Crisis of Legitimacy: Secularisation and the Authority of Asante Traditional Rulers in Ghana's Decentralization

Yaw Sarkodie Agyemang

University of Cape Coast, Department of Religion and Human Values
Cape Coast, Ghana
E-mail: yaw_sark@yahoo.co.uk

Abstract

Ghana's attempt at decentralization has brought into collision course two systems of governance because of the poor interface between traditional authorities and district assemblies, creating a crisis of legitimacy. Previous studies on this development situate the crisis on the existence of two legitimacies or dual governments. The paper theorizes this development around the tension between the sacred and the profane. It argues that the war of legitimacy arises because representation is differently understood by these two systems of governance. Using historical and phenomenological approaches, the paper observes that it is the religious basis of the chieftaincy institution as against the secular basis of decentralized institutions that is creating a tension between the sacred and the profane. It therefore concludes that secularization has created differentiation leading to polycentric sources of power making the traditional authorities lose their hegemony over people, land, and its resources. The traditional authorities in their attempt to claw back their lost power are using the sacred basis of their legitimacy to insist on their right to represent their communities.

Keywords

legitimacy, representation, decentralization, secularization, sacred and profane, traditional authorities, local governance, *oman, sunsum*

Introduction

The decentralization process of Ghana is chiefly geared to bringing the responsibility for development closer to the people with the primary goal of making the people who benefit from development the focus through their involvement in designing and implementing programs to ensure ownership and sustainability. The involvement of all local institutions, including institutions of governance, is very crucial to achieving this laudable objective, as this will enrich decision making at the local level. However, the management of the

interface between local governance institutions and the key local traditional institution of governance, the chieftaincy institution,[1] is paramount in realizing the goal of decentralization. The interface of the two institutions has often brought into collision two parallel institutions of local governance, each deriving its legitimacy from different sources and, thus, creating a conflictual situation of crisis of legitimacy.

The paper seeks to investigate the role that religion plays in this crisis of legitimacy. The paper asserts that the religious aspects of chiefship are key to understanding the crisis because sometimes a non-political means is employed to achieve political ends (Chabal 1992). The issue of crisis of legitimacy has been theorized around the existence of two systems of governance as in Ekeh's "two publics" (1975) and Sklar's "mixed government" (1999a). The paper examines the issue within another theory: the tension between the sacred and the profane. The contention of the paper is that representation affects legitimacy, and therefore in this crisis of legitimacy the question to ask is this: What makes an actor—individual or institutional—representative? In response to this question, the paper explores the religious basis of representation so far as the chieftaincy institution is concerned and argues that the link between religion and representation in the traditional Asante setting and the secular understanding of representation in contemporary setting are at the root of the war of legitimacy. It examines how religion "affects the meaning and functions of representation" (Chabal 1992: 149) and how this in turn helps in understanding the crisis of legitimacy.

The paper looks at the background of the two institutions of governance under study and takes a journey into history to locate the background of the current crisis. Using phenomenological and historical approaches, the study examines the crisis from the perspective of each of the two contesting parties to uncover their perspective on the crisis. The paper then attempts to deduce the nature of the crisis from the background information and the case studies. It is the position of the paper that decentralization is an evolving process and

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[1] Chieftaincy institution in this article is used to equate traditional authority and often the two are interchangeable in the article. The definition of a chief in the paper is in accord with the 1992 Constitution of Ghana, which defines a chief as "a person, who, hailing from the appropriate family and lineage, has been validly nominated, elected or selected and enstooled, enskinned or installed as a chief or queenmother in accordance with the relevant customary law and usage." In the southern part of Ghana, chiefs sit on stools while those in northern Ghana sit on skins, hence the use of the words "enstooled" and "enskinned." The institution of chieftaincy is referred to as "traditional," not to imply that it is not modern. Rather, it is traditional largely because it has displayed a level of cultural continuity with post-colonial Ghana, unlike the modern Ghana state that is a product largely of colonialism. It is acknowledged that not all traditional authorities are chiefship.

the current interaction between the two key actors in local governance indicates the next stage of the relationship between traditional authorities and local government agencies in local governance in Ghana. The prime motive of the paper is not to prescribe a solution to the crisis, but rather it seeks understanding of the nature of the crisis and the role religion and secularisation have to play in it.

Data for the paper was collected chiefly between 2003 and 2008. This was done in three main traditional areas in Asante: Dwaben (Juaben), Kwaman, and Ofinso. The data was complemented by information from Ghanaian newspapers published on the internet chiefly ghanaweb.com. Though I agree that newspapers are filtered by editorial policy among others (Herman and Chomsky 1988), however, on the war of legitimacy they constitute a very good source of information from investigative journalism, and reporting on popular views on the two institutions is key in understanding the war of legitimacy.

The literature on traditional institutions and local governance in Africa in general and Ghana in particular is skewed towards discussions on the appropriateness or in-appropriateness of the traditional institutions in contemporary governance. A section of the literature points out some democratic features in the institution and recommends its incorporation into contemporary governance (Busia, 1951 and 1967; Danquah 1928; Gyekye 1997) and especially at the level of local governance (Olowu 1999; Wunsch 2000). However, another section of the literature is on four legs vehemently opposing traditional institutions and describing it as anachronistic and malleable tools used by colonial governments (Mamdani 1996, 1999; Mbeki 1984: 47). The issue of conflict of legitimacy between chiefs and the state and/or its representatives at the local level and the various strategies employed by the two contesting parties to control the public space are either directly discussed (Fisiy 1995; Nkwi 1976: 171-200; Ray 2003, 2005; Englebert 2002) or alluded to (Rathbone, 1999). Sometimes the two governance systems are seen to be rivals (York 2004; Ekeh 1975), but others see them to be complementing each other or a shared legitimacy (Sklar 1993, 1999a, 1999b; Davidson 1992).

Though the question of decentralization and the usefulness of traditional institutions in the decentralization agenda have a long history, the contemporary debate occurs within a larger discourse of neo-liberalism—rolling back the state. The modern African state is seen as becoming authoritarian and must be scaled down, but at the same time, weak (Fukuyama 2004; Chabal and Daloz 1999) and needs to be strengthened. Merquior (1993) notes this and comments: "[T]he truth is that we have simultaneously too much state and too little state" (p. 1265). In both instances, the panacea recommended by

International Financial Institutions and donor agencies is the engagement of non-state actors in the public space and the strengthening of state but chiefly non-state institutions at the local level. Neo-liberalism calls for the involvement of the private sector and the participation of civil societies in the public space (Smith 2002) with the aim of reducing corruption, patrimony, and clientalism associated with African states. Consequently, the Bretton Wood institutions and the governments of the UK and the US have advocated the use of non-governmental institutions (NGOs) (see World Bank 2002; Robinson 1997; Mkandawire and Soludo 1999; Adi 2005) though there is no evidence that they have fared better than state actors, as they have not been accountable to the state and local communities who are the direct beneficiaries of their initiatives (see Fowler 1997; Hulme and Edwards 1997).

This involvement of non-state actors in governance and development has implication for legitimacy of African states, including Ghana, at both the national and local levels. The problem is that the weak economies of African states make it impossible for the states' presence to be felt, especially outside the national, regional and district capitals. In the case of Ghana, this has been exacerbated by the state's disengagement from the provision of social and welfare services and development by reducing funding into such areas and the vacuum so created being filled by NGOs (see Denkabe 1996). This development has been extended to chiefs in Ghana. The World Bank has done a pilot project with traditional authorities in Asante dubbed "Promoting Partnership with Traditional Auhtorities Project" (PPTAP), where a grant of $4.5 million is given to the chiefs to build their capacity and embark on other development projects (World Bank, "Ghana-Promoting…").

