The peeved chief ostracized Maame Aboagyewaa for her insolence towards the traditional leaders. When she died two

years afterwards, her family members were prevented from organizing a funeral ceremony for her. The family members had to seek the chief's pardon where the family was fined GH¢200.00 and asked to provide a sheep and drinks. Thereafter, the family members were allowed to organize the funeral ceremony of Maame Akua Aboagyewaa.

The chiefs enforce the customary laws of the local community partly through this sanction.

5.2.1b Banishment (twa no asuo)

Banishment refers to ordering somebody to leave for good, a place of residence to serve as punishment for certain offence(s) committed. It is the most punitive form of sanction a chief may pronounce on a citizen. Thus, it is the gravest form of sanction a chief could pronounce for a crime committed by a subject.

The investigator observes that the chiefs of the two local communities could banish some criminals living within their respective jurisdiction. Largely, this type of sanction is pronounced on citizens who are not natives of the local communities. The indigenes may be ostracized instead of being banished. The offences which attract such punishment could be the same that warrant ostracism. However, banishment is largely linked to the situation when a person is perceived to be indulging in criminal activities such as the practicing of human sacrifice, murder, witchcraft and black magic, and inciting the people against the chiefs and elders. Artistes such as musicians, magicians, cinema operators, etc who on a work tour, adamantly break the norms of the local community could be banished. A banished person, unlike the ostracized one, must necessarily leave the local community for good (twa no asuo).

The chief normally summons the offender and before his elders, informs him/her of the sanction. If the offender obeys and leaves, the matter ends there. However, if he is adamant, the chief will through the town crier (**dawuru bo ni**) inform the people in the

local community of the punishment, and warns them not to do “business” with him/her, not even interacting with him/her. The chief will warn the offender that nobody (including the chief and elders) would be held responsible should something evil happen to him or her in the local community. In reality, it is not practicable for the offender to continue staying in the village because any normal human being could sense the hostility and danger awaiting his/her life.

Notwithstanding, it must be noted that this form of punishment is not frequent. It happens in rare cases because offenders in the communities are usually warned or fined, and it is after they put up defiant and adamant behaviour that banishment is pronounced. It is important to note that banishment is very rare these days and chiefs pronounce such punishment indirectly, probably because of the legal implications under the Constitution of the Fourth Republic of Ghana.

Case Study 12

Opanin Kwaata, in 2003, was caught with some drinks and concoctions beside the Birim river in Apapam. He was caught red-handed performing rituals and pronouncing curses. When the chief was informed, he promptly summoned Opanyin Kwaata for interrogation. According to the chief, customary law demanded that only he (the chief) had the exclusive right to perform such rituals in the community and anybody who found it necessary to perform such rite or rituals must necessarily seek his permission. Opanin Kwaata therefore broke the customary law by failing to obtain the permission of the chief. Besides, the type of ritual that Opanin Kwaata was performing largely meant to bring a curse upon the community or certain individuals in the community. Since Opanin Kwaata did not admit that he had broken the customary law of the community, the chief reported the matter to the Okyenhene at Kyebi. Okyenhene summoned the suspect who again showed no remorse for his action. Immediately, the Okyenhene banished Opanin Kwaata by declaring that the entire Akyem State had nothing to do with him and that he (Kwaata) chose to reside on the Akyem lands at his own peril. Opanyin Kwaata eventually left Apapam for good.

What is significant is that for the chief to throw out a criminal or a perceived one from the community, is an indication of the level of authority that the traditional leadership wields. No government functionary (MP, minister, DCE, assemblyman, etc.), not even the president of the Fourth Republic of Ghana can issue command involving outright dismissal from a particular community in the country. The conclusion, then, is that the chief in the local community wields enormous power. As noted earlier from Table 4.5, when the levels of authority of the two leaderships were measured, the chiefs scored the maximum 100% $[(100\% + 100\%) \div 2]$, while the two assemblymen got 56.25% $[(45.83\% + 66.67\%) \div 2]$. The implication is that the chiefs in the local communities wield enormous authority to the extent that they appear to perform a central role with regards to the socio-political activities in the local communities, while the assemblymen and unit committee members operate peripheral role.

When government functionaries like DCEs, MPs and ministers visit the village, they necessarily pay the chief a courtesy call. While in the chief's palace these government functionaries observe all courtesies and demonstrate their reverence for the chief, including removing a sandal and bowing before the chief whenever addressing him and his council of elders. Thus, it could be inferred that in the local communities of Akyem Abuakwa, the key political figures emanate from the tradition political system while those from local government system operate as appendages to the former.

Furthermore, the ability of the chiefs in Akyem Abuakwa to banish people contrary to the 1992 Constitution provisions, create a paradox where there appear to be "independent" communities with seemingly autonomous traditional leaders distinct from leaders of the national government. In other words, there appears to be a parallel dualism prevailing in Ghana where traditional political system exists and operates side-by-side with national government!

5.2.1c Supernatural Sanctions

The people of Apapam and Nkronso largely claim to be Christians as it is indicated in Table 5.2 b. Most of the 400 respondents from Table 5.2 claimed to be Christians (62.25%) and Moslems (13.00%).

TABLE 5.2: DISTRIBUTION OF RESPONDENTS BY RELIGION

Religion	Electorate	
	No.	%
Christianity	249	62.25
Islam	52	13.00
Traditional Worship	41	10.25
Paganism and others	58	14.50
Total	400	100.00

Source: Field Data, 2013

Despite the fact that majority 62.25% of the local people are Christians, many of them paradoxically believe in the world of the dead (asamando) where all their ancestors live in very much the same way as they lived on earth. This conception of life-after-death being similar to life on earth is evident in rituals that are linked with the dead people (Busia, 1951, 23). For instance, when the people are drinking water or alcohol, some of the drinks are usually poured on the ground with the words, “nananom nsa”, meaning the ancestors should receive a drink. The ancestors are believed to be close and always watching the behaviour of those they have left behind on earth, sending them help and protection, or punishing them with misfortune if they do not act well (Busia, 1951, 24).

Victims of criminal behaviour sometimes may invoke the punishment from the ancestors, for example by pouring libation. Whenever somebody has a case against a colleague or superior such as the chief or a lineage head, he/she may invoke the intervention of the ancestors. If the superior is guilty, it is believed that the ancestors will punish him/her with

misfortunes such as strange diseases, sudden death, and having a house or farm burnt.

Indeed, beliefs in ancestors have strong impact on the entire lives of the local people.

We would notice that traditional religious beliefs dominated all aspects of human lives. In traditional Africa (including many local communities in Ghana), religious beliefs and practices provided common framework for validating people's thought and behavior (Dzorgbo, 2011, 74).

Sanctions could also take place after the offender is dead. In the local communities, the conducts of the people are regulated by the thought that their ancestors are watching them, and that one day, when they rejoin them in the world of the spirits, they (ancestors) will ask them to give accounts of their conducts, especially of their action towards their respective kinsmen. This thought is a very potent sanction for good morals among the people, including the chief (Busia, 1951, 23-24).

Case Study 13

In 2004, two family members in Apapam were found courting. The man's name was Opanin Towa while the woman, Akosua Nyamekye. The chief was informed, and promptly invited and rebuked the two lovers. Thereafter, the chief asked them to swear to the ancestors of his Stool that they absolutely and abruptly had ended the relationship. Mr. Towa and Madam Nyamekye willingly obliged and swore not to continue having affairs. Contrary however to their vow, Opanin Towa went ahead to seduce Akosua Nyamekye by continuing to have secret affairs immediately they left the presence of the chief. Mr. Towa was knocked down and killed by a vehicle just a week after he had sworn to the ancestors of the chief's stool. The people claimed his death was a punishment from the ancestors.

The violation of "oman akyiwadee" (general taboos) is believed to have attracted direct punishment from ancestors of the land. Such taboos include incest and defiantly going to farm on a 'sacred day'.

TABLE 5.3: THE PEOPLE’S BELIEF IN THE EXISTENCE OF SPIRITUAL ENTITIES

Response	Ancestors		Gods/Magic		Witchcraft	
	No.	%	No.	%	No.	%
Yes	208	52.00	188	47.00	304	76.00
No	192	48.00	212	53.00	96	24.00
Total	400	100.00	400	100.00	400	100.00

Source: Field Data, 2013

Table 5.3 shows that a majority 52% of the respondents believed in the existence and influence of ancestors, while 47% said they believed in the existence of traditional gods. The popular gods were ‘Tigari’ and ‘Kwaku Firi’. People who fall victims to criminal activities might call upon the names of these gods to punish the culprits. It was not surprising to find victims who could not identify a culprit of a crime (stealing of farm produce for example) invoking the supernatural (gods and ancestor) punishment.

In most cases the victim of the criminal act through the town crier (dawuruboni), will announce to the people of his/her intention to invoke the punishment of god(s) “Duabo”, especially if the culprit would not give himself/herself up. There are few cases where people with orange, avocado, coconut, etc. farms would fix images and talismans at vantage areas of the farm to inform passers-by of the presence of the gods in the farm, and the possible punishment from these gods if some of the farm produce were stolen. Nonetheless, there are few committed Christians who through their belief would want “God” to punish the culprit. To these people, going to court is a sign of litigation which to them is against teachings of the Bible.

On the whole, many of the people in the two local communities acknowledge the presence and probably the influence of ancestors and gods on their lives. Their beliefs in the supernatural provide avenues for maintaining social control in the local communities. It is also important to note that such belief in the supernatural tends to enhance the chief's unique position, since his (chief) position is linked to the ancestors, making him the one of the most revered and accepted leaders in the local communities. The legitimacy of the chief's rule, thus, is partly derived from such ancestral belief of the people. Back to Diagram 4.1 in Chapter Four, majority of the respondents respectively said they like the chief in their local community, an indication that the political rule of these traditional leaders, to the people, is legitimate.

In all, the people of Nkronso and Apapam perceive the Supreme God, the lesser gods and the ancestors as entities who have influence on the living. Specifically, in the area of social control, these spiritual entities are seen as sanction agents who could be relied upon to punish bad behaviours and reward good ones. This form of social control is more linked to the chieftaincy institution rather than the local government structure in Apapam and Nkronso. The chiefs and the elders in the two communities serve as the link between the living and the dead. They are considered much closer to the ancestors who can invoke the latter's blessing towards the lives of the people. Their positions as the link between the living and the dead present them as legitimate leaders in the communities. Thus, the legitimacy of the rule of the chiefs and elders in Apapam and Nkronso is partly derived from their close link to the ancestors.

5.2.1d Fines: (Economic Sanctions)

In Apapam and Nkronso, persons found breaking the law could be fined. The offences attracting fines include cursing, attempted rape, incest, defaulting communal labour and funeral contributions (dues). Cases such as cursing, attempted rape and incest will attract

sanctions such as fowl or sheep to pacify the gods, money to compensate the victim and drinks for the panel members who sat on the case. If it is about death threat towards a family member, the offender would be asked to verbally rescind and apologize.

Where a person cannot pay physical cash for a fine, his or her family land or farm (cocoa or oil palm farm), could be mortgaged for a given period of time (wode ne kookofuo si awowa). Usually the fine charged by the traditional court is relatively lower than what would have been charged at the national court. That is, the traditional system acknowledges and takes into consideration the regulations of the national courts when an offender is fined. This would encourage the guilty to accept the verdict and honour the fines of the traditional court so that the matter may not end up at the modern courts, where he or she may likely pay a higher fine. This is an indication of consensus and harmony prevailing between the dual political systems in the local communities.

5.2.1e Psychological Sanctions

These include a number of sanctions ranging from casting insinuations and name calling, through public rebuke, ridicule, shame, sarcasm and insult, to perceived punishment of the ancestors and the gods. Usually, the victim is joined by the people to issue out insults, insinuations, etc. on the suspect or offender.

Crimes such as minor theft cases, extramarital affairs, and attempted rape attract this form of punishment. Sometimes, minor stealing cases may attract a situation where the offender is paraded through the town as he or she is hooted at. The offender may be beaten (slapped) while being paraded through the town. He or she may be asked to carry the stolen goods while walking through the street of the town. By the Constitution of the Republic of Ghana, it appears the people may be acting in contravention of the laws of the country by

infringing on the human rights of the suspected thief. Nevertheless, these forms of sanction have persisted over the years in the two local communities as acceptable way of punishing offenders. Thus, there seems to be the element of conflict between the dualism where aspects of the traditional mode of punishments do not conform to the constitutional provisions of the Fourth Republic of Ghana.

5.2.2 Modern State Sanctions at the Local Level

Apart from traditional sanctions, there are also sanctions linked to the modern state government. The national government structures responsible for this form of sanction are the police, the modern courts and prison service. The sanctions include fine, imprisonment and capital punishment.

5.2.2a Capital Punishment

There are offences which the chiefs in Apapam and Nkronso consider to be outside their jurisdiction. They include criminal offences such as rape outside marriage, murder and robbery, which attract capital punishment and prison sentence.

Capital punishment is meted out against those found guilty of offences such as murder and treason. Unlike pre-colonial and colonial eras, capital punishments are no longer carried out by the traditional leaders today. Instead, the people report to the police or use the courts of the state to deal with cases which may attract capital punishment. Thus, the traditional leaders, in the course of carrying out their judicial functions, acknowledge and observe the laws of the country.

Sometimes, the assemblymen (relatively educated) in the local community, particularly the one in Nkronso, would be informed of the case who in turn lodges a complaint with the police. This may be due to the absence of a substantive chief in Nkronso. Thus, there seems

to be collaboration and cooperation between the traditional and local government structures in the local communities. Even in Nkronso, the chief and elders are sometimes ignored while a suspect, particularly in a murder case, is promptly reported to the police. The chiefs with their elders may not necessarily take offence in such behaviour.

Besides, the chief and elders usually cooperate with the police when the latter is conducting investigations in the matter; implying that there is limitation to the authority of the indigenous leaders. They acknowledge that there is superior authority (the central government) under which they function. There is therefore a paradox of the position of the chief in the community. At some point, he seems to wield absolute power (see Table 4.11), while at the same time he rules under a Republic (of Ghana), hence, submits to the national government whenever it is necessary.

5.2.2b Prison Sentence

The traditional courts never give prison sentences. Consequently criminal cases are referred to the police or national court at Kyebi. Offences such as murder, suicide, robbery and rape outside marriages are referred to the police for investigation and eventual prosecution of the culprits.

Case Study 14

On 29th March, 2008, two young men from Apapam were engaged in a brawl. One of the two young men used a stone to hit the other's head, killing him instantly. The family of the deceased immediately reported the case to the police at Kyebi without first seeing the chief. When the chief was interviewed, he said the action of reporting the murder case to the police without first notifying the traditional elders is in the right direction because chiefs are not to meddle in such criminal cases. However, the police began their investigation in the murder case by contacting the chief first.

The implication is that situations beyond the capabilities of the traditional social control system are always complemented by the state social control system. There is therefore some level of complementary relation within the prevailing dualism in the two communities. Each of the two political systems acknowledges and depends on the other when necessary. Thus, even though the people of Akyem Abuakwa acknowledge that they constitute a “state”, they are also aware that the “state” exists within a Republic (of Ghana), hence, the people observe the laws of the latter.

5.3 OFFENCES IN THE TWO COMMUNITIES

From the observation of the study, the usual offences committed in Apapam and Nkronso can be divided into three categories as “Omansem”, “Efisem” and “Abansem”.

1. **Omansem** are cases which fall within the jurisdiction of the chief and the traditional stool;
2. **Efisem** are cases which may be handled by household or family members; and
3. **Abansem** are cases handled by the national government which are beyond the jurisdiction of the traditional authorities.

It is important to note that the central focus of data analyses regarding the above-mentioned offences would be in-line with the objectives of the study. These objectives are to explain the types of offences in the local communities, and to find out the nature and dynamics of relations which exists between the offences of the traditional leaderships and government functionaries in the local communities.

5.3.1 Omansem

In Apapam and Nkronso, the following Offences fall within the jurisdiction of the chiefs and the traditional stool:

- i. Problems from Pawning (awowasie);
- ii. Problems from Loans (besea);
- iii. Problems from Surety-ship (ekagyinamu);
- iv. Debt recovery (ekadan);
- v. Loss in business (ekabo);
- vi. Marital rape (awaremu monato);
- vii. Divorce and other marriage cases (awaresem);
- viii. Incest (mogyadie);
- ix. Insulting, slander and ridiculing (epito, fewodie);
- x. Suicide threats (akonfohye);
- xi. Brawls (ntokwa) and disagreements between family members;
- xii. Arrogance (ahomaso);
- xiii. Land disputes (asaase so akasakasa);
- xiv. Cursing (duabo);
- xv. Threats (ahunahuna);
- xvi. Minor theft cases (kronobo);
- xvii. Cases regarding ownership or sharing of properties;
- xviii. Defaulting funeral and development contributions (ayie nsawa mmrato);
- xix. Defaulting communal labour (oman agyuma mmrato);
- xx. Going to farm on a sacred day (dabone);
- xxi. Insulting the chief or an elder of the stool;
- xxii. Chieftaincy disputes (ahensem ntokwa);
- xxiii. Violation of taboos (akyiwadie); and
- xxiv. Treason (epow) against the traditional authorities.

5.3.2 Efisem

Efisem are cases which may be handled between and by family members. Attempt could be made to settle all the aforementioned offences at family level except the last seven offences which include:

- i. Defaulting funeral and development contributions;
- ii. Defaulting communal labour;
- iii. Going to farm on a sacred day (dabone);
- iv. Chieftaincy disputes;
- v. Insulting or disrespect toward the chief or an elder of the stool;
- vi. Violation of certain taboos (akyiwadie); and
- vii. Treason (epow) against the traditional authorities.

Conceptually, the people consider these listed seven cases as public offences (omansem) which must only be handled by the “stool” of the land.

5.3.3 Abansem

Abansem are cases which are beyond the jurisdiction of the traditional authorities. They include crimes such as:

- i. Rape outside marriage (monato);
- ii. Murder (awudie);
- iii. Suicide (akomfo / di wo ho awu);
- iv. Sale and use of Indian hemp and other unlawful drugs (ndubone);
- v. Robbery and Stealing (kronobo);
- vi. Arson and vandalism (atutrasem); and
- vii. Treason (epow) against the central government.

Conceptually, the people broadly describe these seven listed offences as ‘national’ crimes (abansem). Some inferences could be made from the above classification of cases in the two

communities. First, it is noted that the social control system of the traditional political administration does not include prison service. Cases which warrant imprisonment (abankukumu) are referred to the police and national court. The implication is that the two political systems (tradition and modernity) accommodate and complement each other, thereby ensuring consensus and harmony within the dualism prevailing in the two communities.

The preceding classification of cases also indicates that in the two communities, there are customary laws which are to some extent separate from the national laws. The traditional leaders handle 'efisem' and 'omansem' using the customary laws of Akyem Abuakwa, which in some situations may be different from the national laws. The implication is that the chiefs and their respective subjects appear to create an independent state within the Republic of Ghana, having their own customary laws and procedures for arbitration. There is therefore a paradox of an independent state (Akyem Abuakwa State) existing within a national one (The Fourth Republic of Ghana).

There is also a puzzle concerning the position of the chiefs in the two villages. It appears their links with the ancestors and ownership of all the lands in the communities grant them enormous power over the people (see Table 4.8). At the same time the chiefs are expected to submit to the national social control system (police and court) whenever it is necessary. The puzzle is that the chiefs at some point must submit to "abansem" which involves government functionaries such as the police and judges who at the same time may be subjects of these traditional leaders of Akyem Abuakwa.

5.4 ARBITRATIONS AND ADJUDICATIONS

In both Apapam and Nkronso, the study found that adjudications were of two main types. There were the chief's court and Lineage or family arbitrations, all of which essentially

involve civil cases. In the course of discussing adjudications in the local communities, the appropriate data was analysed alongside some of the objectives of the study in Chapter One. These objectives include how law and order are maintained, the dynamics of interactions between the modern and traditional leaderships as they function alongside each other, and assessing the strengths and weaknesses of the two leaderships as they co-exist and function in maintaining law and order in the same communities. Other objectives are to ascertain the respective sources and levels of power of the two leaderships, and to find out whether or not traditional rule has lost its relevance and importance after the establishment of modern (local) government in Ghana.

5.4.1 Lineage or Family Level Arbitration (Efisem)

Among the people of Apapam and Nkronso, cases involving relatives, friends and loved ones are usually settled by the family heads. They include ‘trivial’ cases such as insolence towards an elderly person, family land disputes, blackmails, verbal and physical assaults, minor thefts, issues of inheritance, death threats and marriage issues. When a person is offended, the victim or her/his family has several courses open to him. The offended person could submit the matter for arbitration by a patriarch (any respected member) in the community, especially if the offender is a friend or relative, and the offence not a grave one. He could also submit his complaint to the elder of his family or lineage. The latter then informs the head of the offender’s family or lineage members.

The procedures in adjudicating cases at the lineage level are based on customary practices. The elders of lineage(s) meet to settle the matter. In order to avoid partiality, they may decide to invite other elders to constitute a panel for the arbitration (Abotchie, 2011: 153). No person is invited in the capacity as an assemblyman, town council or unit committee member. The membership, thus, is absolutely traditional.

