

Challenges of the Collaboration between Formal Local Government Actors and the Chieftaincy Institution in Ghana: Lessons from the Sissala East District of the Upper West Region of Ghana

Tanko Daniel Dawda

Department of Social
Political and Historical Studies
University for Development Studies
P.O. Box 520, Wa-Ghana.

Frederick Dapilah

Department of Community Development University for Development studies
P.O. Box 520, Wa-Ghana.

Abstract

The Chieftaincy institution has been an important arm of local governance since colonial times. The British colonial policy used the chieftaincy structure in implementing an indirect-rule system of governance. However, the chieftaincy institution has had varying roles in local governance in post-independent Ghana. The study examined the nature of collaboration between the chieftaincy institution and formal local government actors in the Sissala-East District of the Upper West Region of Ghana. To do this, the study employed techniques such as questionnaire administration, interviewing and focus group discussions to gather data for analysis. Written documents were also relied upon in the development of the study.

The results show that, notwithstanding the constitutional limitations on chiefs not to take part in active partisan politics, chiefs have collaborated with local and formal local government actors to bring development to their people in the areas of infrastructural development, dispute resolution, revenue mobilisation, good governance and the management of natural resources. However, there exist challenges that do not bode well for collaboration between the District Assembly system and chiefs. The lack of a direct role of chiefs in Ghana's local government structure has been identified as a challenge to the collaboration between chiefs and formal local government actors. The study concludes that, by their various roles, chiefs have collaborated in numerous ways to bring development to their areas and recommends that in order to enhance their contribution to local level development, efforts should be garnered to give chiefs a formal recognition in the current decentralised system to make way for effective collaboration between chiefs and formal local government actors.

Key Words: Local Government, Collaboration, Challenges, Chieftaincy Institution, Actors, lessons, Sissala-East, Ghana.

1.0. Introduction

Partnership in development is broadly considered as a form of relationship and interaction to achieve a common goal or interest. In this regard according to Kirsh (1976) and the World Bank (1994), all forms of development are collaborations entered into for the purpose of enhancing people's quality of life. Local collaboration has been variously described as a co-operation, a stakeholder relationship and a social capital. With reference to a stakeholder analysis model by Gomes (2006), for successful and effective implementation of development projects at the local level, there should be effective co-operation among all stakeholders. In this interaction, chiefs are to collaborate on policy delivery while the District Assembly as the representative of the central government at the local level is to legitimise the decision making process with recommendations from the decentralised departments. This ensures policy effectiveness and leads to sustainable and purposeful development at the local level.

Historically, the colonial masters used chiefs to get to the people for developmental purposes (Busia, 1968; Bofo-Arthur, 2001). The colonial government relied on chiefs to mobilise and collect revenues for development projects. After independence, the state continued in a similar manner, to make use of chiefs and their leadership to ensure development at the local level.

Brempong (2001) stresses that, the Ghanaian society is rooted in chieftaincy and believes that the experiences and wisdom of chiefs should be utilised fully at all levels of government. According to Dipholo (2002), the institution of chieftaincy is the structure that the local people identify most with and thus acknowledge their leadership role. Strengthening these existing structures should therefore take precedence over the creation of new institutions, which is a move usually employed by agents of change (Dipholo, 2002).

“The earliest form of organised local government in the then Gold Coast was in the nature of “indirect rule” or “paternal government”, featuring native authorities” (Ahwoi, 2010:9). They were centred on chiefs or some units of local royalty. These native authorities were not democratic but were representatives of the British colonial authorities and their main interests were to help the British colonial government to administer law and order with limited involvement in local administration. Chiefs were recognised and seen by the colonial administration to be wielding so much power at the local level and that they saw the need to use them to achieve their purpose through the indirect rule system.

In 1961, (by) the Local Government Act, 1961, Act 54, traditional representation on District Councils was abolished and council members were all to be elected. The District Council, however, had a President who was a Paramount Chief appointed by the Minister of Justice to preside over the first meeting only of the Council to elect the Chairman of the Council. Chapter 16 of the 1969 Constitution on Chieftaincy and Local Government established Local, District and Regional Councils and went into detail about their membership. Chiefs were restored to membership on the Councils. The relevance of the membership of chiefs in the Local Councils was also recognised in 1979 when the 1979 Republican Constitution (Chapter 20) provided for an Act of Parliament to establish District Councils and two-thirds of whose membership was to be elected by universal adult suffrage and one-third were to be appointed by the traditional authorities.