This neo-liberal thinking is reflected in the UN Economic Commission for Africa (UNECA) report (UNECA 2005):

> In many rural areas of Africa, traditional leaders provide the link between large numbers of people and modern forms of elected government.… Although some customary systems may be perceived as being outdated and incompatible with economic development, there is room for flexibility in tapping their authority and structures to advance development and ease the burden on resource-strapped governments. (P. 32)

There is already an emotional attachment by Ghanaians to the chieftaincy institution, and the ability of chiefs to provide certain public goods to their communities has created polycentric sources of power, which in itself is not bad for governance, but the problem of legitimacy it creates needs to be noted. The problem over legitimacy comes from the different understandings of representation.

Pitkin (1967) is one of the leading scholars on representation. In her work, *The Concept of Representation*, she identifies four types of representation. The first one is formalistic representation, where a constituent (representatives) authorize another person or a body of persons (the represented) and, hence, is accountable to the constituent. In this case the person gains the right to represent the constituent legitimately, often through elections. The second type is symbolic representation, where constituents attach a special meaning to their representative and there is a high degree of acceptance. Descriptive representation, where the representative has common likeness or interest as those he represents, is the third type. The reality of this type of representation has been debunked by Young (2000). According to her, building legitimacy on "relationship of identity" is untenable. She brings to the fore that even in a seemingly homogenous group, there is bound to be differences. Therefore, in the place of similarity she advocates "differentiated representation" and hence situates legitimacy in authorization and accountability (2000: 129) but not on similarities. Lastly, Pitkin talks of substantive representation, where what the representative does is in the interest of the constituent.

The basis of legitimacy differs in each of these four understandings of representation. In the formal representation, legitimacy is in the mode of gaining the power to represent; in the symbolic representation, legitimacy is in the degree of acceptance; in descriptive representation, it is in the similarity of interest or likeness between the representative and the constituent; and finally in substantive representation, legitimacy is derived from advancing the best interest of the represented. However, political scientists still debate the pragmatic understanding of representation.

Plotke (1997) succinctly grasps the political scientists' debate on representation. Is legitimacy based in formal representation where rational and objective rules are set as to how to choose the representative or how the representative articulates the needs of the represented? Must the representative be seen as a delegate (Burke 1967) or trustee (Madison 1987)? Should he be a mediator (Williams 1998) or an agent? The debate continues not just among political scientists, but among sociologists, too, with respect to Weber's (1958) ideal typical notions of authority. The issue is which of these social scientific understandings of representation is a function of legitimacy? One fact of each of these understandings is that the basis of legitimacy is rational, which largely (but not totally) goes contrary to what is referenced in the chieftaincy institution.

There are two types of rational representation operating in the local governance of Ghana. These are representation through election or what Williams (1998) describes as an "ideal of fair representation as an outcome of free and

open elections in which every citizen has an equally weighted vote"; and the second one she describes as a "theory of the organization of shared social interests with the purpose of securing the equitable representation... of those groups in public policies" where representatives cater for special interest groups in a polity (p. 57). In the Ghanaian context the 30% of representatives whom the President appoints in consultation with interested parties in a district including traditional authorities typify the later type of representation and the remaining elected 70% is an example of the former. Thus, while 70% in all district assemblies by law gains legitimacy through election, the remaining 30% represents specific identifiable interest groups in the district.

The assembly men and women who discussed how they see their role as representatives of their constituents mentioned one or several of these: 1) mediators ("linkmen") between the electorates and the assembly; 2) advocates of the interest of their constituents because, as they put it, "I am one of them" and sometimes as trustees because they take personal initiatives, bearing in mind the needs and interest of those they represent. Representation to them means one or several of these: "speaking for" or "acting for" or "standing in place of" their constituents.

Background to the Conflict

In order to appreciate the conflict, it is imperative to situate it. The backgrounds of the two governance systems as they operate at the local level are of immense help in situating the study. We start from the chieftaincy institution and continue with the District Assemblies (DAs).

Asante Traditional Governance

Asante (Ashanti) is one of the ethnic groups in Ghana. They form part of a larger ethnic group called the Akan, who, according to the 2000 Ghana's Population Census, constitutes almost half of the population of Ghana. Asante system of governance is based on various levels of political units starting from the lineage (*abusua*), then the town (*kuro*) level through the paramountcy or divisional level (*omansin*) to the national level (*oman*). Though it is based on matrilineal descent, there is room for patrilineal descent and meritocracy. The matrilineage is responsible for electing representatives to the governance council at each level of polity, but at the divisional level it is a representation of chiefs of towns and villages and the head of the division (*omanhene*). At the national level the highest political body is the *Asanteman* Council (*Asanteman Nhyiamu*), constituted by all the heads of the divisions with the King of the

Asante (*Asantehene*) presiding. At each level of polity a committee system is used. Each committee consists of representatives of the chief or the traditional council and identifiable bodies in the polity. These include religious organizations, youth associations and individuals with expert knowledge but not necessarily indigenes of the polity. The heart of this governance system is the chieftaincy institution. In the past the institution was the key actor in local governance, with the chief and the elders being the legislative, executive, judiciary, and religious organs of each polity. Though many of these functions have been taken over by a contemporary governance system, vestiges still remain (Busia 1951; Arhin 1985; Davidson 1967).

Nature of Chieftaincy

Chieftaincy in Asante is an institution that lives in a world where politics is not dichotomized from religion. The Asante understanding of community is a unity of two worlds—the visible world of the living and the invisible world of the dead or ancestors, both interacting and impinging on each other with the invisible world giving more priority because of its power to influence the visible for either good or ill (Agyemang 1994). Religion underpins both the character of the chieftaincy institution and its role in society. The institution though is part of society; it is *separated* from society by rituals in installation rites and taboos after installation. Busia (1951) describes the ritual of installation:

> . . . the esoteric rite of the chief's installation is when the chief-elect is led into the stool house where the blackened stool of his ancestors are kept. There, more than in any other place, the sprits of the ancestors are believed to be present. Upon the blackened stool of the most renowned of his ancestors the chief is lowered and raised three times He is then enstooled. He has been brought into a peculiarly relationship with the dead. Thenceforth he becomes the intermediary between the tribe and his royal ancestors without whose aid misfortunes would befall the community. (P. 26)

The investiture rite also includes a sacrifice of a sheep whose blood is poured on his feet. The rite makes a chief to be *different* from all others in society and hence deserves deference. His position and body are sacred. The deference is expressed in the number of taboos he is supposed to observe (Busia 1951), and the deference that those he governs are supposed to give him in the way they talk to him and general behavior towards him (Yankah 1995). Periodically the chief renews his relationship with the ancestors through libation and sacrifice on occasions like festivals (Busia 1951: 27-36; cf. Turner 1966: 246). These rituals also renew the life of the community, which the chief leads by renewing its relationship with the sacred.

Having been so installed, a chief comes to symbolize the community. He is literally and metaphorically the soul (*sunsum*) of the community. Literally, his position is an aggregation of the individual and lineage *sunsum*, through his investiture. *Sunsum*, according to Akan's concept of personhood, is a spiritual principle in a person, which, among other functions, protects the person and makes dream experience possible. It is also associated with identity and personality (Appiah 1992) as it is the principle that goes to the ancestral world with all the characteristics of the individual. Lineages, communities, and the entire Asante nation have their respective *sunsum*. Physical objects are used to represent the *sunsum*. The lineage has the lineage cup (*abusua kruwa*), which is often an earthen ware pot or a silver container as its symbol. The most ancient of stools of each community symbolizes the soul of that community, with the Golden Stool symbolizing the *sunsum* of the Asante nation (McCaskie 1986). The political head of the polity is the custodian of the symbol, and he represents the symbol. In war or in times of emergency the symbol must be protected at all cost, as expressed in the Asante revulsion at the request for the Golden Stool by the governor, which led to the Yaa Asantewaa War of 1900 (Boahen 2003). The chief and the *sunsum* therefore become one and the same to reflect the idea that a chief is in the community and the community is in the chief. Literally, he mediates between the community and the outside world—both physical and spiritual—and hence a chief represents the community.