The lineage head will fix a date and venue for the hearing, and informs all the nuclear family heads and anyone who matters in the case. During the meeting, it is the lineage head, the chairperson of the occasion who speaks first, welcoming and informing the meeting of its agenda. It is the plaintiff who would first give his version of the case before the defendant is asked to do the same. Thereafter, they are questioned and depending on their respective responses, a verdict would be given. Witness(es) (odansini / adansefo) could be invited to give accounts of what they know about the case.

The panel members are allowed to comment on the case before the lineage head chairing the meeting sums up what all the panel members had said, and eventually give the verdict. Sometimes, the panel members would have to hold a brief discussion (Agyinako) outside the traditional court room, in order to arrive at a consensual verdict on the matter. After the verdict, the elders decide on how the injured person should be compensated.

The guilty is immediately asked to apologize. When he/she does so, it implies he/she had accepted the verdict. It is not the norm for the guilty to defiantly refuse to apologize. After the apology, economic sanctions are administered, depending on the gravity of the case. The guilty may be asked to offer a sheep, drinks and an amount of money. The injured accepts the compensation and the apology tendered through the elders, and then thanks the panel members. He could as well waive his claim to an equivalent sanction (i.e. damages or compensation) and accept pacification instead. The elders involved in the arbitration accept a gift in the form of money or drinks (*aseda*) for settling the dispute.

In fact, depending on the integrity and ingenuity of the respective heads, a family member may choose the family or lineage head for arbitration of a case. In the local communities, it is the norm for lineage head to be superior and well respected. The respect in which the

elders are held secure obedience to their judgments. Thus, although their decision may not be legally enforced, they are generally accepted. The elders and patriarchs of the community are frequently engaged in this way, settling differences, determining the sanctions to be paid, and reconciling estranged persons or groups so as to ensure order and amicable relations in the communities.

Although it is usually the offended (plaintiff) who would lodge a complaint to the family head, an offender may also report the issue to a lineage or family head for peaceful settlement. This is known as “dwantoa”, which means seeking for clemency through the family head. An offender who is aware of his guilt may take the initiative and approach an elder or a patriarch to inform him of his or her wrong doing, and ask him to intercede with the injured party on his behalf (Koma no dibem mame); go and give him the right or justice of his cause. In this case, the elder’s responsibility was to see that the apology was accepted, and the two parties brought together.

Sometimes, family members of an offender would promptly go to the family of the victim to apologize. The family of the offended will respond and may accept the apology with compensations, if necessary. The family members send the offender home to be counseled to put a stop to that disgraceful behavior. Furthermore, a concerned lineage member who is not involved in the case can inform the family head and call for peaceful settlement. The elder then invites the two parties for settlement of the case.

On the other hand, there are rare cases where one of the two parties may not be satisfied with the verdict at the family level of arbitration. In such situation, the dissatisfied person may seek redress at the chief’s court or the modern court. However, for a family or lineage head to decide to settle any case, the two parties, the plaintiff and the defendant, must agree

and accept this kind of settlement. Otherwise, the head may advise that the case should be settled by the chief and his council of elders or at a modern court.

Therefore the social control mechanism in the two local communities appears to be hierarchically structured. A person dissatisfied with a verdict of a case adjudicated at the lineage level can appeal at the chief's court or Okyenhene's court at Kyebi; or appeal at the national court.

Case Study 17

In the year 2002 at Nkronso, two nuclear families from the same extended family were in a dispute over a piece of family land. The attempt of the elders of the extended family to settle the case proved futile. Eventually, the elders of the two nuclear families, Maame Yaayaa and Papa Kofi engaged in a brawl (fighting) in the bush over that disputed land. Papa Kofi ended up assaulting Maame Yaayaa. The victim returned home to complain to the chief and elders of the village. The two parties were invited by the chief and elders for adjudication of the case. The verdict went in favour of Maame Yaayaa. Papa Kofi, the guilty in the case was asked not to farm on that piece of land again. Because Papa Kofi was dissatisfied with the verdict, he filed a law suit against Maame Yaayaa at the circuit court at Kyebi. The court invited not only Maame Yaayaa but the chiefs and elders to give their side of the case. In the end, the same judgment which was given by the chief and elders of Nkronso but which was rejected by Papa Kofi was pronounced by the court. The court told Papa Kofi not to step on the disputed land again. He had no other option but to obey the court orders.

The afore-narrated case study illustrates the hierarchical structure of the social control mechanism prevailing in the communities. Cases are handled at the family / lineage level, then at the town level, at the traditional state level and finally at the national court. The informal arrangement of the hierarchy is as follows:

- The national court;

- Okyenhene's court;
- The traditional village court; and
- The family / lineage court.

Nonetheless, a complainant is not strictly bound to observe the hierarchical structure. The Okyenhene's court may be ignored when a dissatisfied party of a case handled at the traditional court decided to appeal at the national court. In fact, the whole traditional court system may be ignored while a complainant used the national court for redress.

It is also important to note that cases could be sent down the hierarchy from the top. For instance, the national court sometimes refers cases to be settled at the traditional court. Such cases may usually involve land issues. The chief's court can also ask that cases such as inheritance and marriage issues be settled at the lineage or family level (efisem). The conclusion then is that there is some degree of linkage between the traditional and national (modern) systems of social control. Therefore, the dualism prevailing in the villages is not absolutely parallel.

Finally, it is not the norm for a chief or okyenhene to handle a case which a dissatisfied party sought appeal at the modern court. For this would mean disrespect to the traditional leaders and even the ancestors. The traditional leaders would inevitably be hostile to anybody who shows such "disrespect". Thus, there are some elements of conflict of norms within the dualism. The Fourth Republic grants the citizens the right of appeal but the traditional social control system frowns upon such right. Therefore the political dualism prevailing in the local communities of Akyem Abuakwa could be said that some aspects of it is shrouded with conflicting norms.

5.4.2 The Town Level Adjudication (Omansem)

The chiefs in Apapm and Nkronso have specific days, which are reserved for adjudications and deliberations. Tuesdays and Thursdays are the periods set aside by the traditional leaders of Apapam to adjudicate cases and deliberate on matters of concern to the citizens of the community. The traditional leaders in Nkronso use Sundays for the same purpose.

The plaintiff first lodges his / her complaint before the chief's linguist who then schedules an appointment with the chief. On the appointed day, the plaintiff will narrate the case to the chief. The chief's secretary will write the main issues of the case and then prepare what is called a summons note to serve the defendant. Usually, it is the linguist (okyeame) who will serve the defendant with the note. He does so with a linguist staff (Akyeame Poma), representing the authority of the chief. The defendant is mandated to show up on the appointed day for the hearing of the case, when he/she is served with the summons.

The chiefs do not keep prisoners and do not also have officially recognised traditional police force. Therefore, if the defendant defiantly fails to turn up for hearing on the appointed day, the chief usually refer the matter to the police at Kyebi. The police will promptly arrest the defendant and prosecute him/her in court for his/her disrespect towards the chief and elders. The court will fine the offender and then refer him/her to the chief and elders. This time, if he fails to present himself before the chief and elders, the court can sentence him to imprisonment.

Case Study 18

A man sold a piece of land to one Maame Afia Frema in Apapam. After the death of the man, his son, Kwasi Allotey kept threatening Maame Afia not to farm on the land. The woman lodged a complaint before the chief and elders of the village. When the chief summoned the young man, he defiantly never turned up. The chief

reported Kwasi's misconduct to the police and he was quickly apprehended and kept in cell for 2 days. The court placed Kwasi on bail and then referred him to the chief and elders. When he did, the traditional leaders fined him for disrespect towards the traditional authority. Thereafter, the case was adjudicated and Kwasi was found guilty by the traditional court. He was again fined and warned against any threat on the complainant. He complied.

Case Study 18 offers a typical example of how each of the two political systems acknowledges and accords the other the necessary respect it deserves. It can be inferred therefore that there are some degrees of consensus and harmony between the traditional political system and the national government structures, at the local level.

5.4.3 How a Case is Adjudicated under the Traditional Courts

When the two parties in a case are willing to use the traditional court, they would be asked to pay a fee, implying they are ready for the hearing of the case. Cases are usually heard at the chief's palace. The panel of elders is usually between seven (7) and fifteen (15). The elders, the two parties involved in the case and the people must be present before the chief finally takes his seat. It is the norm that the assemblyman is invited and given a seat among the traditional elders. The chief first welcomes those present and then informs them of the purpose of the meeting. The chief always speaks through his okyeame (linguist) and everybody addresses him through the same okyeame. After the chief's address, the parties involved in the case are introduced and invited to give their respective sides of the case. This is called "nkrobo".

The complainant or plaintiff first narrates the case. Afterwards, the defendant is given the opportunity to interrogate the complainant. The elders constituting the panel also ask the plaintiff questions. Under the customary law, lawyers are not allowed to defend any of the parties involved in the case. The witness(es) of the plaintiff is/are invited to give account on what they know about the case. The defendant, thereafter, will ask the witness(es)

questions. The chief and elders (panel) will also interrogate the witness(es). This ends the interrogations of the complainant.

The defendant will then be invited to give his/her side of the case. Afterwards, the complainant will be given the opportunity to ask him questions. The panel of elders will interrogate the defendant. The witness(es) of the defendant will be invited to give their account of the case. Thereafter, the complainant will ask the witness(es) questions. The elders will also interrogate witness(es). Then the panel of elders, together with the chief will temporally leave the meeting to have a brief discussion in order to decide on the case (agyinatu / mpaninfo Kobisa Abrewa). During the meeting, each elder will offer a suggestion till they all come into what they consider to be appropriate verdict of the case. Where they are divided on the verdict the matter would be left for the chief to decide finally. Note that the assemblyman, by tradition, plays no key role except contributing in the discussions just like the other traditional elders.

After the brief meeting, the panel will return to sitting, and the chief will then speak through his okyeame to give the verdict (fobu). The chief begins his pronouncement of his judgment with the following statement: “aberewa se wanfa asempa bi ama ha ena empanifo nso anfa aso pa antie ena abaase womaa abaaso debo no nipa no a wone no di asem no na wokum no a anka wabu no aboa.”

All the elders will respond, “Hmmmmmm”. The meaning of the statement of the chief is that one of the two has been found guilty by the elders and that the panel members are not happy with his/her misconduct. The guilty is then told why he/she is at fault and an eventual fine is imposed. In addition to the fine, the guilty may be asked to provide goats, eggs, fowls, etc. particularly when the case involves insults.

After the verdict, there will be another brief meeting of the panel (agyina). This time, the chief by custom will not join them in the brief meeting. The elders decide on the appropriate punishment for the guilty and return to tell the chief (Nana) in camera of their proposed penalty. When the chief is satisfied with the penalty, he would then pronounce it before the gathering. Thereafter, the one who won the case would verbally thank the panel members (Nananom). Responding to the thanksgiving, the “nananom” will ask him/her to give thanks with money, usually quoting the amount for the thanksgiving.

Meanwhile, the guilty may ask for reduction (wasre) of the sanction. In fact, by custom, it is necessary that the guilty asks for a reduction. Failure to do so is a sign of disrespect and the elders can even query the guilty for his/her failure to ask for leniency. Nevertheless, when the person as expected, asks for a reduction of the sanction, the elders may reduce the amount by half. It implies that the elders, when giving the verdict of the case may ‘inflate’ the fines or punishments, purposely for reduction. When the chief and his elders accept the plea for reduction, a fresh sanction is declared.

Thereafter, the chief’s secretary sums up the expenses incurred on the hearing of the case. The guilty is then asked to pay the fine and the expenses incurred for the hearing of the case, including the thanksgiving money. The expenses include the following:

- i. “Nsaman sika”, Summon fees;
- ii. “Eponsidie”, Hearing fees;
- iii. “Aseda”, Fees for the chief’s service; and
- iv “Shirebodie”, Fees for powder on the one who won the case.

The respect in which the elders are held secured obedience to their judgments. As noted earlier in Chapter Four, the chief is considered to rule on behalf of the ancestors and that he acts on behalf of these ancestors. As such his verdict is usually accepted even if it is

unpalatable to the parties in the case. Table 5.4 tells it all with regards to the people's respect for their traditional leaders.

TABLE 5.4: PERSONAL RESPECT FOR LEADERS

Frequency	Okyenhene		Local Chief	
	No.	%	No.	%
Yes	359	89.75	323	80.75
No	25	6.25	50	12.50
Uncertain	16	4.00	27	6.75
Total	400	100.00	400	100.00

Source: Field Data, 2013

The Table 5.4 shows that a whopping 359 (89.75%) of the 400 respondents interviewed said they have respect for the Okyenhene, while a huge 323 (80.75%) of the same respondents indicated that they respect their chief in the local community. In other words, between 8 and 9 for every 10 people in the local community have respect for their traditional leaders. The reason why some of the respondents said that they do not respect the Okyenhene and the local chief is that most of them perceive these traditional leaders to be with the opposing factions in the long chieftaincy disputes that are prevailing in both Apapam and Nkronso. In all, the respect, which the people have for the traditional elders, secures their obedience to the leaders' judgment: implying that although the decisions of the chiefs may not be legally enforced, they are generally accepted.

The elders of the local communities are frequently engaged in this way, settling differences, determining the sanctions to be paid, and reconciling estranged persons or groups so as to ensure order and amicable relations in the communities. It is also important to note that the respect the people have for their chief as shown in Table 5.4 indicates that

the legitimacy of the traditional leaders in the local community is unquestionable, which implies that his rule is well acceptable to their subjects.

Meanwhile, back to the adjudication of cases, when the person who is found guilty under the traditional court fails to pay the fine within two weeks, the victim may go for a letter from the chief, in order to claim the money at the national court. In such situation, the case would not be heard at the modern courts again. Instead, the modern courts will collect the money for the complainant. Thus, there is a linkage between the traditional political system and the national government structure. The traditional court relies on the modern courts to ensure compliance with its verdicts, implying that the dualism is not entirely parallel as peddled by some scholars like Kwabia (1988).

When not satisfied with the verdict, the guilty can appeal. Nonetheless, the norm is that dissatisfied party usually uses the modern courts. In such a case, the person is blacklisted by the chief and elders because such behaviour expresses disrespect towards their office as leaders in the local community. In fact, it is also a sign of disrespect for the ancestors of the land since it is believed that the chief rules on behalf of the ancestors. His (the chief) decisions and actions therefore are considered divine-instructed.

The conflict here is that the person may not be seen as exercising his right for an appeal of the case as enshrined in the Fourth Republic Constitution of Ghana. Rather, the traditional leaders as well as the entire people see it as a crime. The offender may even be described as being litigant and arrogant who has no respect for the traditional authority and the ancestors. The implication is that aspects of the prevailing dualism in the local community are to some extent shrouded with conflicting norms and beliefs.

Meanwhile, if the elders are seen not to be fair then the wronged person can appeal to the next authority. In such situation, any of the two parties in the case could make reference to the proceedings which took place at the traditional court, and the modern court usually take into consideration the verdict of the traditional leaders. Thus, the two different systems of social control tend to acknowledge and accommodate each other in their operations. It can therefore be inferred that there is some level of consensus and harmony within the dualism prevailing in the local communities.

Case Study 19

In 2005, Abenaa Kwakoa who was then residing in Apapam went to the chief and complained that one Ama Tonam had insulted her of being a witch. After the chief had gone through the case, Abenaa, the complainant was found guilty. Being dissatisfied with the verdict of the chief, she proceeded to file a suit at the magistrate court against Ama. Again, the magistrate court ruled in favour of Ama. The chief was very furious of Abenaa's behavior. According to him, it was a sign of disrespect on the part of Abenaa to have gone ahead to file a law suit against Ama, when the case had been heard and a fair verdict given by the traditional court.

Nevertheless, there are instances where persons will ignore the chiefs and elders, and promptly report cases to the police or use the national court. There are also specific cases identified to be outside the jurisdiction of the traditional court, which are solely referred to the police or trialed at the national court. These are criminal cases such as murder, suicide, rape and possession of illegal drugs.

When a defendant at a magistrate court knows he would be unable to defend his or her behaviour, he may quickly seek the intervention of the chief and the traditional elders. This action of the offender is traditionally known as “dwantoa”, which means seeking refuge. Before the magistrate court will agree to such “dwantoa”, the chief and elders would invite

the offended in the palace to impress upon him/her for peaceful settlement. When the offended agrees, it may be pleaded at the magistrate court to suspend the hearing of the case while the two parties involved find amicable settlement outside the magistrate court. When the magistrate court grants the plea, the chief together with his elders may adjudicate the case. An appropriate sanction which will satisfy the offended would be meted out against the offender. Thereafter, the complainant (offended) may request the magistrate court to strike out the case. On the other hand, when the out-of-court settlement fails, the case could be activated at the magistrate court for hearings. In all, there is some degree of informal cooperation and consensus between the indigenous social control system and that of the national one.

It worth noting that a case could be tried at the magistrate (modern) court when:

- Either or all the two parties (victim and offender) insist(s) of using the national court to settle the issue;
- Either or all the two parties had shown gross disrespect towards the chief and elders, and that the traditional leaders are refusing to hear the case;
- Either or all the two parties is/are dissatisfied with the verdict given on the case by the traditional leaders. This is not the norm because it is a sign of disrespect for the chief and elders; and
- The chief and elders consider the offence as a criminal case which should be treated as a national issue (abanse), hence must be dealt with by the police and the national court.

For the traditional leaders to decide to settle any case brought before them, the two parties, the plaintiff and the defendant must agree and accept this form of settlement; otherwise the chief may advise that the case be settled at the magistrate court.

What is worthy of note is that the people in Apapam and Nkronso prefer using the traditional courts to the modern courts. Table 5.5 shows responses from questionnaires administered on the people in Apapam and Nkronso when they were asked to indicate their preferences toward the traditional and modern courts.

TABLE 5.5: THE PEOPLE'S PREFERENCE FOR A SOCIAL CONTROL SYSTEM

Response	No.	%
Traditional courts	261	65.25
Modern courts	102	25.5
Uncertain	37	9.25
Total	400	100.00

Source: Field Data, 2013

From Table 5.5, a majority 261 (65.25%) of the respondents prefers traditional court to modern court. Only a minority 102 (25.50%) said they prefer the national court to the traditional court. A paltry 37 (9.25%) of the respondents said they do not have any preference. In other words, most of the people in the local communities turn to the traditional leaders instead of government bureaucrats for justice. According to the respondents interviewed, their reasons for the choice of traditional court are that:

1. Customary laws and the procedures at the traditional court are relatively simple and better understood than those of the modern or established courts;
2. It is relatively faster and cheaper to employ the judicial services of the traditional leaders than using the modern court where a case may take several years and a lawyer must necessarily be employed;
3. Unlike the modern courts, Twi, the native language of the people of Akyem Abuakwa is solely and throughout used by the traditional court; and
4. Unlike the modern courts, sanctions of the traditional courts, usually fines and other compensations are considered to be relatively reasonable and affordable.

The above reasons reflect the socio-cultural background of the people who are mostly poor and illiterates or semi-literates, as it was observed earlier from Tables 4.4 and 4.5 respectively in Chapter Four.

Table 5.6 attests to the fact that most of the people in Apapam and Nkronso were unable to communicate well in the English language. A significant figure of 91.50% of the respondents from Table 5.6 either admitted or were found to be unable to communicate well in the English language, while an insignificant 8.50% of them fell in the same category. Thus, unlike the traditional courts, the modern courts proceedings hardly reflect the socio-cultural matrix of the two local communities, hence the people's preference for the former.

TABLE 5.6: THE PEOPLE'S ABILITY TO COMMUNICATE IN ENGLISH

Respond	No.	%
Ability to communicate well	34	8.50
Unable to communicate well	366	91.50
Total	400	100.00

Source: Field Data, 2013

The response from Table 5.7 below confirms that the people were more conversant with the traditional rule than the local government structures. Thus, Table 5.7 represents response of 400 respondents who were asked to state the names of the Okyenhene, their respective chiefs, town council chairpersons, assemblymen and DCE. A majority 97.00% of the respondents could mention the name of the Okyenhene, and the number increases to 99.00% of those who could mention the name of their chief. This may indicate that the people were relatively conversant with the traditional political system within their community.

TABLE 5.7: ELECTORATE KNOWLEDGE OF THE NAMES OF SOME TRADITIONAL AND NATIONAL POLITICAL LEADERS.

RESPONSE	Okyenene		Local Chief		Town Council Chairperson		Assembly-man		DCE		MP	
	NO	%	NO	%	NO	%	NO	%	NO	%	NO	%
Able to Mention	388	97.00	397	99.25	175	43.75	241	60.25	91	22.75	87	21.75
Unable to Mention	12	3.00	3	0.75	225	56.25	159	39.75	309	77.25	313	78.25
Total	400	100.00	400	100.00	400	100.00	400	100.00	400	100.00	400	100.00

Source: Field Data, 2013

Table 5.7 also shows that a significant 43.75% of the respondents were able to mention the name of their town council chairperson (TCC), while 60.25% got the name of their respective assemblyman right. More people were able to mention the name of the assemblyman because unlike the town council chairperson, the former campaigned for votes before they were elected. Hence, it is relatively easier for the people to know the name of the assemblyman than that of the town council chairperson.