In 1988, the representation of traditional authorities in District Councils and subsequently the District Assemblies with the coming into force of the 1992 Constitution was abolished. Hence, traditional authorities are not represented in the New Local Government System. Furthermore, with the coming into force of the Constitution, chiefs by Article 276 (1) shall not take part in active party politics. Chief refers to 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 (Nukunya, 2003; and Article 277 of the 1992 constitution). The paper examines the collaboration between chiefs and formal local government actors in Ghana with particular reference to the Sissala East District of the Upper West Region with the view to highlighting the pertinent challenges thereof in the governance process.

2.0. Research Methodology

The paper relied on related data from both primary and secondary sources. Purposive sampling technique was adopted to select formal local government officials including the District Chief Executive (DCE), District Coordinating Director, District Planning Officer, District Budget Officer, some Assembly members and Heads of 14 Decentralised Department and chiefs in the district for purposes of questionnaire administration and interviewing respectively. A cross section of household heads was also contacted to assess the views of the people with regards to the nature of collaboration between these actors.

A total of 64 respondents were contacted during the study. These respondents include 20 formal local government workers, 5 Assembly members, 14 chiefs and 25 household heads. In addition, two focus group discussions were conducted with the council of elders of the two traditional councils in the district. Secondary data was also solicited from relevant documentary sources including published articles in journals, books and reports from the district Assembly.

3.0. Chiefs in the Local Government Structure in Ghana

As observed by Bofo-Arthur (2003), chiefs were used by the colonial government through the ‘indirect rule’ system to get to the people for development purposes. During and after independence, the state continued in a similar manner to make use of chiefs and their elders to ensure development at the local and rural areas. In 1988 Ghana adopted a package of reforms aimed at decentralising the political and administrative system.

Following this system, the 1992 Constitution of Ghana, by Article 270, guaranteed the establishment of the institution of chieftaincy together with its traditional councils as established by customary law and usage. This process was expected to result in improved governance, empowerment of local communities, accountability and efficiency. Decentralisation and local governance is expected to lead to the active involvement of the people at the local level, because the government, through its agents, would act at the lower levels with traditional authorities such as chiefs to develop the rural areas (Ayee and Tay, 1998). By this process chiefs are expected to provide advice and support to local government actors so that living conditions of the people they represent are improved. In this regard, the local government system is a form of partnership between formal government actors and the chiefs and their people.

Local government actors are to collaborate with chiefs so as to secure their support for the implementation of development programmes and projects. Chiefs as traditional authorities are therefore expected to collaborate with formal local government actors on policy decisions. This is to ensure that government policies are effectively implemented. Decision making and consultation are important activities by which the District Assembly (the agent of government) fulfils its purpose of democratic decision making, promoting the general well-being of communities and exercising its deliberative functions. The primary responsibility for making decisions rests with the formal local government actors and traditional authorities through such avenues that may be created by all the actors involved.

Chiefs, generally, are believed to have discussions and plan together with their Assembly Members and populace to bring development to their areas. They have also arrived at best solutions to their problems through consensus building with other stakeholders. Through such consensus, the involvement and participation of the people are solicited and assured for the implementation of development activities.

4.0. Results and Discussion

4.1. The Chieftaincy Institution in the Sissala East District

The study revealed that the Sissala people were without kings or chiefs. The people had family heads who were elders of their respective extended families. These elders together with the “tortina” (‘Tindana’ or landlord) represented the authority of their communities and they administered the day to day businesses of their respective communities. This means that these communities did not have centralised political systems but had only clan heads as their natural leaders.