Consequently, the ritual observances imposed on the chief are to secure the welfare of the community. A chief dies to himself after his installation and lives for the community. The installation rites are rites of passage to achieve this. Having done so, it is expected of him to observe taboos to achieve the welfare not only of himself but also of the entire community. The opposite happens when he fails to obey them. In the same way the periodic rites of sacrifice, feeding of the royal ancestors, and libation are in the interest of both himself and of the community. His public appearance is restricted not only to maintain his dignity but also to emphasise his *separateness* from the community. Frazer (1994) is therefore right in his observation that a king lives for the people he rules because, as Frazer observes, the Asante believe that there is a co-relation between the physical, ritual and moral well-being of a chief and the well-being of the community (cf. Frazer 1994 [1890]: 138-139).

The installation rituals and the observation of ritual prohibitions and prescriptions are the foundation of the religious basis of a chief's legitimacy. It is this legitimacy that creates a strong bond between the chief and the people he governs that makes the community to either love him or loath him (Gluckman 1955). It is true that tradition confers legitimacy. The chief claims

this legitimacy by coming from the right lineage, following the right procedure of selection and acceptance by the rightful representatives of the people he rules (Odotei and Hagan 2002). This legitimacy is based on time-tested conventions that have been integrated into the process of making a chief. It is equally true that the chief must continually earn legitimacy by meeting the aspiration of the people he rules, which could be termed *functional* legitimacy. Functional legitimacy is the ability of a chief to bring development—general progress in the life of the people. It also includes personal qualities like skills in arbitration, oratory and organization and boldness in taking decisions. Ordinary citizens expect these qualities from their chiefs in order for the chiefs to merit their obedience and allegiance. However, the latter two sources of legitimacy are incomplete without the religious. In Asante worldview, material development, which is an aspect of *nkosoo* (progress), is a reflection or a tangible manifestation of a community's relationship with the sacred. When the people are in good relationship with the sacred, they are blessed with total well-being, which is manifested in material development (cf. Gaba 1997). The chief is a key factor in the realization of this total well-being because he mediates between his people and the sacred for its realization. Thus, functional legitimacy is a product of religious legitimacy. This is the heart of the resilience of the chieftaincy institution. It is the ritual bond between the chief and the community that, more than anything, confers legitimacy on the chief. It is therefore not surprising that a survey conducted by the Institute of African Studies of the University of Ghana in 2000 among the "youth, religious bodies, district assemblies, academics and transport unions" found that seventy percent of Ghanaians supported the chieftaincy institution (Ghana News Agency [GNA], "Seventy Per Cent . . ."). This ritual bond obligates the chief to *represent* the people. Many understandings of representation converge in the chief. Literally and metaphorically, the chief makes the community he governs to be *physically* present on any formal occasion where he is present because, so far as he continues to abide by the norms that the community has imposed on the institution, he and the community are one through the investiture rites. He is the embodiment of the soul of the community. Moreover, he is the *trustee* of the community because he must protect the interest of the community, consisting of the dead, the living, and the generation yet-unborn. Also the chief makes independent decisions on behalf of the people he governs and sometimes accounts for his actions to them. He is thus an *agent* of the community. The chief also mediates between his subjects and the outside world such as the central government and its agents, including the District Assemblies.

   Flowing from the above discussion, the conclusion one can reach is that the chief's legitimacy as a representative of his people largely has a religious basis. He derives this legitimacy from 1) the royal blood in his vein, 2) his link with

the ancestors, and 3) being the embodiment of the collective *sunsum* of the community. Notwithstanding these, he needs to sustain the legitimacy by continuously being relevant to the people by catering for their interest. This is what the paper describes as *functional* legitimacy.

Contemporary Local Governance System in Ghana

Local governance in Ghana is established by Provisional National Defence Council (PNDC) Law 207 of 1988 that created a four-tier Metropolitan and a three-tier Municipal or District Assemblies structure of local administration. The first tier is the Regional Coordinating Councils, the District Assemblies (DAs), and the last tier is the Town and Area Council/Unit Committees. Local government in Ghana is under the umbrella of the Ministry of Local Government and Rural Development (MLGD).

District Assemblies
The District Assembly is the highest administrative authority in each district. It consists of elected and appointed members. The membership of the District Assembly includes a District Chief Executive (DCE) appointed by the president of Ghana with the prior approval of two-thirds of the Assembly. Seventy percent of the members is directly elected on a non-partisan basis; the other 30% is appointed by the government from the district in consultation with traditional authorities and various associations. The elected Assembly members represent their respective communities in the District Assembly. Those appointed by the president are supposed to be representing certain identifiable interest groups in each district. The District Assembly is responsible for the overall development of the district (Kyei 2000; Amanor and Annan 1999; Ayee 2003).

Below the DAs are the Town and Area Councils and the Unit Committees. For all elections of the local governments cities, towns, and villages are divided into electoral areas. Each electoral area elects one representative to the DA, and the electoral area is subdivided into smaller units to elect members for the town council and the unit committees. The larger Municipal Assemblies are further divided into sub-metropolitan assemblies.

Local Governance in Operation
The local governance in Ghana in theory is bottom-up (Ayee 2003), which is amply expressed by the legal instrument that established it—its subsequent amendments, constitutional provisions and the mission statement of the umbrella body, the MLGRD (Ministry of Local Government and Rural Development). The Town/Area Councils and the Unit Committees are

supposed to be the foundation of governance. They are to deliberate and determine the needs of the people in the locality. These needs of every town and village are then forwarded to the DA for further deliberation with the assistance of the technocrats in the districts. The DA coordinates the various needs. It takes into consideration availability of funds, priority areas and feasibility of realizing the needs of each locality and selects some of the demands for implementation. The implementation is supposed to be done in partnership with the beneficiary communities, which may assist in various forms. The chiefs of the various communities are by implication supposed to partner the DAs.

The Assembly members in each electoral area are to meet the electorates regularly to know their concerns and articulate them in the DA. They further communicate DA decisions to the members. Thus, through the assembly members, the DA gets feedback on the impact of its policies on the people in the district. The Assembly members therefore represent the electoral area. The legitimacy of the assembly members is derived from the constitutional instrument that gave birth to the Assemblies and its preceding PNDC Law that created them (1992 Constitution 23 [242 a]) and the PNDC Law 207 of 1988.

The act that created the local government structures was acutely aware of the need to involve chiefs and therefore saw them as partners in development. However, the form of partnership is not spelled out. It is this attempt to make them partners that have created the current crisis of legitimacy. To understand the crisis one needs to visit history.