Both the assemblyman and TCC live together in the same community with the traditional leaders, yet while 99.25% could mention the name of the chief in their local community, only a modest 43.75% could mention the name of the TCC; implying that the people are more conversant with the traditional rule than the local government structure. Meanwhile, a further look at Table 5.7 indicates that the majority 309 (77.25%) and 313 (78.25%) of the respondents could not respectively mention the names of the DCE and MP, buttressing the people's lack of knowledge of the national government structures.

To sum up, it can be concluded that most of the citizens in Apapam and Nkronso do not know the names of government functionaries who are directly responsible for their well

being, and this implies that they may not have adequate knowledge of the local government structure. The traditional political system is better understood by the people than the local government structures. The implication then is that at the grassroots level politics, the traditional political system is more amenable to the people than the national government. Chieftaincy in the local communities is more understood, appealing and convenient to the people than the national government structures. It is imbedded in the social fabric of the people. Chieftaincy thus, relatively reflects the social and cultural matrix of the local communities in Ghana than the national government structures.

5.5 DELIBERATIONS AND LEGISLATIONS

In the course of discussing deliberations and legislations in the two local communities, the relevant data have been analysed in relation to some of the objectives of the study. Such objectives included how law and order are maintained, the dynamics of interactions between the modern and traditional leaderships as they function alongside each other, to ascertain the respective sources and levels of power of the two leaderships, assess their respective strengths and weaknesses in maintaining law and order, and to find out whether or not traditional rule has lost its relevance after modern (local) government was established in Ghana.

The study finds that it is the practice of the people in the two local communities to meet regularly to discuss and when necessary legislate on matters affecting the lives of the people. It is the chief, who in consultation with his elders convenes such meetings to:

- Find solution to social problems of the people;
- Explain government policies to the people; and
- Discuss and make input into government policies.

There are traditional methods which are employed by the chiefs in Apapam and Nkronso to communicate with the people. Apart from the talking drums which send coded messages across the two communities, modern forms of communication such as loud speakers are also used. When the chiefs wish to meet the people for deliberations, the court-crier, will usually use loud speakers to invite all and sundry to the meeting, giving details of the time and venue (each of the two communities has a very large open space for such meetings).

When the chief, 'Nana' has taken his seat at an assembly with his elders, the okyeame (the linguist) announces his presence and invites the members of the council of elders to come forward to shake hands. It is the custom that anybody greeting the chief must necessarily lay bare his shoulders, if wearing a cloth. According to Dankwa III (2004, 45), this gesture is more of a security measure than respect. For security reasons, any person approaching a chief to whisper or greet him should give a clear indication that he is not armed. If the person greeting the chief is wearing sandals, it is a sign of respect that he removes his right foot from the sandals before greeting the chief. If the person is not shaking hands with the chief, customary practice demands that the person bows respectfully to the chief. These are indications that as far as the meeting is concerned, the chief remained the most important personality whose influence on decision-making at the meeting comes second to none.

The positions of unit committee chairpersons (UCCs) and the assemblymen in the two communities are recognized during meetings to deliberate on matters which are of concern to the local communities concerned. After all, the elections to their respective offices are no different from the "Nkosuohene" (development chief) who in consultation with the council of elders, is appointed by the chiefs. In fact, the assemblyman of Nkronso testified that he was often given invitation to attend meetings held by the acting chief and to act as the

secretary to the traditional leaders in the local community. It can therefore be inferred that the two political systems accommodate each other. There is therefore some degree of harmony and consensus between the two political systems; hence the nature of the dualism prevailing in the communities is not completely parallel.

However, unlike Nkronso, the assemblyman in Apapam has problems with the substantive chief. Consequently, the chief never informs him of his meetings even though he is allowed to join any meeting held by the traditional leaders. The poor relation between the chief and assemblyman stems from a long standing chieftaincy dispute in Apapam. It was in fact noted that the people in both Nkronso and Apapam are experiencing serious chieftaincy disputes. The disputes in the two communities are briefly narrated below.

Case Study 15

In Nkronso, the people have been without a substantive chief since 2001, after the death of the then incumbent chief. As usual, the death sparked a power struggle among the royal family members as they lobbied to succeed the deceased chief. In the process, a royal family member and an aspirant to the throne granted a radio interview where he appeared to have indicted Okyenhene in Nkronso's chieftaincy issues. When Okyenhene summoned and queried him, he was alleged to have responded that he was exercising his rights to freedom of speech as enshrined in the Fourth Republic Constitution of Ghana. Being peeved by the response, the Okyenhene ostracized him but the latter quickly went to High Court to place an injunction on both Okyenhene's attempt to ostracize him and the enstoolment of a new chief in Nkronso. Due to the injunction, the people of Nkronso are unable to install a new chief for 10 years. Besides, the attempt by the Okyenhene to ostracize this royal family member did not take effect because of the High Court injunction. It has been noted that the dead family members of this man who is supposed to be ostracized, have been buried and funeral ceremonies organized for them without the usual resistance from the traditional leaders of Nkronso and Okyeman.

Case Study 16

In the case of Apapam, the immediate past Kontihene, together with some of the youth attempted to destool the chief because according to them, he is a non-royal, hence he could not inherit the stool. The matter ended up in the Okyenhene's court at Kyebi for arbitration. The Kontihene lost the case and was consequently fined. He, however, opted to abdicate as Kontihene of Apapam, creating an enmity between the faction of the chief and that of the abdicated Kontihene to this day. The assemblyman of Apapam belongs to the faction of the Kontihene.

In both Apapam and Nkronso, the data reveals that the chieftaincy disputes were undermining smooth political management of the communities. In Apapam for instance, the feel of the cold war between the two factions was experienced when the assemblyman was being interviewed. Being in support of the Kontihene to destool the chief, the assemblyman complained of how the chief hardly commands the expected respect from a section of the people in Apapam. This might have affected development in the town because according to the assemblyman, the people of Apapam, to some extent, are divided over his legitimacy as chief of the town. In fact, the chief confirmed that there have never been regular meetings between him and the assemblyman to discuss matters which concern the community. Unlike Nkronso, the two leaders in Apapam hardly meet to discuss development issues, implying that there are some elements of conflict within the prevailing dualism in the local community. Summing up, chieftaincy disputes are not only prevalent but they are really a bother to the smooth political administration of local communities in Akyem Abuakwa in particular and Ghanaian communities in general.

5.6 MILITARISM IN THE LOCAL COMMUNITIES

The study observed that organized militarism was not a common phenomenon among the people of Apapam and Nkronso. The police, stationed at Kyebi, a municipal area, are often called upon whenever the people are in need of the coercive authority of the state of Ghana. Acts of lawlessness and other criminal behaviours are dealt with through the use of the police from Kyebi. However, in each of the two local communities is the military group

called “Asafo”. The people of Nkronso sometimes call the group “Apagya”. The head or leader is called “Asafoakye” who is also a member of the council of traditional elders. The group is made up of strong and able men who partially provide military services to the chief and people in the local community. The group notably plays a major role during events such as enstoolment and funeral ceremonies of a chief or sub-chief. During a military operation, the Asafo will beat the “gong” drums, (talking drums) under the instruction of the chief to inform and invite the able men, and when they are gathered, the “Asafoakye” will inform them of the task ahead. Incidence which call for the service of the Asafo group include:

- i. Protection of the chief against any physical assault;
- ii. Constituting a search party to look for a person who did not return from a visit to the bush;
- iii. To overpower wild animals such as pythons in the bush;
- iv. To overpower or arrest criminal(s) hiding in the bush; and
- v. Ceremonies for enstoolment and funerals of chiefs.

One of the common situations is the incidence where people fail to return after they have gone to work in their farms. In most cases they are wounded, murdered or have lost their way home. Some also get drunk in the bush and sleep there.

Case Study 20

In 2001, farmer who was then living in Apapam went to his farm to fell some trees. Accidentally, a tree fell on him. He became paralyzed and laid helpless throughout that night in the bush. His family, after fruitlessly waiting for his return from the farm, went and informed the chief. The chief had the Asafo drums beaten to assemble all the able men together in search of the famer. That very night he was found in the bush lying helplessly under the fallen tree. He was rescued home.

The Asafo group also causes the arrest of suspected criminal, especially when the person’s behaviour poses immediate threat to the people. Where a person is arrested by the Asafo group, he is usually handed over to the police, particularly if the person had committed serious crime such as murder. This implies that the two political systems of chieftaincy and

national government structures complement and depend on each other. The prevailing dualism in the local communities therefore is not entirely parallel. Sometimes, the police are invited and together with the Asafo group carry out their military operations, which implies that there is some level of cooperation between the chieftaincy institution and national government structure. There are therefore consensus and harmony between the traditional rule and the national government structures with regards to militarism in the two local communities.

When searching for a lost citizen, the “asafo” group would usually begin with war songs through the streets, perhaps to invite all able hands. Depending on their suspicions, members would arm themselves with locally made guns, cutlasses, clubs, knives, etc. Under the instruction of the “Asafoakye” (leader of the Asafo group), they are usually divided into groups, with each group having an assigned geographical area. Usually, the assemblyman joins the Asafo group in the search but it is the norm for the Asafoakye to lead the group.

The chief usually pours libation before the “Asafo” group sets out for the search. When the group finds the lost person, they will quickly bring him to the chief’s palace. If the person is dead, they will leave the body and return to the town to inform the chief and the council of elders. Upon receiving the Asafo group, the chief will pour libation and thank the gods for the successful hunt for the person. If the found person has committed a crime, the chief will send people to report to the police, which means that the traditional political system and national government acknowledge and complement each other. Thus, where the traditional rule fell short in maintaining law and order, it relied on the local government structure in carrying out such function. There is therefore the element of consensus within the prevailing dualism.

CHAPTER SIX

DISCUSSION OF FINDINGS

6.1 INTRODUCTION

The analyses of data of the preceding Chapters Four and Five, lead to interesting findings, and based on the objectives outlined in Chapter One, below are the seven thematic areas on which the discussion are based:

- The natural resources, socio-economic activities, and maintenance of law and order in the two local communities of Akyem Abuakwa;
- Socio-cultural milieu within which the dualism operates;
- The extent of the involvement of the two different leaderships in the political administration of the local communities;
- The level of authority and influence of each of the two leaderships;
- The complex and diverse relations within the dualism
 - The dynamism of relations between the two different leaderships.
 - The paradoxical relations within the dualism;
- The level of efficiency of the dualism; and
- The debate on chieftaincy's continued existence and integration in mainstream politics.

6.2 THE NATURAL RESOURCES, SOCIO-ECONOMIC ACTIVITIES, AND MAINTENANCE OF LAW AND ORDER

The communities of Akyem Abuakwa possess rich natural resources, including fertile lands, rivers (Birim), forests, gold and diamond. These natural resources are virtually untapped. For example, River Birim which runs through many communities of Akyem Abuakwa could be developed for irrigation projects, provision of treated pipe-borne water, fish farming and even transportation system. Thus, the people of Akyem Abuakwa have

enough natural resources to live above poverty, if comprehensive and realistic national policies are put in place to tap these resources for the benefits of the people.

Besides, the people of Akyem Abuakwa are mainly farmers, cultivating cash and food crops, and rearing animals. The cash crops are cocoa, oil palm and to some extent, plantain, cassava and cocoyam. They are also into subsistence rearing of sheep, goats and fowls. Small scale farming is the usual practice in the local communities. The farmers mobilize their own resources. The major support from the government is the mass spraying of cocoa farms. Government assistance in the form of support for good and reliable market for foodstuffs, loan facilities and supply of fertilizer, cutlasses, boots etc. would certainly increase productivity of the farmers in the communities. Notably, almost the entire work force in the communities is engaged in some sort of agriculture. Even teachers, commercial drivers, traders, etc. have farms in the communities, which imply that agriculture is truly the backbone of the country's economy. Hence, national policies meant for alleviating poverty in the country must necessarily be directed toward the development of the agriculture sector.

Apart from agriculture, it is the frequent habit of the people in the local communities to work together to clean their environment, and to provide and renovate social amenities such as schools, KVIPs and electricity. This type of work is called "Communal Labour". Besides, the people are sometimes levied and are encouraged to make voluntary contributions toward the provision of electricity, schools, bridges, KVIP, etc. All of these are indications that the people have strong positive attitudes towards self-help projects. In fact, for almost every project, including government and NGOs development programs, the people contribute through communal labour, donations and levies.

This implies that the people are well informed that the provision of social amenities such as schools, clinics, electricity, KVIPs, roads, bridges, among others, are not the exclusive responsibilities of the national government. Instead, the people have a role to play in improving their livelihood. In fact, a chief of a local community could be destooled if there were no efforts on his part to promote socio-economic developments in his community. The implication therefore is that in embarking on rural development, the government could capitalize on this self-help attitude of the people. The people could be deeply involved and could even “own” government policies geared toward rural development if their positive attitudes toward self help projects are nurtured and used by the state.

Meanwhile, regarding the maintenance of law and order in the two communities, the study observes that there are no visible government structures responsible for that. Offices of the police force and modern courts are miles away from the local communities and are located in the towns and cities. The only structures located in the communities which are responsible for the maintenance of law and order, are the traditional courts and the ‘Asafo’ groups. Because of the benefits of chieftaincy, those who are agitating for the abolition of this age-long institution ought to revise their decision if they genuinely wished efficiency in local governance in the country.

6.3 THE SOCIO-CULTURAL MILIEU WITHIN WHICH THE DUALISM OPERATED

It is found from the data analyses that majority of people in the two local communities of Akyem Abuakwa were illiterate and semi-literate who could hardly read and speak English, the official language of the nation. In view of this, the people found it inconvenient to use the national government structures such as the court where prosecutions of civil and criminal cases were carried out using the English language. Thus, unlike the national court proceedings, the people were more comfortable with the

proceedings of the traditional court, where the local language, Twi, rather than the English language was used.

Also, most of the people were found to be living below the poverty line, and could not afford the basic things in life, such as adequate and appropriate food, clothing and shelter. Therefore, the people were unable to afford the luxury of hiring lawyers for cases at the national court. Also, compared with the traditional court, the expenses for the filing of cases at the national court were somehow high.

In addition, the customary laws were more imbedded in the socio-cultural fabric of the local communities in Akyem Abuakwa. Thus, the local people grew up with these traditional laws and beliefs, and therefore could hardly disown these traditions. For example, even though the majority of the people professed to be Christians, many of them still had some sort of belief in the traditional religion, particularly, with regards to the influence of ancestors on the lives of the local people. Consequently, the people were more conversant with the traditional laws than the national laws which even lawyers had problem of interpreting.

Furthermore, the investigator found that the geographical locations of many key government service institutions such as the police, court and hospital, were outside the small local communities, and were usually located in the relatively big towns and cities. Indeed, this posed a barrier to many of the people who needed the urgent services of these national institutions. Hence, the services of the chieftaincy institution, through the traditional court, Asafo group, among others, became the immediate and appropriate options for the people.

On the whole, most of the services of the traditional leaders, to some extent, came in handy, devoid of geographical, financial, language and cultural barriers. Therefore, as far as the socio-cultural milieu of the local communities was concerned, the operations of the dualism were enhanced largely by the presence of the chieftaincy institution.

6.4 THE EXTENT OF THE INVOLVEMENT OF THE TWO LEADERSHIPS IN THE POLITICAL ADMINISTRATION OF THE LOCAL COMMUNITIES

It was found in the communities that while some of the government functionaries, particularly the assemblyman and the town council members in Nkronso were relatively active in the involvement of socio-economic activities in their local community, others like the assemblyman and unit committee members in Apapam were virtually not active. However, the same could not be said of the traditional leaders from the two communities, who were actively involved in spearheading socio-economic activities and in the maintenance of law and order: an indication that the chieftaincy institution is still relevant to the country's present democratic dispensation.

Also, at Nkronso where the government functionaries were performing their duties well, the authority and influence of the chiefs did not change, which implies that it is feasible for the two different political leaderships to effectively co-exist and manage the community together. Thus, instead of abrogating the dualism, it is relatively practicable for policy makers to develop the local governance program in such way that the traditional leaders would be strongly integrated in mainstream politics.

6.5 THE COMPLEX AND DIVERSE RELATIONS WITHIN THE DUALISM

As far as governance in the local communities is concerned the relations within the duality could be described as being dynamic on one hand, and paradoxical on the other.

6.5.1 The Dynamism of Relations between the Two Leaderships

The study reveals some interesting features of the relations between the chieftaincy institution and the local government structures in the villages of Akim Abuakwa. These dynamic features include:

- The Parallel and complementary roles within the dualism;
- Consensus and conflict within the dualism; and
- Peripheral and central roles within the dualism.

6.5.1a Parallel and Complementary Roles within the Dualism

Though not comprehensive, there are both formal and informal features, which create parallel relations between the traditional leaders and government functionaries. These formal features include some provisions of the Constitution of the Republic of Ghana which prevent governments and politicians from interfering in chieftaincy matters, such as issues of destoolment and succession. The same Constitution also bars chiefs from meddling in criminal offences such as murder and robbery. The indication is that aspects of the chieftaincy institution, runs parallel with the national government.

However, such constitutional provisions are not only far limited in controlling and regulating the two different institutions, but some of them are also ambiguous and controversial, which in practice, can hardly satisfy the purpose for which they were enacted. In view of this, the dualism largely thrives on informal arrangements. Such arrangements could be found between the two social control systems and during the

provision of development projects. For instance, as stated earlier, the traditional court cannot adjudicate criminal cases such as murder and rape, and the modern courts usually refer cases involving land ownership and inheritance to the traditional leaders to settle. However, criminal cases such as marital rapes are settled at the traditional courts.

In all, there are formal and informal limits to their operations, beyond which the two political institutions would not trespass the internal affairs of each other, implying that the two political entities in the local communities exercise some level of political autonomy. They consequently enjoy significant degree of independence of each other. This eventually fosters order and stability in the administration of the communities, thereby fostering efficiency in governance at the local level.

Another fundamental relation between the two leaderships as the study finds out is that of interdependence. The two different political systems support each other in their respective weaknesses. For instance, the weakness of the chief in not possessing a police force is complemented by the willingness of the national police force to provide the chief with such services. The police service, in practice, treats as criminal offence the failure of a person to pay a fine imposed by the traditional court or if a person defiantly failed to turn up for chief's summon. The culprit is usually apprehended and promptly prosecuted in court for contempt of traditional authority, based on a relevant statutory law. Such complementary role contributed to the effective enforcement of the customary laws, thereby ensuring effective maintenance of law and order in the local communities.

Conversely, the ruling government always depends on the chiefs to inform and educate the people in the local communities on national policies and projects. The chief lends his support to government policies and programmes, so that such programmes would gain the

acceptance of the local people. Since many of the people in the communities are largely not conversant with the local government structures, ruling governments rely on the traditional leaders to legitimize national policies in the local communities. There is therefore that kind of elite “consensus” between the two different leaderships in the country. While the two political systems maintain some level of independence, their interactions also point out that there are cooperation and interdependence in some aspects of the relations between them. The dualism, thus, is not entirely parallel as being maintained by some authors like Kwabia (1988).

6.5.1b Consensus and Conflict within the Dualism

Because of the lack of comprehensive constitutional provisions controlling and regulating the political dualism, the two leaderships depend largely on customs and “diplomatic” arrangements to run the local communities. They necessarily meet to discuss issues at length to arrive at consensus before and during implementation of any policy or project.

Since the customary laws elevate the position of the chief over everybody in the local community, and due to the strong adherence of these customs, the assemblymen and unit committee members, who are also “subjects” of the chief, submit to the decisions of the traditional leadership. In view of this, the government functionaries demonstrate diplomatic skills in their interactions with the chiefs – leading to consensus and harmony within the dualism, which foster smooth administration of the communities. Also, the clan and lineage bonds associated with the chieftaincy system and the chief’s position as a symbol of unity in his community tend to foster the sense of a common identity and ownership, which encourage and promote healthy local participation and grass-roots politics in the rural communities.

On the whole, the complementary relations between the two different political institutions are a confirmation that the dualism has the necessary potentials to thrive under the current democratic dispensation. It therefore negates the argument for the abolishing of the dualism.

Nonetheless, the dualism, conversely, is not without some elements of conflict. There are traces of tensions between some traditional leaders on one hand, and government functionaries on the other hand. The tensions are spillages of the numerous chieftaincy disputes. It is worthy of note that the tension and conflict between some traditional leaders and government functionaries do not necessarily emanate from power struggle between the two leaderships as some commentators claim. For as “subjects”, the government functionaries largely demonstrate submissive attitude whenever they are interacting with the chief.

Meanwhile, there are some other elements of conflict within the dualism which largely undermine the Fourth Constitution of Ghana. For instance, rape is a criminal act which the constitution debars the traditional leadership from meddling in: yet, in the local communities, traditional courts adjudicate cases involving marital rape. Also, the Constitution of the Fourth Republic of Ghana grants citizens the right of appeal in a legal case but the traditional leaders seriously frown upon the situation where a plaintiff or defendant appeals at the modern court because he/she perceives the traditional court not to have given a fair verdict. Thus, these conflicting scenarios within the dualism are indication that all is not well with governance at the local level and that policy makers need to act to address the problem.