According to the chief and elders of Tarsoh, Chieftaincy was introduced to them by the Gonjas and Dagombas somewhere in the late 18th Century and was facilitated by the introduction of indirect rule by the colonial masters. The Chieftaincy institution comprises the chief, council of elders, the tortina (landlord) and the naazua (linguist). The chief is usually a male and supported by a council of elders which comprises elders of the various extended families within the chieftain. The tortina (landlord) represents the community as far as land is concerned and the naazua (linguist) speaks for the chief and he is expected to understand some other languages apart from their original language (Sissali). At Walembelle it was mentioned by the elders that the chieftaincy institution used to have Armies to protect their territories but this has faded out over the years because communities no longer engage in warfare.

From the survey, although chieftaincy is the highest form of traditional authority at the community level, it was identified that within the chieftaincy institution there are various levels of authority as mentioned in Kendie and Guri (2006). There is the paramount chief, the divisional chief, the sub-chief, the linguist and the Council of elders. In the Gelibaga traditional area, the paramount chief is referred to as the “Kuori-Bari” which literally means ‘Big Chief’ while the divisional and sub-chiefs are referred to as the “Kuori-biisi” meaning ‘smaller chiefs’. The linguist is the ‘Naazua’ and the Council of elders is the ‘Kuori-kpanbiasi’. Figure 1 shows the structure of traditional governance in the Sissala East District.

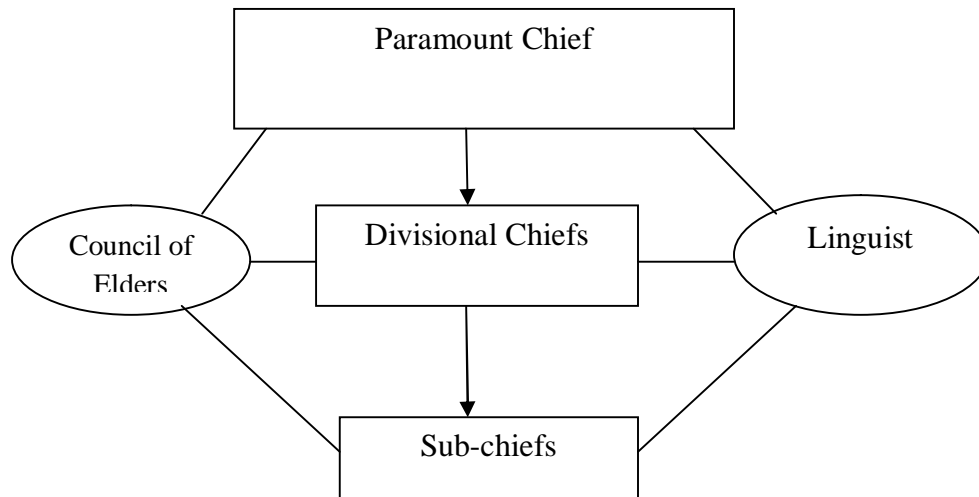


Figure 1: Structure of the Chieftaincy institution in the Sissala East

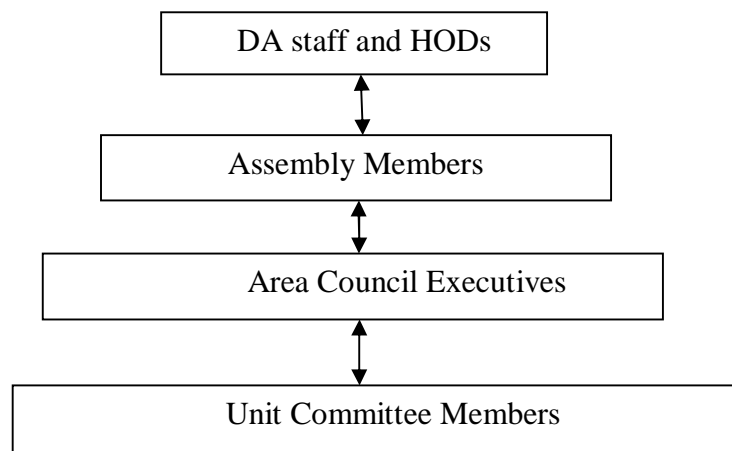
Source: Author’s construct

The Sissala East District has two paramount chiefs, with divisional chiefs and sub-chiefs at the various communities. Every chief has a linguist who speaks for the chief and a Council of elders who advice and guide the chief in all matters that are brought to the chief to adjudicate upon. Chiefs in the Sissala East District are all males as females are not allowed to be chiefs; but they have the “magazia” or women leaders. Among the people of the Sissala East therefore, the position of the Queen mother among the Akans as observed by Brempong (2001) is non-existent.