Legacies from the Colonial State and Early Independence
The current crisis of legitimacy has a historical background. The first known attempt at tinkering with the powers of chiefs in the political history of the country was made by colonial administrators who challenged the hegemony of chiefs over subjects and resources. Even when the chiefs resisted, they were coerced into submission by manipulation and sometimes sheer use of physical power (Boahen and Webster 1970; Curtin 1988; Manning 1988). Among the Asante, for example, the British indirect rule placed the governor and his representatives in Asante above even the King of Asante, *Asantehene*. However, at the same time, it gave Asante chiefs much power by alienating institutions that served as a check on the governance of the chieftaincy institution, thereby, destroying the democratic tendencies in Asante governance (cf. Kuklick 1979: 55; Field 1948: 128-134). Rattray, an Africanist, a colonial soldier and a student of Asante religion and culture who has written three monumental books on the Asante, *Ashanti* (1923), *Religion & Art of the Ashanti* (1927) and *Ashanti*

Law and Constitution (1929) among other works in a private conversation is reported to have lamented over this despotism (cited in Kuklick 1979: 55). The major check on the power of chief was principally the colonial administrator, not the citizens (Mamdani 1999 and 1996). It is even likely that before colonialism priests played a key role in limiting chiefly power, but the colonial administrators subdued it in preference for chiefly power, which is more secular than that of the priest (cf. Field 1940: 80; Maier 1983). This confirms Mamdami's (1999) observation that it was a colonial policy of isolating the authoritarian aspect of native culture (i.e., chieftaincy), and to build on it to subjugate the African. The indirect rule embodied all powers—legislative, judiciary, and executive—in the chiefs and their council. This increased the powers of chiefs by adding new roles to their existing functions (Kuklick 1979), making the chieftaincy institution the effective local government system in the colonial period (Rathbone 1999).

This concentration of power in the chieftaincy institution set the stage for the crisis of legitimacy under discussion. The chiefs, having tasted power, were not ready to let it slip through their hand as successive pre-independence governments have systematically sought to do. It was against this background that Ghana was ushered into independence.

Post-colonial Era

The relationship between traditional authorities and modern government in the immediate post-independence of Ghana has been an acute contestation for power in the public sphere, especially governance of rural Ghana. The sphere of the contestation has been over land and its resources and the legitimacy to represent rural communities in local governance. The chequered relationship between the Convention People's Party (CPP) of Kwame Nkrumah before and after independence is well documented (see Dennis 1964; Pobee 1991; Nugent 1999; and Rathbone 1999). The arenas of the contest were representation of the people and the control over land and its revenue.

The contestation of power had implication for local governance. Lack of cooperation between local councils and chiefs meant that taxes were either not collected or insufficient. It also meant the breaking down of local government administration; the piling up of court cases hitherto heard by traditional courts; the removal of uncooperative chiefs and substituting them with those sympathetic to the CPP, and thus creating chaos in local governance (Rathbone 1999). In the latter rule of Nkrumah, however, his attitude towards the chieftaincy institution changed as he subsequently involved some chiefs in his administration, of course those who were sympathetic to his ideology.

This phenomenon of crisis of legitimacy was not limited to Ghana, as similar observations have been made between *Frente para a Libertação de Moçambique* (FRELIMO) of Mozambique and traditional leaders in Mozambique (Cau 2004). Traditional institutions of governance and the central government and its agencies at the local level of Cameroon also contested legitimacy (Nkwi 1976).

The Chieftaincy Act of 1971

The year 1969 ushered in a new democratic dispensation in the second republic. The 1969 Constitution created a three-tier local government structure—Regional Council, District Councils and Town Councils. In recognition of the role of chiefs in local-level governance, a provision was made that not more than two members from each of the Regional House of Chiefs should be members of the Regional Council and one-third of the membership of each District Council was also reserved for chiefs from the district. Under this dispensation *The Chieftaincy Act (Act 370)* of 1971, which has served as the benchmark for the interface between traditional authorities and modern governance at the local level, was enacted. Under this regime, though chiefs did not achieve the height they sought in the governance of the country, they had a better role than under Nkrumah in mediating between their people and the central government. The institution of chieftaincy was recognized as a key partner in governance.

The most significant addition to the Chieftaincy Act of 1971 before the current governance regime was the third Republican Constitution of 1979, which did not only recognize the chieftaincy institution by guaranteeing its existence, but also restored the economic base of the institution—land. To integrate chiefs into the modern governance, especially at the local level, they were represented on the Regional and District Councils and the Lands Commission (Articles 183 and 189). Nevertheless, the powers the chieftaincy institution wielded before independence was never regained.

These gains were further eroded by the 1981 coup that overthrew the third republican constitution and brought in the Provisional National Defence Council (PNDC). This challenged the legitimacy of chiefs as the representatives of the people and, hence, having the legitimate right to speak for them. This revolution, in its early stage and in many ways, sought to disengage the chieftaincy institution from governance, especially with the creation of a grass root organization of the ruling government PNDC called the People's Defence Committees (PDCs), which later became the Committee for the Defence of the Revolution (CDR). Every village and suburbs of cities had this

organization, which was seen as a symbol of people's (popular) power and the mediator between Ghanaian communities and the central government. The PDC saw itself as the rightful organization to represent Ghanaian communities. The crisis of legitimacy, which was moderated after the overthrow of Nkrumah, became much acute at this period.

The history and the earlier description of the current regime of local governance and the chieftaincy institutions bring these issues out: 1) both the chieftaincy institution and the present local governance owe much to colonialism in as much as they owe their existence and character to historical experiences of post-independent Ghana; 2) the contestation for power is as old as the birth of Ghana as a nation-state; 3) the country has struggled as to what to do with her indigenous institutions, notably the chieftaincy institution; and 4) historically, the contestation for power has occurred largely at the local front and is centred on two issues: control over land and its revenue and who legitimately represents rural communities in Ghana. It is this contestation that provides a platform for understanding contemporary politics in Ghana, especially the subject under study. Rathbone (1999) makes a similar observation with regard to understanding Ghanaian politics through the struggle between chiefs and Kwame Nkrumah when he comments, "an analysis of those struggles provides us with a better historical guide to the modern topography of Ghanaian politics" (p. 47). But a thorough understanding of it demands a look at the nature of the crisis seen from the lenses of the two contesting parties and as gathered from the case studies and the nature of the two systems of governance.

However, before the crisis is discussed, one fact must be noted. From the study, it was observed that, largely, where there was congruency of interest, the two legitimacies were harmonized. When chiefs wanted certain welfare and social projects for their communities, which the DAs could provide, they lobbied the assembly and the relevant decentralized agency. The DAs in the same way needed access to the community of chiefs to collect taxes and to explain policies of the central government or its own bylaws. And very important, the chiefs were also needed for votes during general elections because, notwithstanding their being non-partisan, any political party could not ignore chiefs during the period of election. The mutual dependence of the two legitimacies that represent the same political community sometimes engendered cooperation. The crisis of legitimacy reared its head where the interest of the two legitimacies was not congruent. This was clearly demonstrated on representation and control over land, and hence the case studies focused on these two turfs of the war over legitimacy.

Case Studies

Representation in the DA and Appointment of DCE

Article 242 (d) of the 1992 Constitution, which concerns the membership of the District Assemblies, states that 30% of membership shall be "appointed by the President in consultation with *the traditional authorities and other interest groups* [emphasis mine] in the district." Discussions with the chiefs on this issue reveal the following observations, facts, and insights.

The *omanhene* Juaben was consulted on the selection of the 30% of government representatives. However, the paramount chiefs of Ofinso and Kwaman complained of the lack of consultation on this selection, though the DAs informed them of those who were so appointed. The chiefs of two villages, Jeduako and Aframso, which come under Kwaman traditional area, were not consulted at all because no government appointee had ever been chosen from their villages. The study, however, observed that some chiefs were among the 30% government appointees. The study noted one from Kwaman and two from Juaben. The problem of the two paramount chiefs who were not consulted was not with the people who represent their communities but the process of selecting them. "This is not partnership," noted one of the chiefs. "When the DA wants us for ceremonial purposes or access to my community, then it sees chiefs as partners. But on the very important question of representation they forget that we are partners." One of the elders in Ofinso palace quipped, "We do not remove the feathers of a bird before sending the bird to an elder to identify it." The chiefs' position is that lack of consultation is procedurally wrong and it shows lack of respect for their position as landowners and partners in local governance.