6.5.1c Peripheral and Central Roles within the Dualism

In the local communities, the chiefs and elders play major roles in their respective areas. The chief is the owner of all lands in his community, hence he takes major decisions concerning allocation and use of these lands. He is the key stakeholder in initiating and implementing development projects in the villages, and legitimatizing government and assembly policies through their support. It is the chief who administers joint projects with government and NGOs. He administers communal labour, funeral ceremonies, levying and contributions for development projects. The chief is also responsible for the maintenance of law and order, as he runs a traditional court and an Asafo group. Thus, despite the presence of the government functionaries, the chief remains the administrator-in-chief in his local community.

As far as political relations of the two leaderships are concerned, the political power was favourably skewed towards the traditional leaders in the local communities. While the traditional leaders play **central role**, the government functionaries assume the **peripheral role**. Indeed, since the assemblymen, town council and unit committee members remain citizens in the communities, they also fall under the status of “subjects” of the chiefs and must consequently live in obedience to the traditional leaders’ directives. Therefore, the influential nature of the chieftaincy institution appears to overshadow the local government functions. The ‘cooption’ of the government functionaries is so significant such that in some of the communities, the local people hardly notice the two leaderships as separate entities. Many of the people do not take into account the different structures and never view them as independent of the other. In other words, the dualism is more of external view, and not so much the view of the local people – implying that the enormous influence wielded by the traditional leadership tends to overshadow the position and role of the government functionaries in the local communities.

It is important to note that the imbalance of the power sharing between the two political systems, normally create the situation where it is only the traditional leaders who run the show, while the local government functionaries remain as their appendages. In some communities in the country, it is even unfair to use the word “dualism” to describe the existing political structure because the political administration almost entirely depends on the traditional leaders. This indicates that the present local government program in some local communities in the country is just a cosmetic one. It contributes little to local participation. Its continued existence therefore remains just a symbolic feature of democracy but in practice it hardly serves that purpose.

6.5.2 Paradoxical Features within the Dualism

The study finds that there are very limited constitutional provisions regulating the dualism. In view of this, there is the strong dependence on customary laws by the two leaderships in governing the local communities. Some of these customary laws appear to contradict some provisions in the Fourth Republic Constitution of Ghana, thereby leading to a paradoxical relation between the two political institutions. Also, some of the limited constitutional provisions regulating the dualism are ambiguous such that they place the traditional leadership in particular, in a paradoxical position in the local communities.

For instance, it is found in the local communities that there are two different social control systems, traditional and modern ones. The sanctions of the modern system include fines, imprisonment and capital punishment. The sanctions of the traditional social control system are largely fines and ostracism. Though not often, ostracism does happen in many of the communities. The capacity of the chief to ostracize citizens in his community, attests not only to the enormous power that he wields but that such an ‘absolute power’ can not even be exercised by the President of the Republic of Ghana.

There is therefore, a paradox with regards to Ghana's nationhood: a paradox of a Republican country where all citizens are equal and there is no reference to "subjects", yet in the same country traditional rulers have "subjects" and speak of their "lands" to the extent that they can deny some citizens the right to settle in areas of their jurisdictions. Thus, within Ghana as an independent state, there seems to be separate independent states based on ethnic lines with their own set of customary laws and leaderships, different and to some extent inimical to nationhood building. While these separate independent states function positively toward effective mobilization of the local people for socio-economic development, it has some adverse effects in terms of dividing the loyalty of the people on ethnic lines as against nation building.

The conclusion is that due to lack of adequate formal constitutional provisions to regulate the duality, Ghanaian local communities have resorted to informal ways of harmonizing traditional rule with modern constitutional rule, which implies that naturally, the two institutions are capable of operating together. Nevertheless, the consequence sometimes could be inimical to nationhood building, hence there is the need to craft clearly-defined and comprehensive constitutional provisions to regulate the co-existence of the two political institutions.

Meanwhile, as stated earlier, aspects of the limited constitutional provisions regulating the dualism are to some extent ambiguous. For instance, the 1992 Constitution states in Article 276 (1) that chiefs are not supposed to take part in active party politics. But the chief can never remain non-partisan since his position as a leader in the village mandates him to be in the good books of the ruling party government in order to attract development projects in areas of his jurisdiction. The fact that the chief is constrained sometimes to explain

government policies to his people on the platform of the ruling party, compromises his neutral position. This sends wrong signal to their subjects as to their political allegiance, as such action is in contradiction to the constitutional provisions of Article 276 of the Fourth Republic Constitution.

On the other hand, being repositories of knowledge, and revered by their subjects as such, the chiefs may be expected in the name of national development and democratic consolidation, to be bold and forthright in championing the rights of individuals. This implies also the ability to speak out against the ruling government excesses, which are capable of derailing the country's fragile democratic dispensation and thereby undermining national development. Such criticisms of government action could portray the chief as being in the camp of the opposition.

Therefore, the chiefs in the local communities are in a fix: their positions necessitate interventions in national politics but whether such interventions are negative or positive toward the ruling government's performance, it portrays them as acting in contravention to the Constitution of the Fourth Republic of Ghana, because it puts their political neutrality in doubt. Remaining politically passive implies negligence to their positions as responsible leaders, who should promote development in their communities.

The implication is that some provisions within the Constitution of the Republic with regards to the prevailing dualism are far from the realities on the ground. It is therefore a strong signal to policy makers that all is not well with the prevailing dualism in the country, and that the attempt to ensure efficiency in local governance in the country must necessarily take into account the development of a comprehensive constitutional document which would regulate the dualism.

6.6 THE LEVEL OF AUTHORITY AND INFLUENCE OF EACH OF THE TWO LEADERSHIPS

Not only do the two political entities in Akyem Abuakwa communities exercise different political autonomy, the sources and degrees of their respective authorities are also different. In the local communities, the traditional leaders and government functionaries do not wield the same level of authority and do not obtain it from the same source. The assemblymen obtain their mandate through voting and their legitimacy to manage the local communities lasts only for 4 years, via the provisions within the Fourth Republic Constitution. The town council members are appointed and hardly work independently from the office of the local chief. The unit committee members are also appointed but their positions are not well known to many of the people because they play relatively low profile role and many of them are not even active at all.

The chief, on the other hand, obtains his authority from three major sources: vertical, horizontal and auxiliary sources. The vertical source could be traced to the traditional beliefs of the people, which link the position of the chief to the ancestors. The hierarchy of the traditional political structure includes the ancestors at the apex, followed by the chiefs before the members of the council of elders, and then the people follow. The chief's position is linked to the ancestors via the beliefs of the people that the traditional leaders rule on behalf of the elders who are dead. Therefore, the chief is believed to be imbued with spiritual powers of the ancestors and may be feared and revered because of their supposed spiritual influence. He is therefore considered ordained to rule the people and any action he takes is considered by many to be divinely ordained. With such belief, the chief commands significant influence in his community.

The horizontal source involves the practice of the government and district assemblies to seek the chief's support to projects and programmes meant for the community so that such development programs would gain the people's acceptance. Through this, the traditional leaders become arm of the central government, the most constitutionally powerful entity in the country. Being linked to the ruling government, the chiefs obtain additional power and influence to those from the vertical source.

Besides vertical and horizontal sources, the traditional leaders also obtain their authority through auxiliary source by their inherent right to own the community lands and to manage the resources therein, including the citizens (which also include the assemblyman, town council members and unit committee members). By this customary right of ownership, the chief becomes both economically and politically powerful and influential in his community. Through the afore-discussed sources, and with the people's strong adherence to the customs and beliefs of the community, the chief possesses enormous power and influence over everybody in his local community, including the government functionaries.

Also, between the two leaderships, it is not only the sources of authority of the chiefs that are well imbedded in the socio-cultural fabric of their community, but also their rule is relatively acceptable to the people as compared to the assemblyman whose authority is drawn from mere simple majority votes of the people; and that his (assemblyman) mandate is temporal – a maximum of 4 years. Thus, unlike the government functionaries, the traditional leaders naturally command loyalty and respect of the people, via the imbedded traditions and customs of the community. Hence, the mandate of the traditional leaders to rule in the local communities is relatively stronger compared to their government functionary counterparts.

This implies that although the people vote to choose their respective assemblymen, it is the traditional leadership which has relatively strong legitimacy in the local communities. It is therefore not surprising that even though a ruling government obtains its mandate through the Constitution of the Fourth Republic, the supreme law of the country, it is the chiefs who, by their support, legitimize government programmes and projects in the local communities – the chief, by his position, can get the support of at least a section of the local people if he decides to reject a government project that he considers to be not worthwhile. Therefore, it was improper for policy makers to have ‘disregarded’ the chieftaincy institution when the local government program was introduced. Since the traditional authority has strong legitimacy and influence, the local government structures should have been built around the chieftaincy institutions in the local communities. Until this is done, the enormity of the power and influence of the chiefs would continue to dwarf the government functionaries such that the full potentials of the latter would never be realized.

6.7 THE LEVEL OF EFFICIENCY OF THE DUALISM

The dualism exhibits both efficiency and weakness. Such strengths and weaknesses are linked to the local government structure on one hand, and the chieftaincy institution on the other hand. The strength of the local government structure is traceable to the periodic elections of the assemblymen, and the appointments of TCM and UCM, which give the people the opportunity to assess the performance of the leadership and to decide whether or not, to keep them in office through voting. These are indications that power is derived from the people.

Apart from that having two different leaderships operating together foster checks and balances on each other. The two different leaderships, to some extent, become accountable to the people in the local communities. It also leads to fruitful discussions and sharing of ideas. As the saying goes, “two heads are better than one”.

Nevertheless, it is the presence of the chieftaincy institution within the political dualism which further enhances the effectiveness of the dualism. Chieftaincy is imbedded in the Ghanaian society. It has long history, hence, well institutionalized. It is an embodiment of the cultural practices of the people, hence relatively convenient to the needs of the village people. In view of this, the traditional leaders commanded the necessary acceptance and legitimacy required for administering the communities, and that the leadership remains suitable agent for mobilising the people for socio-economic development. It can be concluded that the effectiveness of the prevailing dualism largely depends on the traditional leadership; hence the presence of chieftaincy to create dual political system with the local government structure, could be described as one of the realistic innovations in the country's body politics.

Despite the aforementioned strengths, the political dualism, just like almost every human institution, exhibits some significant constraints, which are apportioned as inter and intra weaknesses. Intra-weaknesses involve problems specifically emanating from either the traditional institution or national government structures, while inter-weaknesses relate to problems resulting from the co-existence and co-function of the two.

One of the intra-weaknesses emanates from the nature of local government structure in the communities. In many rural communities, there are nothing like well resourced offices for the assemblymen and the unit committee members (UCM); and these government functionaries are seriously complaining that they are not motivated to do the job. In fact, they are not paid or given the necessary allowance for their services. Thus, lack of the necessary funding, logistics and well resourced personnel are impeding the smooth operations of the local government system in the local communities.

Another intra-weakness is that chieftaincy disputes over land and succession are apparent in Akyem Abuakwa communities. The situation is alarming because the Okyenhene is not even spared, as some succession disputes in some of the local communities are linked to the Headquarters of Akyem Abuakwa State, at Kyebi. It confirms the views held by some authors that chieftaincy in the country is bedeviled with disputes over land ownership and succession issues (Daily Graphic, 24th June, 2008: 28).

In the places where these disputes are pronounced, it does not only disturb the peace and tranquility of the community, but it also stalls effective local participation in national issues. Thus, in as much as the presence of the chieftaincy institution promotes effective local governance in the communities, it also has the potentials to undermine the programme in some ways.

The inter-weaknesses of the dualism involve constraints from the lack of adequate constitutional provisions to define actions of office holders. The political dualism has been somehow accidental creation. After independence, successive governments decided to co-exist with the chieftaincy institution. No clearly defined document has been developed to control and regulate the actions of office holders to this end. Therefore, relations and interactions between government functionaries and traditional leaders are largely based on informal and traditional arrangements. Hence, the relations between the two leaderships are not clear and in some cases unpredictable. Since such informal and traditional arrangements are not written down, their interpretations are subject to specific situations such that they sometimes create confusion and misunderstanding, leading to occasional tensions between the two different groups of leaders.

Thus, the weaknesses are largely due to government and policy makers' lack of commitment towards providing comprehensive constitutional document to control and regulate the

chieftaincy institution in particular and the dualism in general. Even though it is not far-fetched to conclude that the dualism is modestly doing well in Ghanaian communities, it would do far better with a well crafted document to guide the actions of office holders of the two political institutions which co-exist and co-function in the country.

6.8 THE DEBATE ON CHIEFTAINCY'S CONTINUED EXISTENCE AND INTEGRATION IN MAINSTREAM POLITICS

After the introduction of modern system of governance since colonialism, through post-independence till now, the institution of chieftaincy has persistently existed alongside national government structures. Some authors have questioned the continued existence of the chieftaincy institution in Ghanaian societies, while others approve the continued existence of this ancient political institution (see the review of literature in Chapter Two). The ensuing debate largely constitutes arguments “against” and “for” the continued existence and possible integration of the chieftaincy institution in main-stream politics. It is worth noting that a critical analysis of the data collected from the field offer useful critiques of some of the arguments **against** chieftaincy, and even **raise** fresh arguments in favour of chieftaincy.

From the review of literature in Chapter Two and primary data collected by the study, chieftaincy is seen as nuisance and outmoded, which could feasibly never be integrated in main-stream politics. Among the arguments leveled against chieftaincy are the assumptions that:

- With the emergence of modern governance structures such as the local government, the chieftaincy institution has outlived its usefulness and now remains a ceremonial entity;
- Chieftaincy does not espouse democratic values and it has nothing or very little to offer in the practice of democracy;

- Chieftaincy is a chaotic institution with numerous disputes ranging from succession to land disputes;
- The position of chiefs is a sacred one which should not be tainted by partisan politics; and
- The chief is a unifier of his people and that meddling in partisan politics would undermine this aspect of his role in society.

While the study acknowledges some of the weaknesses mentioned above to be tenable, the field data point out that those weaknesses may not be enough justification to conclude that the institution has lost its usefulness, and must be abolished or abandoned. For instance, it is true to some extent that traditional leadership has lost its absolute autonomy to the modern state. However, the findings from the analyses in Chapters Four and Five indicate that in Akyem Abuakwa local communities, traditional leaders still spearhead socio-economic development, and maintain law and order in local communities in Ghana, while in many cases the government functionaries in the communities operate ‘under the office’ of the chiefs.

It is also true that elections are not held to elect chiefs as is the case in multiparty democracy: nonetheless, this study finds that the institution of chieftaincy has some marked democratic features, including representation, consultation and grass-roots participation. For example, it demonstrates effective grass-roots participation in decision-making as deliberations begin at the family and lineage levels, then at the entire community level before the council of elders meet to take informed decisions. Also, during the enstoolment of a chief, serious consultations begin among the royal family members with the queen mother (Obaahemaa) and the royal family head (Abusuapanyin) playing pivotal role in such consultations. Thereafter, the traditional elders (sub-chiefs) are consulted, who in-turn

engage their respective family and lineage members in further deliberations before final decision is taken. Thus, although the local people do not have the chance to cast their vote to elect their chief, they are adequately given the opportunity to decide who, from the royal family should be their leader in the local community.

Regarding chieftaincy disputes, the findings of the study confirm that indeed the traditional political institution is bedeviled with numerous succession disputes and issues involving land ownership. This could be a strong case for ‘abolishing’ the chieftaincy institution. Nevertheless, the study finds that chieftaincy in the country is facing these problems largely because the institution is yet to receive the necessary formal attention, particularly in the area of documentation of customary laws which would clearly define and regulate activities of the institution. There are so many ambiguities within the chieftaincy institution largely because information on customary laws are based on oral traditions, and that there are no written records for point of reference. As such, people explain customs to suit their selfish interest, leading to misunderstandings and conflicts. Chieftaincy disputes could be resolved if policy makers and National House of Chiefs take the necessary steps to properly document the customary laws.

Concerning the sacred nature of the position of chiefs the investigator finds that this aspect of chieftaincy is waning, because of the people’s new-found faiths in Christianity and Islam. Some chiefs have taken up the Christian and Islamic faiths and are not putting much emphasis in performing rituals to gods and ancestors. This is indeed, a controversial issue, yet it is an indication that chieftaincy has room for innovation and transformation and that it is left with policy-makers and the National House of Chiefs to lead the way.

Finally, regarding the issue of partisan politics, chiefs could get involved in mainstream politics without necessarily meddling in party politics. There are independent democratic institutions such as the Council of State, Electoral Commission, CHRAJ, Judiciary, etc, which remain non-partisan and that chieftaincy could be integrated into mainstream politics to play such non-partisan role. Thus, it is possible to integrate chiefs in main-stream politics without being involved in partisan and “divisive” politics. Therefore, the chief could maintain his role as a unifier of his people even if his office is integrated in main stream-politics.

On the whole, it is not entirely true that the chieftaincy institution has outlived its usefulness in the country. It may be true that the chiefs might have significantly lost their political and economic power with the advent of colonialism and independent Ghana. Nonetheless, in the two local communities, the chiefs still exercise much authority over their subjects, occupy unique position and play important role. The chief, as the study reveals, is the administrator-in-chief, a law-maker, a judge and the center of economic activity in his community. They still have excessive authority over their subjects, occupies unique position and play very important role in his community. In fact, without the traditional leaders, grass-roots politics, for that matter local governance would have encountered much more difficulties. That is why, to achieve effective decentralization and local governance, it is important for the country to prominently feature in mainstream politics, the chieftaincy institution which is well institutionalized, largely accepted, and relatively convenient to many of the people in Ghana.

On the whole, considering its unique role, it is therefore not surprising that over the years, committees and commissions have consistently recommended the involvement of chieftaincy in national politics. The following government documents attest to the importance of chieftaincy to effective local government in Ghana:

1. The 1978 Constitutional Commission that confirmed that grassroots democracy, to some extent, depends on chieftaincy;
2. The Committee of Experts in 1991 which indicated that chiefs have “more perceivable role to play to offer counsel and mobilize people for development”; and
3. The National Decentralisation Action Plan (NDAP) of 2003 which acknowledged that chiefs are important partners in ensuring judicious natural resource management in the country.

All of these documents are ample evidence of the unique position and role of the traditional leaders to democratic development of the country.

In conclusion, it can be said that despite some weaknesses exhibited by the chieftaincy institution, it is inevitable that the nation stands to benefit immensely by developing this age-long political institution to suit the present governance situation of the country. Therefore, it is necessary and in fact, strategic, for chieftaincy to stay and be appropriately absorbed in mainstream politics of the country. It is unacceptable to abolish an institution largely because it has weaknesses, particularly when it is feasible for policy-makers to address those problems. For instance, the competitive nature of multi-party democracy usually results in violence and sometimes protracted civil wars during general elections in Third World countries, yet it is considered by the international community as one of the best forms of governance in the world. Thus, it is a fact that every human social institution in one way or the other has weaknesses, as such, it is not abnormal for the chieftaincy institution to have limitations or weaknesses. The issue therefore is not about abandoning or abolishing it but it is the commitment and ingenuity of the authorities concerned in addressing those weaknesses, which matter. Therefore, the chieftaincy institution must necessarily stay to maintain the dualism in Ghana.

CHAPTER SEVEN

SUMMARY, CONCLUSIONS, POLICY IMPLICATIONS AND CONTRIBUTIONS OF THE STUDY

Below are the summary, conclusions, policy implications and contributions of the study:

7.1 SUMMARY

Basically, this investigation is on political dualism in local governance under the Fourth Republic of Ghana. In the local communities, the study notes that there are two different political institutions: chieftaincy with traditional leaders such as the chief and his council of elders, and the local government structure with government functionaries such as the assemblyman, town council and unit committee members. These two different leaderships co-exist and interact with each other. Therefore, the problem of the study is to look at the possible diverse relations between the traditional rule and local government structures in some small communities in Akyem Abuakwa, with additional emphasis on the controversy over the relevance of chieftaincy to mainstream politics at the local level. In this regard, the broad objective of the investigation is to examine how the chieftaincy institution and local government in Akyem Abuakwa local communities co-exist and function alongside each other in spearheading socio-economic activities, and maintaining law and order. Additional objective is to assess the issue of whether or not traditional rule has lost its relevance and importance after the establishment of local government under the Fourth Republic of Ghana.

The data collection processes involved both primary and secondary sources. In connection with the primary source, a large amount of field data was collected from three categories of respondents: traditional leaders, government functionaries and the people. The four main

instrument used for the field data collection were: **interviewing** (of traditional leaders and government functionaries); **observation** (of events and practices such as adjudications, deliberations, festivals and funeral ceremonies); **case studies**; and a **survey of** the people (ruled). In all, thirty seven (37) traditional leaders and forty five (45) government functionaries were interviewed. Apart from the traditional leaders and government functionaries, 400 respondents were chosen for questionnaire administration – 200 each from Nkronso and Apapam. Potential respondents were approached in their homes using **systematic random sampling technique** in selecting the houses to administer the questionnaires.

Guided by the objectives of the study, the data from the survey were processed into quantitative data and analysed alongside the data obtained from the **interviewing, observation, and selected case studies. The secondary data such as** books, journals, newspapers, statistical documents and internet, were used to enrich the analyses of the primary data.