4.1. The Sissala East District Assembly

The decentralisation policy adopted in 1987 by Ghana led to the establishment of District Assemblies all over the country. The Sissala East District was carved out of the then Sissala District in 2003. The administrative head of the district is the District Chief Executive (DCE) who is assisted by the District Coordinating Director (DCD) together with other administrative staff, heads of department, Assembly men and women, area council executives and unit committee members. These people represent the government at the local level and are expected to promote the development of all areas of the district. The structure of the Sissala East District Assembly is shown Figure 2.

Figure 2: Structure of the Sissala East District Assembly



Source: The New Local Government System of Ghana, Act 462

The Sissala East District has 21 Electoral areas, five Area Councils, and 21 unit committees. Each electoral area has an Assembly Member as a representative in the District Assembly. There are also executives who manage the Area Councils and five members each are elected to form a Unit Committee.

4.2. Collaboration between Chiefs and the District Assembly

The main role of the District Assembly is developmental, as stated in Act 462 of the 1992 Republican Constitution of Ghana. The DA is to assist with the provision of infrastructure as well as maintain and sustain such infrastructure. The District Assembly representatives confirmed that their role as local government actors was to promote development at the local level as enshrined in the 1992 Constitution. Chiefs and their elders, during FGDs, also agreed that the role of the Assembly was basically a developmental one. Under the Local Government Act, the DA has overall responsibility for the development of the district both politically and administratively. The DA is required per the 1992 Constitution of Ghana to have executive, legislative and deliberative powers at the district level.

4.2.1. Infrastructural Development

Respondents identified that chiefs facilitate the release of land for development projects. Land is very important for the establishment of such projects as educational and health infrastructure and boreholes. Though Chiefs in this area are not the land owners, they however, play an important role in the release of land for any development purpose. As respondents explained, land is an important asset on which all other projects depend and the assistance given by chiefs to make the acquisition of land easier makes their contribution to infrastructural development very important. Respondents also cited the important role chiefs and elders play in serving as links between their communities and other development partners. Chiefs link up their communities with other communities and serve as important channels to community entry for other development partners such as NGOs that operate in the areas of health and educational infrastructural provision. Through the appeals by some chiefs in the district seven six-unit classroom blocks and two Community-based Health Planning Services (CHPS) compounds have been provided by Plan-Ghana, Action-Aid Ghana and JICA in eight communities in the district. Chiefs were also seen to be contributing in the area of mobilising communal labour for the construction of projects that are demand driven. For example, chiefs have assisted the District Assembly in a number of communities to erect electricity poles in their communities under the Self-help Rural Electrification Project (SHEP).

4.2.2. Revenue Mobilisation

It was also observed that, all actors bring efforts together to improve upon the revenue base of the district. Chiefs recognised that all development projects depended on resources and most of them could be acquired using money. There was therefore, no doubt that collaboration between the chiefs and the DA would put the district in a better position to mobilise resources for the development of the area. Chiefs were seen to be contributing to development in the area of revenue mobilisation in collaboration with the district sub-structures such as the area councils and unit committees. Chiefs play an advocacy role in letting their subjects understand the importance of paying rates and taxes. They held periodic meetings with revenue collectors and unit committee members to understand their challenges in the area of revenue collection. This complements the efforts of revenue collectors and contributes to increased revenue for the district. Responses from focus group discussions confirmed that the advocacy role of chiefs was helping positively in the area of revenue mobilisation. One area that chiefs were not seen to be doing well was in the area of environmental protection and this received the least responses from the survey.

These findings confirm the observation made by Kyeremeh (1995) that chiefs are mobilising agents in their respective communities. The findings further confirmed what Kendie and Guri (2004) found in their study of indigenous institutions in Southern Ghana that, the existence of identifiable indigenous institutions was a sine quo non for sustainable development. Chiefs therefore dispose of enormous capacities for development at the local level. These findings are a pointer to the fact that resources can be increased for development if stakeholders collaborate with each other through the local governance process.