The contentious nature of the issue of representation can be grasped from newspaper reportage. The current president of Ghana, John Evans Atta-Mills, upon assuming duty as the president promised to consult chiefs in the appointment of the 30% of representatives (GNA, "Mills to Consult…"). Dr. Callistus Mahama, a lecturer at the Institute of Local Government Studies, is reported to have identified "representation of traditional authorities on Assemblies," among others, as one of the areas of conflict between traditional authorities and District Assemblies. This must have necessitated another lecturer to advocate for the reservation of the 30% representation in the Assemblies to only chiefs (GNA, "Chiefs to Contest…"). Indeed, chiefs in Ghana have been advocating the reservation of the 30% to them (GNA, "Chiefs to Contest…").

Nevertheless, the divisional chiefs would not like to personally participate in DAs deliberations. Their reason was that direct involvement would lower their prestige among their subjects, who may sometimes oppose them in Assembly deliberations. "I cannot engage in an open debate with members of my community. This will erode our respect in society," one of the chiefs commented. Rather, they wanted the 30% to be reserved for those they would appoint to represent their interest in the assembly to befit their status as partners. Some of the chiefs did not see current arrangement of representation as commensurate with the status of chiefs as landowners, representatives of their communities, and key partners in local governance.

It was also observed that various chiefs expressed a high sense of ownership of the people residing on the land. Expressions the chiefs used to denote this idea include "they serve me"; "they are under me"; "even the assembly members are my subjects"; and "*ɔman no yɛ me dea*"—"the nation (including those residing in the nation) is for me." This sense of ownership naturally leads to the idea of having a legitimate right to represent the people they rule. The idea of "ownership" should not be construed to mean the people are the slaves of chiefs. Rather, it means he is the representative of the community, and hence there cannot be a *formal* entry into or exist out of the community under his jurisdiction without prior notice or permission from a chief. This issue is further discussed under the concept of *sunsum*.

The DCEs, on their part, noted that they tried as much as possible to consult the chiefs and always appointed some chiefs as government appointees, but often the chiefs did not reside in their communities, making consultation difficult. Moreover, they argued, chiefs were not the only identifiable groups in the district who should be consulted on the issue, and they made sure that some of the representatives were chiefs. This issue of consultation over the government appointment keeps on appearing in discussions with chiefs about their role in local government (Konrad Adenaeur Foundation).

Land and Its Resources

Another area of contestation is land and its resources. The Constitution of Ghana recognizes two bodies to manage land in the country. These are the Office of the Administrator of Stool Lands (OASL), which manages lands that traditional authorities hold in trust for the communities, and the Lands Commission (LC), which manages public lands that the government has appropriated for one reason or the other. Two of the decentralized bodies that also manage land and its resources are the Forestry Department, which manages

forest and national reserves, and Town and Country Planning, which ensures the appropriate planning of towns and villages. The OASL is mandated to collect and disburse "rents, dues, royalties, revenues or other payments whether in the nature of income or capital from the stool lands." Besides 10% of the revenue OASL keeps for administrative, the remaining 90% is shared as follows:

> (a) twenty-five percent to the stool through the traditional authority for the mainte- nance of the stool in keeping with its status; (b) twenty percent to the traditional authority; and (c) fifty-five percent to the District Assembly, within the area of author- ity of which the stool lands are situated (Article 267 [2&6]; OASL Act 481 [2]).

Asante chiefs were of the view that land within their traditional area belonged to them. However, they conceded that they held it in trust for the community. From discussions held in the study areas, it came out that OASL paid revenue to the head of each division, but payments were infrequent and also not enough to implement planned development projects. The chiefs alleged that the money was used to pay for sitting allowances of the traditional council and the upkeep of the stool. The upkeep of the stool included buying items for periodic rituals for the stools and providing spiritual protection for their respective communities. Money was also used for upkeep of palace servants; transportation to attend funerals and meetings in Kumasi with *Asantehene*; funeral donations; entertaining visitors who come to the palace and other protocol activities; litigation over land; repair of the palace, stools, umbrellas and other paraphernalia. Additionally, part of the money was used to reha- bilitate school buildings and to offer scholarships to some needy and brilliant students. The traditional leaders were of the view that the percentage of stool land revenue given to the DAs was huge and was not commensurate with the work the DAs were doing. DAs were perceived to be corrupt. Some of the chiefs deemed it unfair that revenue belonging to them was used to benefit the entire district, especially communities that were not part of the division. One interviewee quipped "*Deḛ ade wọ no na odi. Nnyḛ deḛ ḛkọm de no*"—"It is the owner of food who eats it but not the one who is hungry."

In addition to revenue from the OASL, other sources of revenue accruing from land were "drink money" (*etri nsa*), a form of stamp duty paid to the chiefs when they sign documents on plots of land for residential purpose, and paid by charcoal burners and timber contractors who log on the division's land. The "drink money" was shared among the elders who helped in transact- ing the agreement, and the rest was kept to entertain visitors to the palace. The chiefs were reluctant to reveal how much "drink money" a parcel of

building plot would cost, but McCaskie (2000) observes that the amount paid as "drink money" for the price of a parcel of land for building is comparable to the market value of the land and, hence, could be quite substantial.

Some of the elected Assembly members knew of the use of the money. In one traditional area, though both assembly members of the area were Christians, they did not object to the use of the money for ritual purpose. One of them had even accompanied the elders to offer sacrifice at part of a road where some people lost their lives in an accident. To them it was a form of securing the safety of the town, which falls under the ambit of chiefship. However, they voiced their discontent with the lack of transparency in the use of the money. They, as the representatives of their electorates, wished to know how much revenue their communities derived from land and contended that revenue for transactions on land was never disclosed to them. The Assembly members and members of the unit committees had a strong perception of corruption on the parts of chiefs, but they could not ask the chiefs to account for the revenue from the land. Their reason was that the chiefs got offended when the issue of accountability of stool land was raised. They conceded that other revenues not from land, such as yearly contributions by the citizens, were managed by finance committees of the town and, hence, were accounted for by the committee. The Finance Committee and other committees that did the day-to-day running of Asante communities were creations of the traditional council, but they operated largely outside the influence of chiefship.

Asking chiefs for financial accountability can be very torturous. The reason is that the chieftaincy institution is hedged with various taboos of which breaking one is regarded to be a religious offence not only against the person of the chief but also against the ancestors whom the chief represents and the entire community whose soul he embodies. Moreover, such cases are often tried within the traditional courts of the Asante, and the self-interest of chiefs makes it difficult for fair trial. To the chiefs, the Assembly members had no right to demand from them accountability because they were simply not accountable to them. They are rather accountable to the *amanfoɔ* (the citizens) and the government through the Auditor General's Office. One of the chiefs retorted: "The Assembly members are representatives in the District Assembly but not in my palace." When Assembly members poke their noses into issues chiefs regard to belong to the domain of the chieftaincy institution, tension rises between the chiefs and Assembly members.

A discussion with some of the chiefs on their perception of how the DAs used revenue from land elicited the following responses:

"They take our land but they do not tell us what the money is used to do."

"Money is collected from markets and lorry stations built on our land and we do not know for what it is used."

"We need more money for our people to see us providing them with development projects else they would think that we are not working but the DA is working."

"*Dee ade wo no na odi. Nnye dee ekom de no*"—"It is the owner of food who eats it but not the one who is hungry."

That there is a legitimacy issue is attested to by the threat the chief and the people of Mim in Brong Ahafo issued to the government over putting some villages situated on their land under a different electoral area (GNA, "Mim Council…"). This is not limited to Asante alone because the *Okyehene* (the chief of Akyem Abuakwa traditional area) is reported to have questioned the legitimacy of the state in administering lands (GNA, "Okyenhene calls…") Quite recently, the chief of the Banda traditional area questioned the legitimacy of a legally instituted body, the Bui Power Authority, for dealing with settlers on lands that will be affected by the construction of the Bui Hydro Electric Project instead passing through the allodial owner, the Banda Traditional Council (GNA, "Banda Chief…"). The chiefs want resources that they can use to justify their functional legitimacy. This is evident from the demand of the paramount chief of Gwollu in the Upper West Region of Ghana for part of the District Assembly Common fund to be given to traditional rulers to develop their areas to "serve as living monuments and legacies" (GNA, "Chiefs to Contest…"). There is an obvious competition between chiefs and DAs for functional legitimacy.