In the course of collecting the data, the investigator encountered pertinent problems on the field. It was noted that the majority of the people in Apapam and Nkronso were illiterate and semi-literates who could not communicate well in the English language. Consequently, questions were asked and answered in the local Twi language, and this led to the problems associated with language translation, especially during the face-to-face interview with the traditional leaders.

Moreover, some of the respondents, particularly the assemblymen wanted to impress and score political points by providing exaggerated answers to some questions such as those that concerned their performance in the local communities. Besides, some of the

government functionaries held positions as traditional leaders. In Nkronso for example, the assemblyman was the secretary to the acting chief. In view of this, he attended all the traditional leaders meetings and was consequently involved in decision-making of the traditional council. In his capacity as both the assemblyman and chief's secretary, it was difficult to distinguish and link his involvement in governance matters to his position as either government functionary or as a member of the traditional council.

Furthermore, the perceptions of the local people on governance issues, to some extent, were influenced by the chieftaincy disputes in the local communities. These succession disputes seemed to create factions in the two communities. There were those who were in support of the chief and who were full of praise of the leadership qualities of the chief, and there were also those in opposition who almost saw everything regarding the leadership style of their chief as "evil".

Finally, the investigator was confronted with the problem of partisan politics regarding the leadership style of the two assemblymen. Even though unconstitutional, the elections of assemblymen in the two communities were subtly done on partisan lines with the NPP and NDC parties being the major culprits. Consequently, some respondents with strong affiliation with a political party were biased in their responses to questions regarding the performance of the assemblymen in the local communities.

Considering the afore-mentioned problems, the investigator, in the course of the data collection, was cautious and paid particular attention to biased answers which were given by some of the respondents with strong partisan background. On the whole, the study took three years, with an additional two-year-extension period.

Some questions for potential future research can be raised from the findings of the study, and among them are: how do we understand the changing role of chieftaincy in the governance of Ghana? Can Ghanaian chieftaincy promote patterns of democratic self-governance in the country; if so, under what conditions or in what circumstances? How do we successfully harmonize customary laws with western-based statutes to ensure effective local participation, accountability and cost-effective local government implementation? Are there examples of constitutional processes on chieftaincy that seek to strengthen citizens' participation in the affairs of local governance? At least the two common challenges from the above questions that need to be explored in depth are:

1. The need to understand more deeply the local and traditional governing patterns that are resilient in Ghanaian society and to explore the possibilities of their adaptation in systems of democratic governance. Specifically, this would require a study of the traditional political institution to gain an insight and understanding of specific weaknesses and strong points as well as the nature of the problems and the means to adopt to redress them so that Ghanaian communities can derive maximum benefits from this ancient institution; and
2. The challenge to deepen the understanding of the present political dualism at both the local and national level politics, and of how ordinary people can become empowered via chieftaincy, for effective participation in processes of constitutional rule.

On the whole, future studies could be focused on the afore-mentioned issues.

7.2 CONCLUSIONS

Deducing from the findings of the study in regards the local communities possessing fertile lands, rivers, forests, gold and diamond, it can be concluded that the local people have enough natural resources to live above poverty, if comprehensive and realistic national policies are put in place to tap these resources for the benefits of the people. Also, almost the entire work force in the local communities is virtually engaged in some sort of agriculture. Even teachers, commercial drivers, traders, etc. have farms in the communities, which imply that agriculture is truly the backbone of the country's economy. Hence, national policies meant for alleviating poverty in the country must necessarily be directed toward the development of the agriculture sector. Apart from agriculture, it is the frequent habit of the people in the local communities to engage in community self-help programs, including communal labour and levying. For almost every project, including government and NGOs development programs, the people contribute through communal labour, donations and levies. The implication therefore is that in embarking on rural development, the government could capitalize on this self-help attitude of the people by deeply involving them so that the local people may "own" such government development policies and programs.

Meanwhile, a remarkable assumption of this study is that the country is practising a type of political system where traditional institution (chieftaincy) exists and operates alongside the modern state institution (local government), and that the two institutions duly relate and interact as they co-exist and function together, thereby creating a dual political system in the country. The findings of the study therefore unravel the web of relations which possibly constitute the entire governance system of local communities in the country. This web of relations goes beyond just positive and negative interactions between traditional leaders and

government functionaries. Some marked findings regarding the web of relations are the informal and formal arrangements, which lead to:

- Parallel and complementary relations within the dualism;
- Paradoxical relationships within the dualism;
- Consensus and conflict within the dualism; and
- Peripheral and central roles within the dualism.

With regards to the parallel and complementary relations within the dualism, there are formal (constitutional) and informal limits to the operations of the two political institutions, beyond which the two leaderships would not trespass the internal affairs of each other. In practice, these formal and informal limitations, in some ways demarcate the boundaries of operation of both the traditional leaders and government functionaries, and consequently avoid unnecessary interruptions and intrusions of the other's functions. Hence, the two political entities in the local communities exercise some level of political autonomy. They consequently enjoy significant degree of independence of each other.

On the other hand, the element of interdependence is also found within the dualism, and that the two different political systems co-exist and function to support each other in their respective weaknesses. There is therefore that kind of elite "consensus" between the two different leaderships in the country. While the two political systems maintain some level of independence, their interactions also point out that there are cooperation and interdependence in some aspects of their relations, hence, the two different political institutions operate to complement each other. The dualism, thus, is not entirely parallel as advocated by some authors like Kwabia (1988). Meanwhile, the co-existence of the two different political leaderships provides the platform for fruitful discussions and sharing of ideas between the two groups of leaders, which enhances efficiency within the dualism. As the saying goes, "two heads are better than one". Furthermore, the duality chieftaincy and local government foster some checks and balances on each other, thereby promoting grassroots democracy.

Another fundamental relation between the two leaderships is the paradoxical element within the duality. As the study finds out there are very limited constitutional provisions regulating the dualism, and that there is therefore the strong dependence on customary laws by the two leaderships in governing the local communities. Some of these customary laws appear to contradict some provisions in the Fourth Republic Constitution of Ghana, thereby leading to a 'paradoxical relation' between the two political institutions. Thus, within Ghana as an independent state, there seems to be separate independent states based on ethnic lines with their own set of customary laws and leaderships, some of (customary laws) which are different and to some extent inimical to nationhood building. There is therefore, a paradox with regards to Ghana's nationhood: a paradox of a Republic of Ghana with equal citizenship which does not recognize "subjects", yet in the same country traditional rulers have "subjects" and speak of their "lands" to the extent that they can deny (banish) some citizens the right to settle in areas of their jurisdictions. While these separate independent states are positive indications toward effective mobilization of the local people for socio-economic development, it has some adverse effects in terms of dividing the loyalty of the people towards ethnic lines as against nation building.

The dualism, although emerged as far back as the colonial era, has inadequate constitutional provisions which formally regulate the activities of the two different leaderships in the country. The dualism is yet to get appropriate and adequate attention in the form of comprehensive and clearly defined constitutional document to control and regulate the actions of office holders. Some of the few provisions in the Fourth Republic Constitution regarding the relations between the traditional leaders and government functionaries in local communities are not adequate and that the leaders from the two different institutions sometimes find themselves in a fix as to the proper and acceptable way to act in accordance to those provisions.

Consequently, the two leaderships depend on informal (not officially documented) arrangements to co-manage their local communities, thereby leading to the situation where the relations between them become somehow unclear and unpredictable. Since such informal arrangements are not written down, their interpretations are subject to specific contexts or situations, and this sometimes create misunderstandings, occasional disagreements and persistent tensions between the two different political leaderships. There is therefore the need for the country to have a comprehensive constitutional document to control and regulate the actions of the two different leaderships, particularly if they are to continue to co-exist.

On the other hand, there is consensus within the dualism. Even though there are inadequate constitutional provisions to control and regulate the relations and interactions of the two different leaderships, the relations within the dualism are characterized by consensus and cooperation, which eventually lead to harmony between the two political leaderships. Such consensual relations enhance the efficiency of the dualism in the local communities. Besides, the fact that the two political institutions have co-existed and maintained since colonial era and thereafter, through to our present political dispensation, implies that the dualism has the survival instinct to thrive in Ghanaian society. Therefore, it is not appropriate to call for its abrupt abrogation as advocated by a section of the literature.

There is also imbalance in relations within the dualism. The relations are such that the government functionaries in the local communities play peripheral role while the traditional leaders assume the central role. The imbalance of power sharing between the two political systems normally creates the situation where it is only the traditional leaders who largely run the show, while the local government functionaries, to some extent play peripheral role. In the very small local communities in the country, it is even unfair to use the word “dualism” to describe the existing political structure, because the political administration largely depends on the traditional leaders. This implies that the chieftaincy institution has not

completely lost its relevance and influence, at least at the local governance level, and that if the dualism is to be maintained in the country's body politic, there is the need to feature prominently the chieftaincy institution in the country's Fourth Republic Constitution. Put in other words, effective local governance system in the country largely depends on the extent to which the chieftaincy institution is formally integrated in mainstream local politics.

Moreover, the hypotheses investigated in the study confirm that between the two leaderships, the government functionaries remain less active in spearheading socio-economic activities in local communities where the chieftaincy system is very strong, but in the communities where the traditional authority is relatively relaxed, the activities of the local government become pronounced. This is an indication that the strong presence of the traditional leaders, to some extent, marginalizes and overshadows the position and role of government functionaries.

Two different causal explanations could be attributed to this: the first being the lack of adequate formal integration of the chieftaincy institution in mainstream politics. Since chieftaincy is a well-established and well patronized political institution in the local communities, the framers of the Fourth Republic Constitution and the planners of the local government programme in the country should have featured prominently this ancient political institution. In other words, the local government program is under performing not necessarily because of the presence of the chieftaincy institution. Instead, it is the failure of the planners of the programme to acknowledge and prominently feature the well-institutionalized chieftaincy institution in the current local government programme in the country. The present underperformance of local government should thus, prod policy-makers to develop the appropriate constitutional provisions which would formalize the current key position and roles being played by these traditional leaders at the local governance level.

The second causal explanation is that there is lack of attention to the local government programme in the country because the nation has a relatively efficient substitute, which is the

chieftaincy institution. Therefore, the indifferent attitudes of governments and policy-makers toward effective implementation of local government may be traceable to the presence of the chieftaincy institution. In other words, the existence of chieftaincy is considered as an obstacle to the nurturing of effective local government system in the country. Of course, this is not complementary regarding the continued existence of chieftaincy along-side the national government.

It was further found that the chieftaincy institution is bedeviled with disputes involving land ownership and succession matters. It is also not untrue that chieftaincy has divisive tendencies due to its ethnic orientation. Being an ancient institution with strong ethnic orientation chieftaincy has at least modest potentials of dividing the country on ethnic lines. Besides, some of the customary practices contradict some aspects of the provisions in the Fourth Republic Constitution.

Therefore, considering the above-mentioned uncomplimentary features, the presence of the chieftaincy institution to create political dualism in the country, to some extent, appears to have the propensity to undermine smooth implementation of local government programme in particular and democracy in general, thereby having the tendency to undermine nationhood building. It thus, suggests that some features of this ancient political institution confirm the assertion that chieftaincy has outlived its usefulness with the emergence of modern system of governance, particularly with the establishment of local government in Ghanaian communities.

The conclusion, then, from the preceding discussion is that chieftaincy somehow appears to be a controversial phenomenon in the country. It seems to have conflicting contributions to governance in the country; it positively contributes to efficiency in governance, while on the other hand, it exhibits some characteristics which are inimical to the same governance

structures in the country. The question then is what should the nation do with this ancient institution? Should it be ignored and the dualism eventually abrogated as being championed by a section of commentators on the institution or should it be formally recognised and adequately absorbed into main-stream politics in order to maintain the dualism? It is already an unending debate among political sociologists and political scientists. It is a kind of “chicken and egg” debate – which of the two is older? But no matter the direction and bases of the debate, what cannot be glossed over is the remarkable role being played by the chieftaincy institution in local governance, particularly in the villages and small towns of the country.

The Ghanaian society is still predominantly traditional in spite of the transition to modernity via urbanization. Given, according to Nukunya (2003) that 43.8% only of the population is urbanized, the remaining 56.2%, which is predominantly traditional, still looks upon their chiefs as performing important socio-economic functions. As a developing country, it is almost impossible to provide the needed human, logistical and financial resources for the local government program in all the local communities. In the many small local communities, for example, there are no police stations, modern courts, other public officials except the assemblyman who does not even have an appropriate office building let alone money to run the office. As far as administration of the local communities is concerned, the roles of the chiefs and their elders are pronounced. The dualism therefore takes off the burden of the government to provide the necessary human, financial and logistical resources for the local government program in all the local communities in the country. Therefore, with the presence of the traditional political institution, the dualism becomes cost effective. It can further be concluded that since the government cannot afford the luxury of financing local government in all the small local communities in Ghana, the chief's position will continue to be almost

indispensable as far as the maintenance of law and order, and spearheading socioeconomic development in small local communities are concerned.

Also, as it is based on the traditions and customs, chieftaincy remains well-institutionalized, largely accepted, and relatively convenient to the people. This ancient political institution therefore, reflects the socio-cultural matrix of the country. It follows that by relegating this institution, one runs the risk of leading to serious dislocation of the Ghanaian societies. That is the reason why in an attempt to deepen democracy, Ghanaians should necessarily engage in the debate on the role traditional institutions could formally and constitutionally play in this regard.

On the whole, chieftaincy has persisted and thrived under colonial rule through independence till today, and continues to remain the major institution for spearheading socio-economic development, and maintaining law and order in local communities. Despite its defects, chieftaincy continues to have significant degree of authority and acceptance of the local people, and this requires its involvement in the process of decentralization and local government. Such strategy if well implemented would definitely succeed in considerably contributing to increasing state legitimacy and effective local participation.

It is not unusual for the chieftaincy institution, just like almost all human institutions, to exhibit some characteristics which could pose some problems to the country's socio-economic aspirations. After all, there is no social institution which exists without weaknesses or limitations. The solution to the weaknesses of an institution does not necessarily consist in its abolition, especially for some so emotionally and culturally charged institutions such as chieftaincy. Even, the state's moral authority to abolish traditional chieftaincy is in itself questionable because the modern state government in itself appears to be suffering from legitimacy crisis. The illegitimacy emanates from the 'artificial' creation of African states

such as Ghana, after colonialism and the under-performance of this modern government (including local government), which is largely alien to the local people. Therefore, the solution is not the abolition of chieftaincy. Rather, it is about how governments and policy makers would act to shape the chieftaincy institution, in order to minimize or eliminate institutional weaknesses and limitations.

As the nation takes the necessary steps to deepen democracy under the Fourth Republic, it would be a far-fetched solution if chieftaincy is to be abolished or abandoned. For any attempt to do so, the obvious question is: can Ghana cope with the vacuum that would be created if the institution of chieftaincy was ignored or abolished? Can the state provide the necessary logistical and financial resources to make a reality, the local government programme in all Ghanaian communities, especially in the small local communities? What about the people's unlikely understanding and spontaneous acceptance of this "foreign" programme, called Local Government. To the fanatics, the answer is yes, but to the realists, it is obviously no!

The local government structure, one of the two political institutions constituting the dualism in the local communities, exhibits marked weaknesses such that in some cases, it is no fair to use the concept of dualism to describe the prevailing leadership. The requisite trained local government personnel are lacking in the rural areas. As noted earlier, there are nothing like well resourced offices for the assemblymen and the unit committee members. They are not paid or given the necessary allowance for their services – leading to lackadaisical attitudes of the government functionaries responsible for the implementation of the local government program in the country.

Besides, the presence of the chiefs maintains the ethnic bonds that bind the subjects together as a people from a common ancestry. In the small local communities, clans and lineages as

well as individuals are related by tracing their ties to apical ancestors and marriage or affinal ties. The chief is thus, a unifier of his subjects and revered by the people. Therefore, under the current partisan politics in the country which has divisive tendencies, the presence of the chief provides a counter symbolic figure which serves to bring the people in the communities together under common ancestry with a common destiny and purpose.

In fact, it is not far-fetched to say that the effectiveness of the prevailing dualism largely depends on the traditional leadership. Chiefs and their respective elders play a key role in judicial, legislative and administrative matters in the local communities in particular. In the small communities, the chief is the administrator-in-chief, a law-maker, a judge and the center of economic activity. The chief and his elders are revered and they command significant influence – leading to effective mobilization of their people for socio-economic development. Therefore, the controversy over abandoning the chieftaincy institution while keeping the local government structure is less realistic and less helpful to the country's decentralization and grass-roots participation.

Certainly, it is not only unfair but unfounded to continue to perceive traditional leaders as irritant appendages to a largely misunderstood and misapplied Western-style local government system in the local communities of this country. In fact, it is not true that the traditional leaders have lost their political usefulness entirely, particularly at the local level. The study consequently contests the view that chiefs have totally lost their administrative and judicial function in the local communities, and that they only exist for ceremonial functions. It is true that the chiefs might have significantly lost some of their political and economic power with the advent of colonialism and independent Ghana. However, at the local level politics, it is never true that the chiefs have totally lost their authority. Rather, they still exercise significant political influence over their subjects in the villages and small towns. In

fact, without the traditional leaders, grass-root politics, for that matter local governance would have been a failure in the country's villages and small towns. Therefore, the presence of the chieftaincy institution which has created a political dualism in the country is strategic and timely to the course of effective local governance.

The Western-style local government system still needs the traditional political system to make it accessible and comprehensible to the indigenous Ghanaian majority. The problems that have emerged from the inadequacy of this European-style system of local government in Ghana could best be addressed through the formal integration of the chieftaincy institution in the country's body politics.

To absolutely copy the Western model without the traditional touch can be a serious error. The cases of Japan, Taiwan and Singapore show that it is possible to achieve the levels of technological development in the Western countries without becoming necessarily Europeanized or Westernized. To wrongly accept that Westernization always leads to efficiency implies the endorsement of a 'copy cat' approach to the development of political institutions in the country. The failure of the country's quest for good governance since independence is largely due to the attempt to replicate foreign models without regard to local, cultural and environmental differences.

This is not to imply that it is wrong to adopt western ideas or practices: the point is that when 'Third World' countries like Ghana adopt ideas or things from other cultures, particularly from the West, it is important to be circumspect enough to avoid the unhelpful or undesirable. In other words, the reliance of foreign models of government that do not quite work in the Ghanaian context calls for a re-examination of the traditional norms. It makes no sense to reinvent the wheel, but we must realize also that the terrain on which the wheel

moves is not everywhere identical. Customization is often necessary if the objectives are to be achieved. Thus, the country's programme of decentralization and local government system would continue to underperform if it does not reflect the socio-cultural matrix of the Ghanaian society.

To argue that traditional political values and ideas be brought to bear on modern political life and thought however, is not necessarily to exalt those values and ideas; it is only to point out their worthiness. The Akan adage (*tete wo bi ka*), "the ancient or past has something to say or offer" does not imply that the ancient has said everything that needs to be said and can therefore provide us, modern people, with all the values, ideas, institutions, etc., that we may need, but that if we are to examine objectively the ancient practices, we will find some practices that would be relevant to our modern circumstances. Chiefs and their elders remain the true custodians of Ghanaian culture and tradition. They are therefore best placed to engage their respective subjects in national matters, particularly by bringing local political participation to the door-steps of the ordinary people in the local communities. In this regard, a wiser way of proceeding is to take traditional institutions for what they are nowadays and exploring in a pragmatic way, the potentialities of the participation of the present-day traditional leaders in the democratic and decentralization changes, in order to increase their own legitimacy and that of the state.

The issue therefore is not whether the traditional and modern systems of governance are competing against each other, but how to reform and integrate the two parallel systems more effectively in a manner that promotes modern constitutional governance. The outcome of this harmonious relationship would mean better service to citizens in terms of representation and participation in decision-making in the country. There is the need, therefore, for the protection and preservation of the dualism by appropriate and comprehensive constitutional guarantees!

7.3 POLICY IMPLICATIONS

It is generally accepted that democratization is an endogenous process which has to be rooted in history, local traditions and culture, implying that each country has to find its own path in this new democratic set-up, although it is now realized that there is no such thing as universal characteristic of good governance. There is no easy way-out. Perhaps, the best is Claude Aké's view that "we do not have the luxury of neutrality in this matter... you can be relativistic, but you must act one way or another and your silence is a choice" (Aké, 1990).

It is therefore not surprising that traditional forms of authority, such as chieftaincy, which underwent various forms of transformations for more than a century, have been actively vying for new political space within the context of the Ghanaian modern societies in particular and African states in general.

As pointed out by the findings of the study, the presence of chieftaincy, among other things, leads to the creation of a political dualism, which reflects the socio-cultural matrix of Ghanaian communities. It is against this background that the following two broad policy implications are deduced to ensure efficiency of governance at the local level in particular and at the national level in general:

- i. Measures to ensure efficiency of chieftaincy and local government in small communities in Ghana; and
- ii. Models on the structure of political dualism for Ghana.

7.3.1 Measures Toward Efficiency of the Duality of Chieftaincy and Local Government in Ghanaian small Communities

Even though there are lack of adequate constitutional provisions to regulate the co-existence of the chieftaincy institution and local government, the findings of this study

indicate that the dualism is viable and very necessary at the local level of governance. However, these two political institutions exhibit marked inter-weaknesses and intra-weaknesses which require remedy. For instance, the present underperformance of local government as this study has revealed, is enough reason why policy-makers should take the necessary measures in addressing the problem. Such measures could be directed towards the **local government** on one hand, and the **chieftaincy institution** on the other.