The various agencies dealing with land at the three traditional areas studied in Asante were aware of the chiefs' land dealing. They were aware that contrary to the Lands Commission Act (Act 123 of 1962), parcels of land have been given out to developers without the official knowledge of the agencies, especially the Lands Commission. DA officers were tight-lipped about discussing land issues involving chiefs. Some of them hinted that an open discussion could lead to their dismissal or transfer from their service (cf. Ubink and Quan 2008). The Unit committees and the Assembly members from some of the towns were of the view that "drink money" was the preserve of the chiefs, and they would not be drawn into any discussion on it and other land-related issues. Later, some of the Unit committee members expressed their reservations on land transactions by traditional councils. Almost all of them alleged that lands belonging to their communities were sold to developers without the knowledge of the community and the money unaccounted for. Some said, due to the fear of *Deduakyere*, they could not confront their chiefs. *Deduakyere* is a

formal charge against a person who has broken a taboo of a chief or has sworn by a chief's oath. A punishment, including a sacrifice of a sheep, is imposed on the guilty.

District Chief Executives were reluctant to talk on chieftaincy issues. Some of them claimed that issues on chieftaincy were the preserve of the House of Chiefs but not government. All of them were concerned about the opacity in land transactions but were reluctant to have any in-depth discussion on it. On the issue of the Assemblies' use of revenue from land given to them by OASL, they claimed to use it to supplement funds from the District Assembly Common Fund for development projects in their respective districts. On the charge of corruption by some of the chiefs, one of them was emphatic that at least as a state institution, the Auditor General's Office periodically audits their accounts and they had not been found culpable.

Antagonism

Land is a factor in the current legitimacy war between chiefs and the DAs. Chiefs want more of the revenue from land to be given to them. The main purpose is for their community to see them as agents of development. Chiefs' agitation for a higher percentage of revenue from land is because they think the current sharing regime gives the DAs an upper hand in the provision of social and welfare services and thereby enhances the DAs' legitimacy. The rhetoric charging a lack of accountability and the corruption both institutions make against each other reflect the insecurity in legitimacy each has and the desire to bolster legitimacy.

In 1921, the Golden Stool of the Asante, which was purposely hidden from British capture, was discovered, and those who found it robbed it of its gold. Among the various interpretations McCaksie advances, the one that is of interest to this study is that the Golden Stool represented, to those who assaulted it, "a physical assault on the ideology of the nineteenth-century state" (1986: 18). Their act was therefore an "ideological critique" and an "objectification" of nineteenth-century Asante state in its accumulation and redistribution of wealth. He used this interpretation to explain subsequent Asante attitude to the state, especially the immediate post-independent struggle between the Asante-based NLM (National Liberation Movement) and the CPP.

This interpretation is relevant to the current discussion on crisis of legitimacy. It seems that in the mind of the Asante chief the modern state has come to replace the colonial state, which took over the coercive power and legitimacy of pre-colonial Asante, especially in the area of accumulation and

redistribution of wealth. The chiefs were opposed to the following: modern state's control over land in the form of provisions in the 1992 Constitution that all public land investments were entrusted to the President, albeit in trust for the people (Article 256); the state's right to appropriate any land deemed to be in the interest of the public (Article 257); investing the management and effective planning of land in towns in the Land Commission (Article 258); and the creation of OASL to collect and disburse revenue of the stool lands (Article 267). Judging from these oppositions, the chiefs' perception of the state is that it behaves like the much-hated colonial and immediate post-colonial states. Thus, the present crisis of legitimacy over land is just the continuation of earlier legitimacy wars. The DAs in this interpretative scheme have come, in the view of the chiefs, to objectify the state, which must be opposed by the chiefs and if possible deprived of revenue accruing from land for the benefit of the immediate community. The modern state, in this instance, is seen as an abstract concept or an "amorphous" entity devoid of any personality while the traditional state has a soul (*sunsum*) embodied in the chief whose interest must be catered to.

Consequently, there is tension between the catholic nature of the state and local nature of chiefship. The state, represented by the DAs in its attempt to redistribute wealth, does not share revenue accrued from land in proportion to the source from which the revenue was derived. Revenue derived from the land from a particular traditional area is put in the common purse. This goes against the Asante understanding of <u>*oman*</u>—nation.

<u>*Oman*</u> refers to a political community, with the plural being *aman*. In the Asante political structure, there are various levels of governance as there are various levels of political communities or polities. Each polity has a personality called *sunsum*—a spiritual principle that brings all those within the polity together. *Sunsum* is embodied in the political head, the chieftaincy institution as discussed under representation and legitimacy. Individuals and communities that are outside the polity have not contributed their *sunsum* into the collective and hence cannot enjoy any boon that results from the collective political arrangement. They are not part of the *oman*. Land belongs to individual *aman*; hence, any benefit accruing from land naturally must be for the sole benefit of its members unless the members otherwise decide. Chiefship, locally rooted as the power chiefs have, is the aggregation of the *sunsum* of their subjects (or clans in the chiefdom), which they have either willingly or forcibly surrendered for the collective good. The chief, being the embodiment of the collective *sunsum* of the community, leads, which confers legitimacy on him, thus making him the community representative who must at any point in time cater to the interest and welfare of the community. The *Asantehene*

harmonizes the individual interest of the various *aman* (cf. de Alcántara 1998) to ensure the collective welfare of *Asanteman*. He does so because he also embodies part of the *sunsum* of each *ǫman* surrendered in the formation of *Asanteman*, which is contained in the Golden Stool.

A critical look at the District Assemblies in Asante reveals that some of them are not demarcated along geographical boundaries of the various traditional areas where a traditional area refers to the land under the jurisdiction of a divisional chief. Kwaman Traditional Area, for example, was part of Sekyere East District Assembly, consisting of four distinct *aman* (Kwaman, Nsuta, Beposo and Mampon), but now is part of the Sekyere Central District Assembly, consisting of Kwaman, Nsuta and Beposo traditional areas. Kwaman has a large tract of land, but much revenue from the land went to the DA. Kwaman due its membership in the DA, and is therefore, forced to share revenue from its land with others whose ancestors did not share their blood in acquiring that land. A discussion on this brought out the saying "*Deę ade wǫ no na odi. Nnyę deę ękǫm de no*"—"it is the owner of the thing (food) who eats it, but not the hungry person." This implies that it is those who own a property who should benefit from it but not those who are in need. The catholic nature of contemporary governance and the local nature of traditional governance are partly at the root of the legitimacy war. The reason is that the modern state understands a political community from a secular perspective as simply a creation of a legal instrument as the DAs are. The legal instrument often creates DAs with administrative convenience as a prime focus, making it very catholic because it lumps many traditional authorities together. However, the Asante see a political community as an aggregation of souls, and hence those who do not share in the collective soul are totally outside the community. Thus, while the modern state sees legitimacy as having its roots in law, the Asante see legitimacy as coming from religion, which is localized.

Ambivalence

The neo-liberal attitude toward representation in the African context seems contradictory. In one instance, it seems to favor rational representation through election where the represented interest is "specific, objectively defined and universally recognised" (Chabal 1992: 146). In another instance and within the same political community, neo-liberal attitude tilts toward "traditional" representation, which, unlike the rational, is steeped in myth and symbols. This means there is an attempt to integrate two worldviews—one being secular and the other being religious—in local governance. This is creating an

ambivalent situation in local governance. The differently rooted representation that invariably affects legitimacy, which is currently not well harmonized, is at the heart of the crisis of legitimacy.

The stress on functional legitimacy is affecting the legitimacy of the chieftaincy institution. In the traditional Asante setup, the fruits of functional legitimacy, *nkosoo* (progress), which can be equated to physical, social, economic development, are rooted in religion. *Nkosoo*, as earlier noted in this paper, is a reflection of a community's relationship with the sacred world, a relationship that is determined by the moral, ritual and social conduct so far as inter-human and human-sacred relationships are concerned. Thus, *nkosoo* in traditional Asante thought has a sacred dimension, with the chieftaincy institution as a mediator in ensuring its realization. The activities of decentralized agencies of the DAs, which bring *nkosoo* to rural areas, have created another source of power, which is secular and which brings *nkosoo* without recourse to the sacred. This is bringing home the secular nature of development. Thus secularization in the form of differentiation has crept into Asante governance, making the chieftaincy institution lose its hegemony over decision making and implementation in Asante. Differentiation is the aspect of the secularization theory that says that religion, especially Christianity, no longer has the monopoly over all spheres of life. Rather, there will be plurality of values competing for ideological and functional influence over life. As David Martin (1995) notes, this "breaking up of monopolies and hegemonic systems, and the freeing of different spheres—state, market, law, arts, education—from ecclesiastical or political domination may well be 'the enduring core of secularisation theory" (p. 302). Secularization has created competition between the DAs and chiefs. To compete with the DAs, chiefs must provide development by utilizing secular means. *Nkosoo* is no longer a symptom of the blessings of the sacred but the taking of rational and practical steps, including steps that may be immoral but can bring development to a community.

Conclusion

There has been a chequered relationship between the chieftaincy institution and modern local governance in Ghana. Contemporary governance has seen the chieftaincy institution as an important resource for local governance, and the chieftaincy institution knows the importance of contemporary local governance structures in the development of the local communities. Nevertheless, there is mistrust between the two institutions in local governance. This mistrust is played out in representation in the District Assemblies and the

management of land and its resources. The understanding emanating from this study is that the presence of local government structures in rural communities is leading to differentiation. It has led to the existence of polycentric sources of power, which has made the chiefs lose the hegemony they had because of the traditional religious understanding of representation and, hence, legitimacy. Sacralizing the chieftaincy institution fuses the person of the chief to the community he rules, creating a ritual bond between him and the community. Therefore, the community becomes present in the chief, as he is in the community and the community is in him through the ritual of investiture, which actually is a sacrifice of the chief to the community. Rational representation, which has its basis in legal instruments and elections, poses a threat to the sacred understanding of representation. It has systematically attempted and continues to undermine the legitimacy of the chieftaincy institution through the appropriation of resources that make the chief functionally relevant to the people. The more rational representation through the DAs is able to provide public goods outside the domain of chiefship the more it will increase its legitimacy. Thus, the war of legitimacy is a war between the sacred and secular understanding of representation and legitimacy. As to how it will end, the only answer is "time will tell."

References

Adi, Bongo. 2005. "The Moral Economy and Prospects of Accumulation in sub-Saharan Africa: How the IFIs can help," *West African Review*, 7.<http://www.westafricareview.com/issue7/adi.html>.

Amanor, K. and Joe Annan. *Linkages between Decentralization and Decentralised Cooperation.* (ECDPM Discussion Paper 9) (Maastricht: ECDPM, 1999) http://www.ecdpm.org/Web_ECDPM/Web/Content/Navigation.nsf/index2?readform&http://www.ecdpm.org/Web_ECDPM/Web/Content/Content.nsf/7732def81dddfa7ac1256c240034fe65/182c68c429016967c12573540033e2bd?OpenDocument.

Appiah, K. A. 1992. *In my Father's House: Africa in the Philosophy of Culture.* New York and Oxford: Oxford University Press.

Arhin, Kwame. 1983. "Peasants in 19th-Century Asante", *Current Anthropology* 24, 4: 471-480.

——. 1985. *Traditional Rule in Ghana*: *Past and Present.* Accra: Sedco Publishing Limited.

Austin, Dennis. 1964. *Politics in Ghana: 1946-1960.* London: Oxford University Press.

Ayee, Joseph (2003). 'Ghana: a top-down initiative'. In Dele, Olowu and James S. Wunsch *Local governance in Africa: the challenges of democratic decentralization.* Boulder, CO: Lynne Rienner, 125-154.

Boafo-Arthur, Kofi. 'Chieftaincy and Politics in Ghana since 1982,' *West Africa Review*, 3, 1, <http://www. westafricareview.com/vol3.1/boafo.html>.

Boahen, A. A. and J. B. Webster. 1970. *History of West Africa.* New York: Praeger. Curtin 1988: 412.

Busia, K. A. 1968. *The Position of the Chief in the Modern Political System of the Ashanti.* London: Frank Cass.

Cau, Boaventura M. 2004. "The role of Traditional Authorities in Rural Local Governance in Mozambique: Case Study of the Community of Chirindzene." M.Phil. diss., University of Western Cape.

Chabal, P. and Jean-Pascal Daloz. 1999. *African Works: Disorder as Political Instrument.* Bloomington, Indiana: Indiana University Press.

Chabal, Patrick. 1992. *Power in Africa: An Essay in Political Interpretation.* Basingstoke: Macmillan.

Chomsky, N. and Herman, E. S. 1988. *Manufacturing Consent: The political economy of the mass media.* New York: Pantheon Books.

Danquah, J. B. 1928. *Akan laws and Customs and the Akim Abuakwa Constitution.* Oxford: Oxford University Press.

David Martin. 1995. "Sociology, religion and secularization: An Orientation", *Religion*, 25: 295-303.

Davidson, B. 1992. *The Black Man's Burden: Africa and the Curse of the Nation-State*. London: James Currey Ltd.

——. 1967. *Old Africa Rediscovered.* London: Longman.

de Alcántara, Cynthia Hewitt 1988. "Uses and abuses of the concept of governance", *International Social Science Journal*, 155: 105-113.

Ekeh, Peter. 1975. "Colonialism and the Two Publics in Africa: A Theoretical Statement," *Comparative Studies in Society and History*, 17, 1: 91-112.

Englebert, Pierre. 2002. "Patterns and Theories of Traditional Resurgence in Tropical Africa. *Mondes en Developpement*, 30, 118: 51-64.

Field, M. J. 1940. *The Social Organization of the Ga People.* London: Crown Agents for the Colonies.

Fisiy, C. F. 1995. "Chieftaincy in the modern state: an institution at the crossroads of democratic change", *Paideuma*, 41: 49-62.

Fowler, Alan. 1997. *Striking a Balance: A Guide to the Effectiveness of NGOs in International Development.* London: Earthscan Publications.

Frazer, J. G. 1890. *The Golden Bough: A Study in Magic and Religion*, new abridgement ed. Robert Fraser. London: Oxford University Press.

Fukuyama, Francis. 2004. *State-Building: Governance and World Order in the 21st Century.* Ithaca, NY: Cornell University Press.

Gaba, Christian. 1997. "The religious life of the people." In Francis Agbodeka (Ed.) *A handbook of Eweland Volume 1: The Ewes of Southeastern Ghana.* Accra: Woeli Publishing Services, 85-104.

Ghana News Agency (GNA). 27 July 2009. Banda chiefs not happy about their non-involvement in land issues. *Ghana Web.* http://www.ghanaweb.com/GhanaHomePage/NewsArchive/artikel .php?ID=164456.