- Measures on the Local Government

- i. First, in order to motivate and commit the local government personnel to perform effectively, the state should give government functionaries monthly allowance or remuneration. This will make the introduction of local government attractive to the young and able men and women who, to some extent, have shown look-warm attitudes towards the programme since its inception.
- ii. Also, for the positions of government functionaries in the local communities to be competitive and enviable, parliament may enact laws which would demand that a DCE candidate must necessarily have served with distinction, the position of an assemblyman, town council or unit committee member before being appointed. By this law, all prospective DCEs would be vying for the position of an assemblyman, town council or a unit committee membership.
- iii. Thirdly, the government should consider putting up an office for the assemblyman in each local community where records of activities of the assembly as well as records of meeting of the town council and unit committees are kept. To this end, the assemblyman could be elevated to the position of overseer of all activities of the various unit committees and town council under his jurisdiction.

- iv. For the government to demonstrate political will and commitment towards effective implementation of local governance in the country, the annual national budget should strongly feature programs which will make the local government more efficient.
- v. To sum up, there is the need for policy-makers to evaluate and possibly revise the local government programme to reflect the reality on the ground. For Ghana's democracy can be deepened as long as there exists strong grass-root participation in the country's body politic.

- Measures on the Chieftaincy Institutions

- i. For traditional leaders to appear non partisan, every ruling government should desist from engaging chiefs in active party politics contrary to the Constitution of the Fourth Republic. Chiefs should in practice, abide by the constitution as it pertains to their involvement in partisan or active politics.
- ii. Chiefs on the other hand, must be bold enough to resist various temptations in the form of monetary and other inducements that may compromise their ability to comment on national issues without fear or favour.
- iii. There is the need to put a halt to the inconsistent policies on the representation of chiefs in local government units, as portrayed in the past and present constitutions – 1961 (chiefs were banned), 1969, 1979, the decentralization policy adopted in 1988, the 1991 Committee of Experts' Report vs. the Consultative Assembly, and the 1992 Constitution did not make adequate provision for participation of chiefs in local governance.

- iv. Furthermore, Parliament may consider modalities for honorarium for chiefs (according to status), which can be charged against their respective District Assemblies Common Fund (DACF) or the Contingency Fund (COF). The incontrovertible point that the study has revealed is that chiefs are the pillars in local administration and should be recognized as such. Their respective roles in settling domestic or localized disputes and other societal conflicts have contributed to the stability of the nation.
- vi. The beliefs in ancestors and certain practices linked to the dead (and sometimes gods) is said to be central to the institution of chieftaincy. The chief is supposed to perform regular rituals to ‘cleanse’ the “Black Stool” which is also said to be a deity. This aspect of chieftaincy presents the institution in a negative image to many people, including some royal family members who hold other faiths such as Christianity and Islam. If chieftaincy as an institution should continue to be attached to the apron strings of such beliefs and practices, the institution might continually be adversely affected by the changing times. For this reason, it is being suggested that the institution of chieftaincy, if it is to survive in future, should start distancing itself from ancestral beliefs and practices. Nevertheless, while calling for changes in the institution of chieftaincy to ensure progress and its survival, caution should necessarily be exercised so that such changes, as would be made, must not lead to absolute erosion of the cultural significance of this traditional institution.
- vii. There is the need to find solutions to the chieftaincy disputes, particularly those pertaining to succession and land ownership. Even though clear-cut procedures for nomination, election, installation, destoolment and promotion from one stage of the chieftaincy ladder to another are necessary, from experience it has been discovered

that certain attitudes toward the institution of chieftaincy have contributed towards the apparent disregard of the existing laid-down procedures. The position at the moment is that a lot of people within the country do not know or do not want to maintain the laws and customs governing the institution of chieftaincy (Dankwa III, 2004, 112-113). Some of the chieftaincy laws are to be found in the 1992 Constitution of Ghana. The procedures are also being given the force of law through judicial pronouncements. There is the need therefore to mount a public education campaign on the laws and customs surrounding the institution of chieftaincy. The procedures of nomination, election, installation and destoolment should be clearly defined and the public, educated. To this end, there is the need for a nation-wide programme to have all the customary laws of the various ethnic groups documented, and such written documents should clearly state succession matters and issues relating to land ownerships and inheritance.

- viii. Finally, the institution of chieftaincy can be effective as long as it could maintain its autonomy and capacity. Thus, in the sense that traditional leaders can rely on their own mechanisms and structures to implement their own policies – the capacity of mobilization, networks, financial autonomy through local taxation (from the markets held on their land) and the rental fees from royal properties such as land royalties. Also, decentralization policy design and implementation require a wide political and social dialogue and bargaining with all the relevant stakeholders or actors in the local community, and from the findings of the study, the chieftaincy institution is well endowed to fulfill such aspiration. Therefore, the Fourth Republic Constitution could be reviewed to prominently feature the chieftaincy institution to spearhead political administration in the local communities.

7.3.2 The Three Models on the Structure of the Duality of Chieftaincy and National Government

One of the major findings and conclusions of the study is that the chieftaincy institution has the capacity to co-exist with the national government structures, and that it has the potentials of adapting to change in the Ghanaian society. The findings are also emphatic on the central role that the traditional leaders play in governance at the local level. In this regard, the study proposes to policy makers, a model of dualism where traditional leaders would be strongly integrated in main-stream politics. In doing this, three typologies or models of political system have been devised, out of which the investigator has chosen and defended one as the best for the country. These three typologies may be applicable to both **local** and **national** levels of governance and they include:

- Maintaining the status-quo (dualism) as spelt out in the 1992 Constitution;
- Abolishing chieftaincy or stripping its political powers; and
- Merging the chieftaincy institution with the modern state government.

7.3.2a Typology One: Maintaining the Status-quo (Dualism) as Spelt Out in the 1992 Constitution

This typology suggests the maintenance of the status-quo as enshrined in the 1992 Constitution of the Republic of Ghana. As discussed under the Literature Review (Chapter 2), the Fourth Republic Constitution acknowledges the existence and operation of the institution of chieftaincy. It is assumed that the 1992 Constitution creates two parallel political institutions, chieftaincy (tradition) and national government (modernity). Articles 270 and 271 of the 1992 Constitution guarantee the chieftaincy institution together with its National House of Chiefs (NHC), Regional Houses of Chiefs (RHC) and Traditional Councils (TC). The Constitution at the same time prevents chiefs from engaging in party politics (Art. 276).

The implication therefore is that the 1992 Constitution, to some extent, creates two streams of power and authority in the country. The two streams of power and authority are the formal authorities with the sovereign powers of state (national government) and the seemingly non-formal authority (chieftaincy). Thus, it seems the 1992 Constitution draws a parallel line functions for chieftaincy and national government, with the former confined within a defined functional jurisdiction.

This type of political dualism pervades throughout the various political units of the country – village, town, district and national. Meanwhile, there are merits and demerits should Ghana opt for the continuity of the present dualism as enshrined in the 1992 Constitution of the Republic of Ghana.

The Merits

- 1) The present dualism creates the situation where the chieftaincy institution serves not only as the centre piece for mobilizing people for communal development but also the effective link between the people and the central administration (Boafo-Arthur, 2001).
- 2) The dualism also allows chiefs to make customary laws and ‘police’ them, hence saving the national government of spending huge sums of money to put up formal structures (courts and police stations) in every community to maintain law and order (Gyapong 2006,185). In other words, the present political dualism offers the state the opportunity to use chiefs to maintain the law and order at relatively very low cost.
- 3) The service provided by the traditional court system is relatively cheaper compared to the state legal system where huge sums of money must be paid for the services of

lawyers. Besides, the ordinary Ghanaian understands the traditional legal system (customary laws) better than the formal legal system where the laws are intellectually documented in English.

4. Finally, the chiefs and elders are a symbol of the Ghanaian culture. Their absence will certainly erode some key aspects of the country's traditional culture.

The Demerits

- 1) Because the role of a traditional leader is not clearly defined, it may be possible that their actions may undermine the role of government functionaries. Thus, theoretically, whenever two systems of authority exist and operate side-by-side in a society, conflicts arising from the clash of the two authorities are inevitable. The conflict between the leaders from different political systems implies that consensus, and unity among the people in the communities involved would be undermined.
- 2) The 1992 Constitution is also not clear on the issues of succession and perhaps land ownership, the major factors leading to numerous chieftaincy disputes in the country. Some of the landmark disputes in recent times are the Abudu and Andani succession conflict, which led to the death of Yaa Naa, paramount chief of Dagbon. Another is the Kussasi and Mamprusi conflict which is caused by the issue of landownership. Thus, the present dualism has marked defects to be dealt with if it should be maintained.
- 3) Finally, the present Constitution bars chiefs from party-politics, yet activities and actions which could be described as party politicking are not clearly defined. There have been controversies over actions of some chiefs since a section of the public consider as being party politics while the others think otherwise. Furthermore,

banning chiefs from party politics implies constraining them from participating and contributing effectively to both communities and national issues.

The way forward

Even though this study supports a major review within the current structure of the political dualism in order to feature traditional leaders prominently in the 1992 Constitution, the recommendations on chieftaincy and local government in the small towns and villages, as enumerated earlier, may be necessary for consideration if the country decides to maintain

Typology One.

7.3.2b Typology Two: Abolishing Chieftaincy or Stripping its Political Powers

This typology advocates for abolishing the chieftaincy institution entirely or completely taking away the economic, legal and political powers of chiefs. It will imply that Parliament may enact laws in this direction. There are obvious benefits and losses should the country embark on this form of reform within the present political dualism. However, the question remains as to whether this could be practicable, considering the extent to which this age-long institution is imbedded in the social fabric of the country.

The Merits

- 1) Getting rid of chieftaincy institution means doing away with the customary laws in the country. The implication therefore is that Ghana could be on the threshold of becoming a true Republic with the same set of laws for all communities in the country.
- 2) To some extent, chieftaincy creates ethnic enclaves and seemingly undermines national integration in the country. Therefore, if the institution is abolished, it may

lead to the erosion of ethnic boundaries that are created by this ancient institution. This may facilitate any attempt at re-demarcating of district boundaries of the country without or with less resistance (Gyapong, 2006).

- 3) Clashes between the two political hierarchies at the local level and even national level could be avoided. Thus, tensions and conflicts between chiefs and government functionaries – DCEs, assemblymen and unit committee members – could be curtailed.
- 4) The numerous chieftaincy disputes, which to some extent have undermined the peace of this country could also be avoided if the country has the courage to strip off the political powers of chiefs altogether.

The Demerits

- 1) As the study reveals, the chieftaincy is a pillar in local governance in the country. Therefore, it would be too costly for the country to put in place institutional structures which will effectively assume the responsibilities or the functions performed by the chieftaincy institution.
- 2) Secondly, chiefs are regarded as the custodians of the country's traditional culture. Abolishing this ancient institution will imply losing a significant part of the country's cultural heritage and possibly creating a counterfeit of some foreign cultures.
- 3) Where chiefs lose their political power, the position will be less attractive to royals and even non-royals. This may lead to people with questionable character assuming chieftaincy positions because the respected and capable people may no longer be interested in chieftaincy matters.

- 4) Also, chieftaincy is a well institutionalized political system which provides essential functions to the people of Ghana. For most people in the rural areas for example, it is the only visible authority in their communities on which they heavily depend for social control and order. In view of this, it would be suicidal if the institution is abolished or most of the powers which the chiefs use to perform their functions are taken away from them.
- 5) Finally, chieftaincy is still cherished by many Ghanaians and it would not be feasible to abolish the age-long institution; for any attempt will be met with fierce resistance from both the elite and the ordinary people. This may eventually disturb the peace and tranquility currently enjoyed in the country. As many studies have revealed, it is not easy for the culture of a society to 'die' easily (Nukunya, 2003: 1). To Dankwa III (2004) for instance;

Chieftaincy in Ghana has emerged from the social fabric of the land. It means that unlike chieftaincy set-ups in other parts of Africa, the Ghanaian chieftaincy is nobody's creation and therefore cannot be easily destroyed (Dankwa III, 2004: 1).

On the whole, considering the importance of the chieftaincy institution, it would be suicidal for the country to either abolish the age-long institution or strip chiefs of their remaining political powers. It is suggested therefore that policy makers and Parliament should consider it a far fetched option if the country decides to adopt **Typology Two** as a measure to consolidate democracy and local governance in the country.

7.3.2c Typology Three: Merging the Chieftaincy Institution with the Modern State Government

Under this scenario, there is the call for creating a new political system where the present political dualism would phase out by integrating indigenous political administration with national political administration; that is, merging tradition and modernity in order to achieve an end product which has elements of both (Nukunya, 2003: 1). It means the Fourth Republic Constitution should be reviewed to feature this merging process. In fact, the investigator prefers this typology to the other two typologies, and consequently recommends its implementation under the present Fourth Republic of Ghana.

The issue, however, could be how the Constitution should be reviewed in order to integrate the chieftaincy institution into main-stream governance structure of the country. The answer may necessarily involve major institutional arrangements within the 1992 Constitution which would feature prominently the chieftaincy institution in both **local** and **central** level governance.

i. Local Governance Level

It would be recalled that both colonial and post-colonial governmental systems (foreign imports) in Ghana created a distance between the government and the governed (Quainoo, 2000). This eventually led to engendered attitudes of unconcern and insensitivity to the affairs of the state on the part of the governed. Consequently, the general attitude of the citizen was that it was possible to injure the state without injuring oneself, an attitude that opened the floodgates of bribery, corruption, carelessness about state property or state enterprises, and other unethical or antisocial acts (Ansah-Koi, 1987).

Within the chieftaincy system however, the perception is that any injury done to the community as a whole directly injures the individual. The traditional system thus, evoked

sentiments of personal commitment to the community which Ghana as a state has yet to create in its citizens. These observations undoubtedly suggest the conviction that it is sensible, even imperative, to infuse those indigenous political values and attitudes which are evidently relevant to developments in the democratic politics of the modern world. To do this at the local government level, chiefs in the villages and towns by constitutional arrangement could be made chairpersons over the various unit committees and town councils, and the respective assemblymen could serve as secretaries to the chiefs. At the Area Councils (AC), the chairperson could be chosen from the chiefs of the area, and the chairmanship should rotate among the chiefs within the area. The assemblymen involved, on rotational basis, may serve as secretaries to an Area Council.

At the district level, only chiefs who hold office of a paramountcy may assume chairmanship position and the DCE would operate as the General Secretary of the district. The chairmanship should be rotational if there were more than one paramount chief within the district. With regards to a metropolitan assembly, the paramount chief of the area could be the chairman while the Mayor, instead of the DCE, remains the General Secretary. At the Regional level, the chairmanship may rotate among the Regional Minister and the paramount chiefs within the Region, while all the DCEs and assemblymen constitute the membership. The DCEs on rotational basis would serve as General Secretaries to the Regional Council.

In all, chiefs should be made automatic members of local government administrative system at the Regional, District, Area, town and village levels. It is recommended therefore that chiefs should have strong representation on the current three-tier local government structure, namely, on Regional Coordinating Council (RCC), District Assemblies (DAs) and on Town / Area Councils (TAC) and Unit Committees (UC). The representation of

chiefs on these structures will afford them the opportunity of participating in discussing at the local level, the perceived needs of the people. Through this, they could together with the assemblymen and the people, take ownership of policy initiatives and be committed to implementing them.

It is important to note that the integration of chieftaincy within the main stream politics implies that the customary laws which are largely used by the chiefs should be documented and incorporated into the constitution of the country.

ii. Central Governance Level – The Upper House (UH)

At the national level politics, an “Upper House” can be created with members of the house largely drawn from the paramount chiefs of the various ethnic groups. As the name connotes, the Upper House (UH) would be the overseer of actions of all leaders in the country, including politicians, technocrats and officers in public institutions.

It is important to note that the traditional political system was made up of three (3) major groups of **leaders**, the ancestors, chiefs, and elders. While the chief and elders performed the executive, legislative and judicial functions, the ancestors were the overseers of the actions of the chiefs and elders (Busia, 1951). The findings of the study from Apapam and Nkronso, suggest that the beliefs of the traditional leaders in the ancestors are very strong and impact on their actions. Such effective checks from the ancestral beliefs could shape up the actions of the members of the UH (paramount chiefs) so that they deliver according to the wills of the people.

Furthermore, UH will be an effective check on public officers because all the paramount chiefs are not going to be elected or appointed, hence may not yield to pressures from those who funded and facilitated their election campaigns, or those who appointed them. Also,

people chosen to be paramount chiefs are considered noble who will want to live to expectation. Each paramount chief at the moment has a Council of Elders (CE) which could offer advice and rebuke whenever the former was abusing his/her office. All things being equal, corruption, selfishness and partisanship can hardly be associated with their actions.

Considered to be a non-partisan body of traditional leaders who are the custodians of the cultural values of this country, it is safe to assume that the UH members will look at every bill or issue purely in the interest of the people and the moral values on which this country is founded, and not on partisan basis. Therefore, the UH would among others, be an effective mechanism in controlling and regulating the three (3) arms of government, the executive, legislature and judiciary.

NOTE: Once the Upper House is established, the present Council of State (CS) could be relieved of its position and responsibilities. Few eminent Ghanaians may be chosen to constitute an advisory body to the President and the ruling government.

- The Merits

The establishment of the Upper House could be a solution to the following chronic issues within the national politics:

1. The Electoral Commission (EC) can be realistically independent if it is entirely out of official control of the incumbent President and the ruling government in respect of appointments and funding. When an Upper House is created to take charge of the institution, it would, to some extent, resolve some of electoral controversies over successive incumbent governments being accused of rigging elections. The Upper House may be mandated to handle appointments and administrative issues of

the Electoral Commission (EC) in order to make the institution truly independent of supposed government control and manipulation.

2. The UH could also be responsible for appointments and financial issues of the Commission on Human Rights and Administrative Justice (CHRAJ) and Ministry of Justice and Attorney-General (AG). This will make CHRAJ and AG very independent of possible government control and manipulation, hence, could be effective in dealing with corruption and mismanagement, especially involving politicians of the ruling party and not only politicians who have lost power and are in opposition.
3. In parliament for example, a lot of the issues are politicized on partisan basis hence, decisions taken by members of parliament may not necessarily be in the national interest. The UH could serve as avenue for the minority in parliament, in particular to use to block the passing of bills into laws which are not in the nation's interest. Thus, the UH may be given the veto power to stop any law passed by parliament which is considered to have sectional or individual interest as against a national one.
4. Another benefit from the creation of the UH is that it may effectively provide checks and balances on the executives (politicians). The establishment of the UH would effectively check the actions of politicians, both in government and in opposition so that the nation would not have to wait till a ruling party loses political power before political office-holders are effectively held accountable of their actions and in-actions. Especially, the UH may effectively deal with the indiscriminate sale of state assets (sale of government lands and companies) which successive opposition leaders in the country since the inception of the Fourth

Republic have persistently cried foul about. With the existence of an Upper House made up of well respected paramount chiefs of this nation, issues pertaining to the sale of national assets could be discussed dispassionately devoid of partisan interest.

- 5) Finally, the country, since independence has persistently been confronted with the problem of continuity of policies and programs of previous governments when a new government had taken over power. For example, when the then ruling New Patriotic Party (NPP) government was in power in the 2000s, it changed the existing 3 years Senior High School program which was initiated by the PNDC/NDC government, to 4 years, and the current National Democratic Congress (NDC) government, after assuming office in January 2009, defied all criticisms to push the programme back to 3 years. In order to ensure continuity, the National Development Commission could be placed under the control of the UH. It would then be the duty of the UH to introduce the new government to the national policies, including the portions that have been executed by previous governments and those left to be executed. The new government would then be mandated to continue where the previous government left off.
- 6) The UH could be very useful during a change of government. After a ruling government had lost a presidential election, UH may be asked to oversee the transitional processes. This could address the controversies of end of service benefits (ex-gratia) to outgoing presidents, ministers and parliamentarians as well as other transitional matters which are always politicized by both the incoming and outgoing governments.

- The Demerits

Certainly, every institution created by human beings has some weaknesses. The UH is no exception. The expected disadvantages include:

1. Membership of the UH which is made up of paramount chiefs must be given remuneration. This would be additional expenditure to the state. However, it may be argued that the additional expenditure would not be a burden since all paramount chiefs are currently paid from the state coffers. Secondly, the 24 members of the present Council of State receive remunerations. Since the UH would replace the present Council of State, the expenses of the latter could be channeled towards financing the UH.
2. Another perceived problem is that almost all paramount chiefs are men, which technically implies that women may be denied membership of the UH. The problem may however be addressed if the female traditional heads of the various paramountcies in the country (Obaahemaa or Ohemmaa) are accorded membership to the UH.
3. Few Ghanaian traditional communities today remain acephalous. This implies it would be impossible for these communities to have paramount chiefs representing them at the UH. Nonetheless, the problem could be resolved if a-cephalous communities are made to elect their representatives to the UH.