——. 29 September 2009. Chiefs should appoint 30 percent assembly members-Ahwoi. *Ghana Web.* <http://www.ghanaweb.com/GhanaHomePage/economy/artikel.php?ID=169531>.

——. 4 November 2009. Chiefs to contest presidential, parliamentary elections? *Ghana Web.* <http://www.ghanaweb.com/GhanaHomePage/election2008/artikel.php?ID=171351>.

——. 20 January 2009. Mills to consult chiefs on appointment of MMDCEs". *Ghana Web.* <http:// ghanaweb.com/GhanaHomePage/economy/artikel.php?ID=156475>.

——. 9 December 2005. Okyenhene calls for review of land laws. *Ghana Web.* http://www .ghanaweb.com/GhanaHomePage/NewsArchive/artikel.php?ID=95801.

——. 24 March 2004. Mim Council threatens to disrupt Registration Exercise. *Ghana Web.* http://www.ghanaweb.com/GhanaHomePage/NewsArchive/artikel.php?ID=54623

——. 25 January 2001. Seventy per cent of Ghanaians uphold chieftaincy. *Ghana Web.* <http:// www.ghanaweb.com/GhanaHomePage/economy/artikel.php?ID=13201>.

Gluckman, M. 1955. *Custom and Conflict in Africa.* Oxford: Basil Blackwell.

Gyekye, Kwame. 1997. *Tradition and Modernity: Philosophical Reflections on the African Experi- ence.* New York & Oxford: Oxford University Press.

Hulme, D. and M. Edwards. 19197. "NGOs, States and Donors: An Overview", in D. Hulme and M. Edwards (Eds.) *NGOs, States and Donors: Too Close for Comfort?* New York: St. Martin's Press.

Konrad Adenaeur Foundation. "Workshop on Decentralization and Traditional Authorities in Ghana". http://www.kas.de/ghana/en/publications/9301/.

Kuklick, H. 1979. *The Imperial Bureaucrat: The Colonial Administrative Service in the Gold Coast 1920–1939.* Stanford, California: Hoovers Institutions Press.

Kyei, Peter O. (2000). *Decentralization and poverty alleviation in rural Ghana: perspectives from district elites and voices of the rural poor.* http://unpan1.un.org/intradoc/groups/public/ documents/idep/unpan003042.pdf.

Madison, James, Alexander Hamilton and John Jay. 1987. In Isaac Kramnick (Ed.). *The Federalist Papers.* Harmondsworth: Penguin.

Maier, D. J. E. 1983. *Priest and Power: The case of the Dente Shrine in the Nineteenth-century Ghana.* Bloomington: Indiana University Press.

Mamdani, M. 1996. *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism.* Princeton, NJ: Princeton University Press.

——. 1999. "Indirect rule, Civil Society and Ethnicity: The Africa Dilemma". In W. G. Martin and M. O. West (Eds.) *Out of One, Many Africans: Reconstructing the Study and Meaning of Africa.* Urbana: University of Illinois Press, 189-196.

Manning, P. 1988. *Francophone Sub-Saharan Africa 1880-1995.* Cambridge: Cambridge University Press.

Mbeki, G. 1984. *South Africa: The Peasants' Revolt.* London: Defence and Aid Fund.

McCaskie, T. C. 1986. "Komfo Okomfo Anokye of Asante society: Meaning, history and philosophy in an African society". *The Journal of African History* 27, 2: 315-339.

Merquior, José Guilherme. 1993. "A panoramic view of the rebirth of liberalisms," *World Development*, 21, 8 (August): 1263-1269.

Mkandawire, T. and C. Soludo: 1999. *Our Continent, Our Future.* Trenton, NJ: Africa World Press.

Nkwi, P. N. 1976. *Traditional Government and Social Change: A Study of the Political Institutions among the Kom of Cameroon Grassfields.* Fribourg: The University Press Fribourg.

Nugent, Paul. 1999. "Living in the past: urban, rural and ethnic themes in the 1992 and 1996 election in Ghana", *The Journal of Modern African Studies* 37, 2: 287-319.

Olowu, Dele. 1999. "Building strong local government through networks between state and non-governmental religious institutions in Africa", *Public Administration and Development*, 19, 4: 409-412.

Pitkin, Hanna Fenichel. 1967. *The Concept of Representation.* Berkeley: University of California.

Plotke, David. 1997. "Representation is Democracy." *Constellations.* 4 (November): 19-34.

Pobee, J. S. 1991. *Religion and Politics in Ghana.* Accra: Asempa Publishers.

Rathbone, Richard. 1999. *Nkrumah and the Chiefs: The Politics of Chieftaincy in Ghana, 1951- 1960.* Athens: Ohio University Press; Oxford: James Currey.

Ray, Donald I. and P. S. Reddy Ed. 2003. *Grassroots governance?: Chiefs in Africa and the Afro-Caribbean.* Calgary: University of Calgary Press.

Ray, Donald. I. ed. 2005. *Re-inventing African chieftaincy in the age of AIDS, gender and and development vol.* Calgary: TAARN, University of Calgary.

Robinson, Mark. 1997. "Privatizing the Voluntary Sector: NGOs as Public Sector Contractors". In D. Hulme and M. Edwards (Eds.) *NGOs, States and Donors: Too Close for Comfort?* New York: St. Martin's Press.

Sklar, Richard L. 1993. "The African Frontier for Political Science." In Robert Bates, V. Y. Mudimbe and Jean O'Barr (Eds.) *Africa and the Disciplines.* Chicago, IL: University of Chicago Press, 83-110.

——. 1999a. "The Significance of Mixed Government in Southern African Studies: A Preliminary Assessment." In Jonathan Hyslop (ed.) *African Democracy in the Era of Globalization.* Witwatersrand, South Africa: Witwatersrand University Press, 115-121.

——. 1999b. "African Polities: The Next Generation". In Richard Joseph (Ed.), *State, Conflict and Democracy in Africa.* Boulder, Col., Lynne Rienner Publishers, 165-78.

Smith, Brian. 2002. "Decentralization." In C. Kirkpatrick, R. Clarke and C. Polodano (Eds.) *Handbook on Development and Policy Management.* Cheltenham, UK: Edward Elgar, 389-399.

Turner, V. W. 1966. "Ritual aspect of conflict control in African micropoltics". In M. J. Swartz et al., eds., *Political Anthropolgy.* Cargo: Aldine Publishing Company.

Ubink, Janine M. and Julian F. Quan. 2008. "How to Combine Tradition and Modernity? Regulating Customary Land Management in Ghana", *Land Use Policy* 25: 198–213.

Weber, M. (1958). "The three types of legitimate rule". *Berkeley Publications in Society and Institutions*, 4 (1): 1-11. Translated by Hans Gerth.

Williams, Melissa. 2000. "The Uneasy Alliance of Group Representation and Deliberative Democracy". In W. Kymlicka and Wayne Norman (Eds.), *Citizenship in Diverse Societies.* New York: Oxford University Press, 124-153.

World Bank. Ghana-Promoting Partnerships with Traditional Authorities Project (PPTA). http://web.worldbank.org/external/projects/main?pagePK=64283627&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P071399

——. 2002. *Building Institutions for the Market.* Washington D.C., The World Bank.

Wunsch, S. James. 2000. "Refounding the African state and local self-governance: The neglected foundation", *The Journal of modern African studies*, 38, 3 (September): 487-509.

Yankah, Kwesi. 1995. *Speaking for the Chief: Okyeame and the Politics of Akan Royal Oratory.* Bloomington, Indianapolis. Indiana University Press.

Young, Iris Marion. 1999. "Justice, Inclusion, and Deliberative Democracy" in Stephen Macedo (Ed.) *Deliberative Politics: Essays on Democracy and Disagreement.* Oxford: Oxford University, 151-8.