On the whole, when considering the three typologies, the third one is recommended, where the indigenous political institution could be well integrated in the modern system of governance. Note that the main reasons which have prompted this suggestion could be linked to a **theoretical** basis as in Chapter Two of this study. The upshot of this theoretical basis is that the third typology has a solid conceptual framework which makes its practice more realistic, hence feasible.

7.3.3 Theoretical Basis of the Recommended Typology Three

The Ghanaian social structure, including the present political institution is in transition (Abotchie, 2008). It started with pre-colonial era where chiefs were in total control of socio-political issues of their community. Before colonialism which gave birth to modern state of Ghana, the indigenous people of Ghana had their own system of governance. The indigenes were made up of states called “Oman” in Akan language (Busia, 1951) and using the chieftaincy institution, the system of governance then was a reflection of the socio-cultural situation of the people. Each "oman" maintained internal political stabilities, even though among the various different "Oman" political conflicts prevailed. Then, the Europeans came and colonized the indigenes and some of the powers of the chiefs were taken away through the introduction of “Indirect Rule” by the colonialists. Later, with the emergence of multi-party democracy, the traditional system of governance was ignored. The chiefs relinquished some of the remaining powers to the national government (see the introduction of this study in Chapter one).

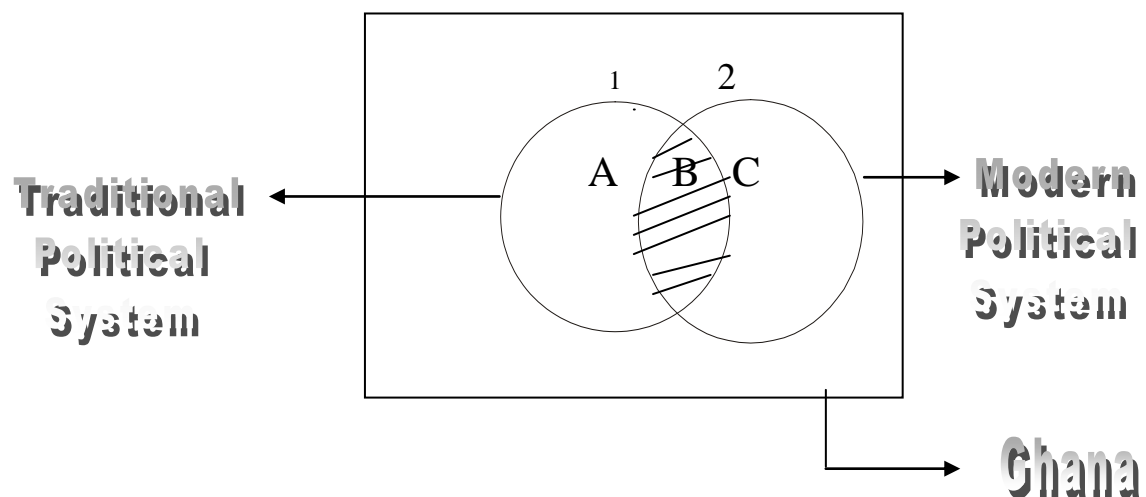
Summing up, through colonialism and post-colonial era there has been some form of political dualism where the chieftaincy institution and national government exist side by side. Politics, over the years therefore seem to be a blend of tradition (chieftaincy) and modernity (national government). This is a reflection of what social change constitutes as pointed out by (Nukunya, 2003):

...The nature of contemporary Ghanaian society involves an interplay of tradition and change. Therefore any study of contemporary Ghana has to take inspiration from what has gone before. Moreover it will be wrong to think that the institutions of the past just gave way to those of today. They did not. Hence we speak of interplay of tradition and change. ...in any situation of change in contemporary Ghana it is the traditional social practices which give direction to the changes taking place (Nukunya, 2003: 1).

He then concludes that “in order to fully understand the society of today, a thorough knowledge of traditional institutions is required” (Nukunya, 2003: 1).

According to Nukunya (2003) therefore, for every social change there is an interplay of tradition and modernity to give an end product which has elements of both (refer to Chapter Two, under Theoretical Framework, for detailed analyses). It is therefore suggested that for the country to attain workable national government or multi-party democracy, it must necessarily fuse some features of traditional political system (chieftaincy system) with the former. This can be illustrated in a diagram below.

DIAGRAM 6.1: MERGING TRADITIONAL AND MODERN INSTITUTIONS



The entire square represents Ghana as an independent state. The two circles “1” and “2” represent Traditional and Modern Political Systems respectively. The areas marked by “A”, “B”, and “C” are the fusing process. The areas, “A” and “C” represent features of the respective traditional and modern political systems rejected in the fusing process. The area marked “B” is the aspects or elements of both traditional and modern political systems

merged together. That is “B” (shaded area) represents the outcome or the new political system made up of both traditional and modern features.

In simple logical statement the interplay of tradition and modernity gives an end product “B” which has elements of both. On the whole, “B” represents a viable modern constitutional governance in Ghana. It is when Ghana blends tradition and modernity that decentralization and local government would be effective, hence, leading to the consolidation of constitutional governance, under the Fourth Republic of Ghana. To this end, the Constitution of the Fourth Republic should be tailored to prominently feature the dualism of tradition (chieftaincy) and modernity (local government) in order to reflect the socio-cultural conditions of the country. For as Ansah-Koi (1993: 69) has noted: “democracy (constitutional government) cannot thrive for long (in Ghana) if the socio-cultural matrix is not conducive to the perpetuation of democratic rule”.

The blending of tradition and modernity to reflect socio-cultural situation of the country, could be achieved by fusing certain appropriate features of chieftaincy system in the present Constitution of the Fourth Republic. It is important to note that this idea was noted far back before independence by the Coussey Committee in 1949. In its Report (1949) the committee which was responsible for Constitutional Reform, stated: “in embarking upon a new order of political life, we have chosen the British Model and have sought to blend it with our traditional institutions”.

Recalling the era of the struggle for independence, the liberal nationalists like Dr Danquah, George Alfred Grant (“Paa” Grant), Akuffo Addo, Obetsebi Lamptey, William Ofori Atta, and Ako Adjei became highly critical of the kind of role the chiefs were then playing in the legislative and executive councils. To such nationalists, the most appropriate place of the chiefs in government was in the **Traditional State Councils (TSC)**, in a reformed **Local**

Government System (LGS), and in an **Upper House (UH)** of the legislature (Drah, 1987: 47). In 1940 the executive committee of the Gold Coast Youth Conference (GCYC) wrote a memorandum in which a constitution for the country was spelt out. Obviously, the handiwork of Dr Danquah, the constitution provided that the Joint Provincial Council of Chiefs (JPC) and the Legislative Council (LC) be merged into a new bi-cameral (two chamber) legislature. The JPC would become house of chiefs, while the legislative council would become an expanded legislative assembly of popularly elected members.

In 1950 Dr Danquah was so concerned about the future of chieftaincy and, indeed, of the whole country that he tabled a motion in the last session of the legislative council. The motion called for the adoption – as a matter of urgency – of a Bicameral Legislature (BL) recommended by the Coussey Constitutional Committee (CCC). He was convinced that a second chamber of chiefs and elder statesmen would serve as one of the safeguards against dictatorship (Danquah, 1950). He appealed to all the members, both chiefs and non-chiefs:

that if you well and truly would like to see this country's new Government embarking upon legislation, not in the raw, but with the possibility of a second opinion to check, revise, and even delay the same, to enable the same, to enable the rest of the country to look again into the proposed measure; if you desire honestly and sincerely to ensure such stable conditions as would make it impossible for an insane revolutionary party to get into power and sweep everything we love and hold dear from the land by the use of its simple majority... in the unicameral (one chamber) legislature, and if you want continuity, identity and stability in this very progressive Gold Coast, then I ask you to, from the bowels of Christ, vote in favour of the motion. But if ... your desire is to see this country ruined and chieftaincy destroyed... then ... the unicameralists may win the debate, and our country and its culture are forever doomed" (Danquah, 1950)

Those who favoured unicameral system, indeed, won by twenty-one votes to five; and so a second chamber of chiefs and elder statesmen was never established. Nonetheless, as Drah

(1987: 48) rightly pointed out, the case for such a chamber will have to be revisited, if the issue of a more meaningful political role of chiefs at the central and local levels is to be addressed to the satisfaction of all. Boafo-Arthur confirms Drah's view when he stated:

I personally think that given its role in Ghana's political set up, it (chieftaincy institution) could be an effective countervailing institution just like parliament and the Judiciary, especially by drawing public attention to Executive excesses and infractions as well as inactions (Boafo-Arthur, 2001: 20).

It is true that many Ghanaians are disturbed by the many chieftaincy disputes in the country. But there are good reasons to support the retention of the ancient institution. The majority of Ghanaians live in the rural areas where chiefs and their elders ensure peace and development. Ghana has about 43,000 communities' agencies – the district assembly offices, police, etc. The remaining 31,000 communities of the country are under the direct control of chiefs. According to Nukunya (2003), 43.8% of the population is urbanized, the remaining 56.2% which is predominantly traditional, still looks upon their chiefs for justice, peace, prosperity and progress in their communities.

Contemporary governments for instance, rely on chiefs as important links between them and their people in the rural areas and have utilized the offices of the chiefs to explain important national policies to the people. Mr. Allan Kyeremanten, then 2008 presidential aspirant of the NPP gave the following description of chiefs:

They are closer to the people and attuned to their needs, hurts, feelings and aspirations, more than our DCEs and Municipal Chief Executives (MCEs) or MPs and politicians. As traditional leaders, too, they are in my view more, accessible to our people in times of need and trouble than our appointees and political figures; and that provides compelling grounds for all of us to reorient our development paradigms at the level of communities with our revered chiefs at the centre. When there is trouble on the ground, it is they who the people run to first to seek temporary ways of managing that problem before the politicians intervene after some paperwork delays (Daily Graphic, 24th January., 2008: 23).

On the whole, chieftaincy as an institution has stood the test of time and has been serving the nation in many respects, and will continue to serve the nation. If, therefore, chieftaincy is given a modern touch, without destroying the basic attributes, the institution will be able to play a more positive role in the nation's quest for a viable decentralization and local governance in particular, and socio-economic development in general. To this end, it is important that institutional arrangements are made within the present Fourth Republic Constitution of Ghana to offer the chieftaincy institution a much prominent role in the body politic of the country!

7.4 CONTRIBUTIONS OF THE STUDY TO THE BODY OF KNOWLEDGE

The investigation has come up with some remarkable findings and contributions to the body of knowledge, as explained below:

- i. Literally democracy means 'power to the people', hence effective local participation in governance remains one of the primary mechanisms through which the people's power is expressed. It is therefore assumed that the local government program in the country will enhance effective local or grass-roots participation. Thus, after more than two decades of practising multiparty democracy in Ghana, the study assesses the performance of the local government program, which is part of the dualism in local communities, and it has provided a wealth of information, including the weaknesses and strengths of the dualism, which could give directions towards further intellectual analyses, and policy formulations and implementations, regarding effective governance at the local level, in order to deepen democracy in Ghana.

ii. Authors such as Abotchie (2006), Assimeng (2001) and Ayee (2006) have provided some weaknesses and strengths of the chieftaincy institution and local government. But this is short of identifying weaknesses and strengths as the two political institutions co-function in Ghanaian communities. This study therefore, goes beyond the **intra**-weaknesses and **intra**-strengths to find the **inter**-weaknesses and **inter**-strengths of the dualism, and based on the findings of the investigation, the inter-weaknesses involve constraints from the lack of adequate constitutional provisions to define actions of office holders within the dualism. The political dualism has been somehow an accidental creation. After independence, successive governments of the Republic of Ghana decided to co-exist with the chieftaincy institution. No comprehensive document has been developed to control and regulate the actions of office holders in that regard, and this sometimes creates confusion and misunderstanding between the two different groups of leaders. On inter-strengths, it is found that having two different leaderships operating together foster checks and balances on each other and also leads to fruitful discussions and sharing of ideas, for as the saying goes: “two heads are better than one”.

iii. The study unravels the web of relations (both formal and informal) which possibly constitute the entire governance system of local communities in the country. This web of relations goes beyond just positive and negative interactions between traditional leaders and government functionaries. Some marked findings regarding the web of relations are the informal arrangements, which lead to:

- Parallel and complementary relations within the dualism;
- Peripheral and central roles within the dualism;
- Paradoxical relationships within the dualism; and
- Consensus and conflict within the dualism.

The above mentioned features of the relations between traditional leaders and government functionaries provide deep insight into governance in local communities and further create the platform for detailed intellectual analyses on the subject matter of ‘web of relations’ within the political dualism prevailing in Ghana. It also informs policy makers that the two leaderships naturally have what it takes to coexist and that what is needed is the provision of the necessary policies which would enhance their co-existence towards effective governance in the country.

- iv. The study reveals that the creation and presence of the local government, on paper takes away portions of the authority and influence of the traditional leaders, but in practice, the government functionaries hardly take away anything from the chiefs in the local communities. Instead, many of the government functionaries, particularly the unit committee members and assemblymen play peripheral role in political administration of the local communities. The study therefore reveals that considering the national budget constraints, coupled with the strong impact of customs and traditions in local communities, there is no way any meaningful local government programme could be implemented without strong involvement of the chieftaincy institution.
- v. One of the objectives of the study, as noted in Chapter One, is to assess the debate on whether or not the dualism should be abrogated based on the reason that the chieftaincy institution, which is part of the dualism has outlived its usefulness, hence, it must be abolished. In the attempt to examine this debate, the findings of this study have raised another question namely, is the presence of chieftaincy in local communities undermining or complementing local government? Thus, the investigator finds that in the communities where the institution of chieftaincy is well entrenched, and the chief and traditional elders powerful, the status and roles of these traditional leaders

overshadow that of the assemblyman and town council members. This results in a situation where the assemblyman, town council and unit committee members are likely to play low profile role in the administration of the local communities.

However, where the traditional leadership is relatively weak and less influential, the onus lies on the government functionaries in the community to play relatively active role in the administration of the local communities. This is an indication that while chieftaincy is known to support and complement local government system in the country, it also appears to subjugate and overshadow the position and role of government functionaries in the local communities. The issue then, which require deeper investigation could be: is the presence of chieftaincy in local communities undermining or complementing the nurturing of local government?

- vi. The investigation provides a strong theoretical support for the dualism, which adds up to the case made by political practitioners and scientists that the co-existence of the two political institutions is necessary, and that the dualism should be encouraged and in fact nurtured for the entrenchment of democracy. The theory of social change as pointed out by Moore (1963) and Nukunya (2003) is used, and it states that for every change in society, there is an inter-play of tradition and modernity, to give an end product, which has elements of both. The findings of the study maintains before and during colonialism through post-colonialism to the present, there has been some form of political dualism where the chieftaincy institution and national government have existed side by side. Politics, over the years therefore is a blend of tradition (chieftaincy) and modernity (national government), which fulfils social change principles as pointed out by scholars such as Moore (1963) and Nukunya (2003).

- vii. Since African states gained independence, particularly in the 1960s, many authors (see review of literature in Chapter Two), including Owusu (1997) and Gyapong (2006) have emphasized the need for the creation of an ‘African democracy’ which would involve a blend of the traditional political institution and modern national government. However, none of these authors have in detail described how the blend should be developed and what the final political structure would be. The investigator has consequently taken this responsibility and has thus, made thought-provoking recommendations by providing models of governance structures at the local and national levels which are viable because those structures not only prominently feature the chieftaincy institution but also reflect the socio-cultural milieu of the Ghanaian societies.
- viii. The study identifies the positive presence of the chieftaincy institution at local governance level and the potential of this primordial institution for building and strengthening of democratic institutions in the country. The investigation therefore contradicts the view that the chieftaincy institution has outlived its usefulness. On the contrary, it has found that this age-old institution plays the central role in local governance and that without the traditional rule, local governance in the country would have been in disarray. Also, based on its unique status and potentials, the study recommends a model of political system where chieftaincy could play special role in Ghana’s effort at entrenching democracy.
- ix. The investigator has contributed to the on-going debate on the continued existence of chieftaincy alongside national governance structures. Most of the time, the debate about the role of traditional rule in the modern state takes two extreme directions: one idealistic and somehow nostalgic and the other pessimistic and repulsive. The study finds that both sides of the argument have certain levels of weaknesses. On the one side, depicting the harmony of traditional institutions tends either to create an illusionary world that has never actually existed or blind to the systems’ own weaknesses and

limitations. The other side of the argument however, tends to make traditional authority responsible for all the social evils and backwardness, preventing the society from evolving towards modernity, and thus, engages itself in getting the suppression of that form of authority. The study has introduced some level of science (through primary data analysis) in the debate to clarify issues and has eventually exposed the weaknesses of one of the two strands of the debate, while at the same time adding to the strength of the other strand. Thus, empirical evidence from the study points out that the services of traditional leadership in local communities are to some extent, impeccable and that it is almost not practicable to abrogate the continued existence of this age-long institution.

- x. The study reveals that the current position of chieftaincy with regards to local governance in the country remains controversial because on one hand, this ancient institution is seen to be helping to remove the weaknesses of the local government programme by playing a central role in political administration of the local communities. On the other hand, the presence of chieftaincy could be seen to co-opt and in fact prevent the nurturing of efficient local government in the country. Therefore, the development of efficient local governance system in the country depends on two premises: either the institution of chieftaincy is fully integrated in mainstream politics via comprehensive constitutional provisions, or this age-long institution should be abolished in order to pave the way for the local government to be appropriately nurtured and developed. Of course the second premise is too costly and in fact virtually not practicable. Therefore, it becomes obvious that the only choice is the formal integration of the chieftaincy institution, and the time is now or never.

On the whole, it is not enough for the dualism to be maintained. Instead, Ghanaians, in an attempt to deepen democracy should significantly engage the traditional leadership in mainstream politics, in order to achieve efficiency both at the local and national governance levels.

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Daily Graphic, 24th June, 2008, page 28

APPENDIX (I)**QUESTIONNAIRE ON THE PEOPLE (ELECTORATE)****FROM : DEPARTMENT OF SOCIOLOGY - UNIVERSITY OF GHANA****TOPIC: DUALISM IN LOCAL GOVERNANCE: The Case of
Chieftaincy and Local Government in Small Communities of
Akyem Abuakwa State of Ghana****I) Socio-Demographic Characteristics**

Tick [] where applicable:

1) Age:

Less than 20	[]	50 – 54	[]
20 - 24	[]	55 – 59	[]
25 - 29	[]	60 – 64	[]
30 - 34	[]	65 – 69	[]
35 - 39	[]	70 +	[]
40 - 44	[]		
45 - 49	[]		

2) Sex:

Male [] Female []

3) Marital Status:

Married	[]	Divorced	[]
Single	[]	Separated	[]
Widow	[]	Others.	

4) Level of formal education:

- [] None
- [] Drop out
- [] Middle/JSS/JHS
- [] Secondary/SSS/SHS/Commercial/Technical
- [] University/Polytechnic/Post-Secondary/Professional

5) Can you read, understand and write well in English?

Yes ☐ No ☐

6) Occupation

7) Roughly, how much money do you or your parents/guardians earn every month?

Tick ☐ where applicable:

☐ None/unemployed

☐ Less than 60 Gh.Cedis

☐ 60 – 100 Gh.Cedis

☐ 100 – 150 Gh.Cedis

☐ 150 – 200 Gh.Cedis

☐ Over 200 Gh.Cedis

8) Religion

II) Perception of the People on the political Leaders' Level of Involvement in Socio-Economic Activities and Maintenance of Law and Order.

9) What are the major socio-economic developments in your village since 20 years ago?

Tick ☐ where applicable:

i) Provision of Electricity power ☐

ii) Provision of clinic ☐

iii) Good drinking water ☐

iv) Public toilet ☐

v) Community library / center ☐

vi) Scholarships ☐

vii) State and NGO assistance to farmers ☐

viii) Establishment or renovation of schools ☐

ix) Establishment of factories / industries ☐

x) Others

10) What other socio-economic programmes / projects do you think your local community needs?

12) Comment on the performance of the following leaders with regards to socio-economic activities in your local community.

Chief

Assemblyman.

13) How often do the following leaders have contact and interaction (discussions, deliberations or meetings) with the people in the village? Tick [] where applicable:

LEADER	AT LEAST ONCE EVERY WEEK	ONCE EVERY MONTH	ONCE BETWEEN 1-6 MONTHS	ONCE BETWEEN 1-4 YEAR S	NONE
Chief of traditional area					
Chief in your local community					
Your lineage head					
Assemblyman					
Town Council Chairperson					
Your DCE					
Your MP					

14) Comment on the performance of the following leaders with regards to the maintenance of law and order in your local community.

Chief

Assemblyman.

III) Why and How the People Use the Indigenous and State Legal Systems

15) Have you ever observed or been involved in a case adjudicated by a chief and/or elders?

Yes []

No []

- 16) If yes, explain the case(s) involved.

- 17) Why did you or the parties involved not send the case to the national court or police? . .

- 18) Describe the sanction given to the party who was guilty

- 19) Were the parties involved in the case satisfied with the verdict?
 Yes [] No []
- 20) If no which of the parties was not satisfied and why?

- 21) Which of these legal systems do you prefer in seeking justice?
 i. Traditional court [] ii. Police / national court [] iii. Indifferent / uncertain []
- 22) Why would you send a case to the:
 i) Traditional court?

 ii) National court?

IV) The Issues of Legitimacy and Authority of Traditional Leaders and Government Functionaries in the Local Community

- 23) Indicate the sources of influence / power of the following leaders in your local community.
- i) Chief in your traditional area.
 - ii) Chief in your local community.
 - ii) Your lineage head or traditional elders
 - iii) Your assemblyman.
 - iv) Your Town Council
 - v) Your DCE.

24) Indicate which of the following two classified leaders is more influential and powerful than the other in your local community (give reasons for your answer);

i) Your local community chief versus your assemblyman.

.....

ii) Your local community chief versus UCC

.....

ii) Your local community chief versus your DCE.

.....

iii) Your traditional elders versus your assemblyman.

.....

iv) Your traditional elders versus Town Council Chairperson

25) Do you personally **like** the following leaders in your local community?

Tick [] where applicable:

LEADER	YES	NO	UNCERTAIN
Okyenhene			
Chief in your community			
Your TCC			
Your assemblyman			

26) Do you personally **respect** the following leaders in your local community?

Tick [] where applicable:

LEADER	YES	NO	UNCERTAIN
Okyenhene			
Chief in your local community			
Your Town Council Chairperson			
Your assemblyman			

27) Give respective reasons for your respect and reverence towards the following political positions in your local community.

- i) Chief in your traditional area.
- ii) Your local community chief.
- ii) Your lineage head or traditional elders.
- iii) Your assemblyman.
- iv) Your UCC.
- v) Your TC.

V) The Influence of Spiritual Entities on the Socio-Political Lives of the People

28) Comment on the relationship between the following entities in your village.

- Your chief and the ancestors.
-
- Your lineage head and ancestors.
-
- You and your ancestor.
-

29) Do you believe in life after death?

- Yes [] No [] Uncertain []

30) Do you believe in the existence of the following mediums? Tick [] when applicable.

- a. God Yes [] No []
- b. Gods Yes [] No []
- c. Ancestors Yes [] No []
- d. Witchcraft Yes [] No []
- e. Magic Yes [] No []
- f. Others (mention)

31) Comment on the efficacy of the traditional leadership in influencing people's lives in your community.

.....

VI) The People / Electorate's Knowledge, Perception and Attitude Towards Chieftaincy and National Politics (Issues)

32) What **do you appreciate** or **do not appreciate** about the following leaders?

- i) The chief of your traditional area (Okyenhene)
-
- ii) The chief of your local community
-
- iii) Your lineage head.
-
- iv) Assemblyman or unit committee chairman of your local community.
-
- v) Town Council Chairperson of your local community
-
- vi) District Chief Executive of your district.
-
- vii) Member of Parliament.
-

34) Should chiefs be involved in partisan politics?

Yes []

No []

Uncertain []

35) Why?

.....

36) Comment on the unifying capabilities of the following leaders in your community.

.....

37) Do you agree with the suggestion that chieftaincy should be abolished (Give reason(s))?.

.....

38) Suggest how traditional leaders and government functionaries in your local community can best work together

.....

APPENDIX (II)

CHECKLIST FOR PRIMARY DATA COLLECTION ON INDIGENOUS POLITICAL SYSTEM

FROM: DEPARTMENT OF SOCIOLOGY – UNIVERSITY OF GHANA

**TOPIC: DUALISM IN LOCAL GOVERNANCE: The Case of
Chieftaincy and Local Government in Small Communities of
Akyem Abuakwa State of Ghana**

INSTRUMENT: INTERVIEWING AND OBSERVATIONAL STUDY

I) The Indigenous Political Structure

1. Explain the hierarchical political structure of the Akyem Abuakwa State.
2. Explain the hierarchical indigenous political structure in the local communities
3. Identify the positions and roles of the chiefs and elders.
4. Give the meanings and implications of the ritual ceremonies and festival celebrations.

II) Social and Communal Events in the Local Communities

5. Observing the traditional leaders and asking them to explain the following events in the local communities:
 - Communal labour
 - Adjudication of cases
 - Deliberations
 - Festivals such as ‘Ohum’ and ‘Adae’
 - Funeral ceremonies
 - Militarism in the local communities
 - Organizing and participating in communal labour; and
 - Managing levy.
6. Who decides what, when and how these social events take place?
7. The role being played by the traditional leaders with regards to the afore-mentioned social events in the local communities.

8. The role being played by the government functionaries with regards to the aforementioned events in the local communities.
9. The interactions between the traditional leaders and government functionaries during the above social events.
10. Whether or not traditional leaders encounter problems with government functionaries as the two exist and function alongside each other?
11. How traditional leaders could effectively work with government functionaries in the local communities?

III) The Economic Activities in the local communities.

12. Identifying the main natural resources and economic activities in the local communities.
13. Finding out socio-economic projects which have been carried out in the local communities since the inception of the Fourth Republic.
14. The chiefs and elders' contribution to these development projects in the local communities.
 - i) Giving specific projects / programmes.
 - ii) Showing how they have contributed to these projects / programmes.
15. The roles played by government functionaries in the above socio-economic programmes/projects in the villages.
16. The nature of the relationships and interactions between the traditional leaders and government functionaries in carrying out the socio-economic developments.
17. The chiefs and elders regular contacts or interactions with the people.
18. The positive effort made by the chiefs and elders in ascertaining the socio-economic problems of the people.

19. Steps taken by the chiefs and elders in addressing the problems of the people.
20. Ascertaining the level of involvement of government functionaries in the following socio-economic activities:
- Managing community development projects;
 - Community deliberations;
 - Organizing and participating in communal labour;
 - Funerals;
 - Managing levy;
 - Adjudicating cases; and
 - Policing / Militarism.

Note: Each of the above-listed socio-economic is measured with:

- maximum three (3) points for being **head of the management team (HMT)**;
- Two (2) points for being **member of the management team (MMT)**; and
- One (1) point for being **non member of management but participant (NMMP)**.

IV) The Maintenance of Law and Order in the Local Communities

21. The structure of the traditional social control system.
22. Identifying key customary laws.
23. Whether or not these customary laws are at variance with the laws of the Republic of Ghana?
24. Identify the type and nature of offences in the local communities.
25. The type of sanctions in the villages and how they are carried out.
26. The major and regular cases brought to the traditional leaders for adjudication at the chief's palace.

27. Procedures involved in adjudicating cases.
28. What actions are likely to be taken by a party in a case when he / she is not satisfied with the verdict of the traditional court?
29. The nature of the relationships and interactions between the traditional social control system (traditional court and 'asafo' group) and government social control system (national court and police) in maintaining law and order in the local communities.

V) Authority and Legitimacy of Chieftaincy

30. Traditional leaders to explain their source of power and influence over the people in the local communities.
31. Traditional leaders to explain how they are able to control and regulate the behaviour of their subjects.
32. Illustrations of possible respect or reverence that the people give the chiefs and elders.
33. The implications of the land tenure system as key factor which legitimatise traditional rule and grant traditional leaders with power and influence.
34. Ancestral beliefs and the traditional stool.
35. The link that traditional leaders have with the ancestors which mystifies their position and makes their rule acceptable to the people.
36. Ascertaining the traditional leadership's level of authority, using the underlisted indicators regarding governance in the local communities:
 - Adjudications;
 - Funerals;

- Drawing up development. programs;
- Deliberations;
- Levying;
- Communal labour;
- Control and management of natural resources; and
- Militarism/Policing.

Note: Each of the above-listed indicators is measured according to the extent of the level of influence that one has in the decision-making processes. The more influence one has the higher his level of authority. Thus, each of the above-listed indicators is measured with a maximum 3 points and a minimum of zero (0) points as illustrated below:

- maximum three (3) points for being **head of the decision making body (HDMB)**;
- Two (2) points for being **member of the decision making body (MDMB)**; and
- One (1) point for being **non member of decision making body but make suggestions (NDMBS)**.

VI) The Importance of Chieftaincy

37. Comparing the respective positions and roles of traditional leaders, and government functionaries.
38. Traditional leaders' perceptions and attitude toward the position and role of government functionaries with regards to politics in the local communities
39. Reasons why chieftaincy should not or should be abolished.
40. The traditional leaders' comments on how best the chieftaincy institution could be integrated with national politics.

APPENDIX (III)

INTERVIEWING GOVERNMENT FUNCTIONARIES (Checklist for Primary Data Collection on Members of Unit Committee, Town Council, Assemblymen, DCE, etc.)

FROM: DEPARTMENT OF SOCIOLOGY - UNIVERSITY OF GHANA

**TOPIC: DUALISM IN LOCAL GOVERNANCE: The Case of
Chieftaincy and Local Government in Small Communities of
Akyem Abuakwa State of Ghana**

I) The Modern State Political Structure in the Local Communities

- 1) Explaining the hierarchical political structure of the state, including the positions and roles of officers / leaders.
- 2) Explaining the decentralization concept with emphasis at the village level politics.
- 3) As government or public official, outlining one's office duties in the village. Mention as many as possible.
 - i) Economic duties
 - ii) The maintenance of Law and order duties
 - iii) Other duties.

II) Social and Communal Events in the Local Communities

- 4) Observing the role of government functionaries towards the following events in the local communities:
 - Communal labour
 - Adjudication of cases
 - Deliberations
 - Festivals such 'Ohum' and 'Aday' and 'Aday'
 - Funeral ceremonies
 - Militarism in the villages

- 5) The relationships and interactions between the government functionaries and traditional leaders during the afore-mentioned socio-economic events.
- 6) Whether or not government functionaries encounter problems with traditional leaders as the two exist and function alongside each other?
- 7) How government functionaries could effectively work with traditional leaders in the local communities?

III) The Socio-Economic Activities in the Local Communities

- 8) Identifying the main natural resources and socio-economic activities in the local communities.
- 9) The socio-economic projects which have been carried out in the villages since the inception of the Fourth Republic.
- 10) Explaining how the government contributed to these development projects in these local communities.
- 11) As public official, giving account of one's socio-economic development achievements in the local communities.
 - i) Identifying specific projects / programmes.
 - ii) Showing how you have contributed to these projects / programmes.
- 12) The roles the chiefs and traditional elders played in the above achievements.
- 13) The nature of the relationships and interactions between the government functionaries and traditional leaders in carrying out the socio-economic developments.
- 14) The problems that government functionaries are facing with the traditional leaders while carrying out their office duties.

- 15) The possible effort of government functionaries towards working peacefully with the traditional leaders.
- 16) Government functionaries' effort towards ascertaining the problems of the people.
- 17) How often do government functionaries meet, interact and discuss issues with the traditional leaders and the people in the local communities?
- 18) Ascertaining the level of involvement of government functionaries in the following socio-economic activities:
 - Managing community development projects;
 - Community deliberations;
 - Organizing and participating in communal labour;
 - Managing Funerals;
 - Managing levy;
 - Adjudicating cases; and
 - Policing / Militarism.

Note: Each of the above-listed socio-economic is measured with:

- maximum three (3) points for being **head of the management team (HMT)**;
- Two (2) points for being **member of the management team (MMT)**; and
- One (1) point for being **non member of management but participant (NMMP)**.

IV) The Indigenous and State Legal System

- 19) Indicating the locations of a police station and a state tribunal or court where the people often use in dealing with crimes and disputes.
- 20) Examples of frequent disputes and criminal activities in the local communities.
 - i) Disputes
 - ii) Criminal activities.

- 21) How are the disputes settled in the local communities?
- 22) How are the criminal activities dealt with in the local communities?
- 23) The roles that government functionaries play in settling disputes among the people in the local communities.
- 24) How often are cases brought to the government functionaries for settlement or assistance?
- 25) Identifying any possible consensus and conflict between the indigenous social control system and state police/legal system.
 - i) Consensus.
 - ii) Conflict.

V) Authority and Legitimacy of the Position of Government Functionaries in the Local Communities

- 26) The sources of the power and influence of government functionaries over the people in the local communities.
- 27) Illustrations of possible respect or reverence that the people give the government functionaries.
- 28) Explanations of district assembly elections, nominations and the appointments.
- 29) The implications of government functionaries' position being linked to the ruling government of the Republic of Ghana.
- 30) Ascertaining the level of involvement of government functionaries in the following socio-economic activities:
 - Managing community development projects;
 - Community deliberations;
 - Organizing and participating in communal labour;
 - Meeting government officials and NGOs;

- Managing levy;
- Adjudicating cases; and
- Policing / Militarism.

Each of the above-listed socio-economic is measured with:

- maximum three (3) points for being **head of the management team (HMT)**;
- Two (2) points for being **member of the management team (MMT)**; and
- One (1) point for being **non member of management but participant (NMMP)**.

VI) The Relationship between Local Government and Chieftaincy

- 31) Comparing the respective positions and roles of government functionaries and traditional leaders.
- 32) How the two leaderships relate and co-function in the local communities?
- 33) Government functionaries' perceptions and attitude towards the position and role of traditional leaders with regards to politics in the local communities.
- 34) The major problems government functionaries are encountering in performing their roles as government officials in the local communities.
- 35) Reasons why local government should not or should be abolished.
- 36) Reasons why chieftaincy should not or should be abolished.
- 37) The government functionaries' comments on how best the chieftaincy institution could be integrated with national politics.

APPENDIX IV

OBSERVED & EXPECTED FREQUENCIES OF MARGINAL PROPORTIONS

APAPAM

TABLE A: THE OBSERVED AND EXPECTED FREQUENCIES OF MARGINAL PROPORTIONS OF LEVEL OF AUTHORITY AND THE TYPE OF LEADERSHIP IN APAPAM

TYPE OF LEADERSHIP	LEVEL OF AUTHORITY AND INFLUENCE APAPAM		
	HAVE AUTHORITY	NO AUTHORITY	TOTAL
CHIEF observed Expected	100% 72.92	0% 27.09	100%
ASSEMBLY-MAN observed Expected	45.83% 72.92	54.17% 27.09	100%
TOTAL	145.83%	54.17%	200%

Calculating Chi-Square

$$f_e = (\text{row total}) (\text{column total}) / \text{grand total}$$

$$\chi^2 = \sum [(f_o - f_e)^2 / f_e]$$

$$df = (r - 1) (c - 1) = (2 - 1) (2 - 1) = 1$$

Calculation

$$\begin{aligned} \chi^2 &= (100 - 72.92)^2 / 72.92 + (45.83 - 72.92)^2 / 72.92 + \\ &\quad (0 - 27.09)^2 / 27.09 + (54.17 - 27.09)^2 / 27.09 = \mathbf{74.281} \end{aligned}$$

NKRONSO**TABLE B: THE OBSERVED AND EXPECTED FREQUENCIES OF MARGINAL PROPORTIONS OF THE LEVEL OF AUTHORITY AND THE TYPE OF LEADERSHIP IN NKRONSO**

TYPE OF LEADERSHIP	LEVEL OF AUTHORITY AND INFLUENCE NKRONSO		
	HAVE AUTHORITY	NO AUTHORITY	TOTAL
CHIEF Observed Expected	100% 83.34	0% 16.67	100%
ASSEMBLY-MAN Observed Expected	66.67% 83.34	33.33% 16.67	100%
TOTAL	166.67%	33.33%	200%

Calculation

$$\chi^2 = (100 - 83.34)^2 / 83.34 + (66.67 - 83.34)^2 / 83.34 + (0 - 16.67)^2 / 16.67 + (33.33 - 16.67)^2 / 16.67 = \mathbf{39.981}$$

PAPAM**TABLE C: THE OBSERVED AND EXPECTED FREQUENCIES OF MARGINAL PROPORTIONS OF THE LEVEL OF INVOLVEMENT IN SOCIO-ECONOMIC ACTIVITIES AND THE TYPE OF LEADERSHIP IN APAPAM**

TYPE OF LEADERSHIP	LEVEL OF INVOLVEMENT IN SOCIO-ECONOMIC ACTIVITIES APAPAM		
	ACTIVELY INVOLVED	NOT INVOLVED	TOTAL
CHIEF observed Expected	100% 72.92	0% 27.09	100%
ASSEMBLY-MAN observed Expected	45.83% 72.92	54.17% 27.09	100%
TOTAL	145.83%	54.17%	200%

Calculation

$$\chi^2 = (100 - 72.92)^2 / 72.92 + (45.83 - 72.92)^2 / 72.92 + (0 - 27.09)^2 / 27.09 + (54.17 - 27.09)^2 / 27.09 = \mathbf{74.281}$$

NKRONSO**TABLE D: THE OBSERVED AND EXPECTED FREQUENCIES OF MARGINAL PROPORTIONS OF THE LEVEL OF INVOLVEMENT IN SOCIO-ECONOMIC ACTIVITIES AND THE TYPE OF LEADERSHIP IN NKRONSO**

TYPE OF LEADERSHIP	LEVEL OF INVOLVEMENT IN SOCIO-ECONOMIC ACTIVITIES NKRONSO		
	ACTIVELY INVOLVED	NOT INVOLVED	TOTAL
CHIEF Observed	79.17%	20.83%	100%
Expected	74.00	26.00	
ASSEMBLY-MAN Observed	68.83%	31.17%	100%
Expected	74.00	26.00	
TOTAL	148.00%	52.00%	200%

Calculation

$$\chi^2 = (79.17 - 74)^2 / 74 + (68.83 - 74)^2 / 74 + (20.83 - 26)^2 / 26 + (31.17 - 26)^2 / 26 = \mathbf{2.778}$$

APPENDIX (V)**THE AKYEM ABUAKWA DYNASTY**

Title: Okyenhene

State: Okyenman

Country: Ghana

Dynasty: Asona

Present Ruler: Osagyefuo AMOATIA OFORI PANIN II, 34th Okyenhene of Akyem Abuakwa (1999/-)

Predecessors and Short History: Akyem Abuakwa is one of the five pioneer Akan States (Adanse, Assin, Denkyira and Asante are the others). Rulers were...

1. Nana **KUNTUNKUNUNKU I** [AHENKAN] 1400, first Okyenhene (King) of the Akyem people.
2. Nana **DAMRAMKATAKYIE** 1482
3. Nana **POBI ASOMANING I**
4. Nana **ODURO APENTENG**
5. Nana **BOAKYE I** [PANIN]
6. Nana **BOAKYE II** [NHYIRA]
7. Nana **AGYEKUM ADU WARE I**
8. Nana **BOAKYE III** [MENSAH]
9. Nana **AGYEKUM ADU WARE II**
10. Nana **AGYEKUM ADU WARE III**
11. Nana **ANIM KWATIA** c1645/1680's
12. Nana **OFORI PANIN I** 1704/1727, uncle of Sefi [Ofori Kuma], the first Akuapemhene (Paramount Chief of Akuapem). He died April 1727.
13. Nana **BRA KWANTE** 1727/1742, died 1742. or -/1704
14. Nana **POBI ASOMANING I** 1742/1765
15. Nana **OWUSU AKYEM** 1765 or 1727/1742
16. Nana **OBIRIKORANG ABOREE** 1765/1783 or 1772/1783 and 1783/1790
17. Nana **TWUM AMPOFO I** 1784/1798 or 1765/1772 and 1783 and 1790/1801

18. Nana **SAFORO APRAKU** 1798/1807 [1801/1807]
19. Nana **ATTA WUSU YIAKOSAN** 1807/1811, died September 1811.
20. Nana **ASARE BEDIAKO KWADWO KUMA** 1811, died 1811.
21. Nana **KOFI ASANTE** 1811/1816
22. Nana **TWUM AMPOFO II** 1816/1817
23. Ohemaa Nana **Afia Dokuua** 1817/1835 (1826 Regent), (niece, great great grand-niece of Nana Ofori Panin), married Nana Barima Twum Ampofo, (belonged to the Ashanti Oyoko Clan of Barekeseso, granted the titles of Nifahene and Asiakwahene), and had issue. She died 1855.
24. Nana **OFORI ATTA PANIN** 1835/1859 [1826/1842], died March 1859.
25. Nana **ATTA OBUOM** 1859/1866 [1842/1866], died May 1866.
26. Nana **AMOAKO ATTA I** [KWASI PANIN] 1866/1888, born 1853, died 2nd February 1888.
27. Nana **AMOAKO ATTA II** [KWASI KUMA] 1888/1911, died February 1911.
28. Nana **AMOAKO ATTA III** [KWAKU SEREKO] 1911/1912, died 1918.
29. Nana Sir **OFORI ATTA I** [KWADWO FREDUA AGYEMAN, AARON EUGENE BOAKYE DANQUAH] 1912/1943.
30. Osagyefuo **OFORI ATTA II** [DANIEL KOFI POKU] 1943/1958 and 1966/1973, had issue. He died 13th September 1973.
31. Osagyefuo **AMOAKO ATTA IV** 1959/1966
32. Osagyefuo **OFORI ATTA III** [KWABENA MARFO] 1973/1976, died 1st May 1976.
33. Osagyefuo **KUNTUNKUNUNKU II** [Dr. KWADWO ALEX FREDUA AGYEMAN] 1976/1999, born 22nd February 1942 at Asiakwa. He was a member of the Consultative Assembly which in 1992 drew up the Fourth Republic Constitution of Ghana.
34. Osagyefuo **AMOATIA OFORI PANIN II** (1999/-)

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Source: <http://www.okyeman.com/hist4.htm>