4.2.3. Dispute Resolution

Land and chieftaincy disputes could sometimes be very complicated and a single institution could not effectively handle the resolution processes of such disputes. Blending traditional dispute resolution methods through chiefs and modern methods was very important in resolving such disputes and hence the collaboration between these traditional authorities and the formal local government actors was seen to be very necessary for dispute resolution at the local level. Chiefs were cited to be engaged in the management and resolution of disputes in consultation with the district security council. The Assembly member for Sakai confirmed this by stating that “general issues of theft, fighting and land disputes are settled at the chief’s palace since we do not have a police station”. Also, the chiefs were able to settle 45 land disputes out of 52 cases in the district within 2010 and 2012. This confirms the views of Kangsangbata and Kendie (2009), when they observed that, “indeed dispute resolution would have been impossible without the active involvement of chiefs in all parts of Ghana”. This is very important since development cannot take place in an area where there is no peace, a peaceful atmosphere is guaranteed by the chiefs and their elders through their dispute management and resolution mechanisms.

4.2.4. Natural Resource Management

Historically, wildlife has been important economically and socially among the people of Ghana. Recognising the value and importance of wildlife, chiefs in collaboration with the District Assembly established systems to regulate and control access to wildlife resources. These include the establishment of bye-laws and common practices to protect specific animal and plant species such as economic trees (the shea tree and the dawadawa tree) which grow in the wild, buffalos and elephants which are almost extinct in the area. Many tree and animal species are also conserved at certain times of the year to give some respite to the resources and allow for recreation. For instance, the district Assembly and the chiefs of the Gelibaga Traditional Area have carved out a large parcel of land as the ‘Gbele Game Reserve’ where hunting and farming is prohibited and is being controlled by the Game and Wild life Division.

4.3. Challenges of the Collaboration between Chiefs and the District Assembly

The system of decentralised local government is to ensure that local government authorities afford people in particular local government areas the opportunity to participate effectively in their governance. This is important if development is to be sustainable at the local level. However, ensuring the effective collaboration of the people in the development process is not without challenges.

Local government officials faced the challenge of chiefs requesting for money from them in the engagement process. Failure to grant such requests tends to muddy the relationship between them. Such requests do not encourage them to continue interacting with them since they would have to create separate budgets at their establishments just to cater for such requests. It is not only expensive to do so, but also risky since other chiefs will get angry and refuse sometimes to co-operate with them when they get to know that their colleagues are being given money. Some of the chiefs even go ahead to request for money in place of projects. Some chiefs, however, admitted that it was a serious setback on the Chieftaincy institution because it is not traditionally acceptable for a chief to openly request for money for himself, though he can do that if the money is to be used for a project that would benefit the entire community.

Effectively engaging chiefs and their elders could be very costly in other respects. Considering the fact that either the staff of the DA would have to move to meet the chiefs and elders in their communities or the chiefs and their elders would have to be invited for discussions, some transportation and communication cost is involved. Under the circumstances, constant engagement to secure effective collaboration between the two parties could have telling effects on the already insufficient funds of the DA.

It is good that chiefs lobby for projects to be established in their communities, but it becomes a huge problem whereby some chiefs ask for projects that they know are being carried out in some communities to be transferred to their communities. They try to do all what is within their reach to get such projects to their communities which is often impossible and the failure often leads to very damaging exchanges between the chiefs and the departments involved. It could sometimes lead to the chiefs issuing threats such as “we do not want to see the officers on our land again” and curses.

Chiefs have also been accused by their subjects of conniving with Assembly Members, DA staff and contractors through their interaction to provide communal labour for the execution of projects for which the contract sum had included the cost of labour. An instance was recounted about how some chiefs had connived with their Assembly Members to organise communal labour for the erection of High Tension Poles with the deception that the electricity was being extended to their communities.

Some projects were also cited to have been stalled or transferred because their chiefs and elders were not properly engaged at the initial stages by the DA. The case was mentioned about a public toilet facility that was to be constructed for a particular community but the chief was not aware of it. When the chief heard about it, he asked that the facility be relocated. The people living around where the building was to be put up had issues with the chief and finally the project had to be stopped and transferred to a different community. The other issue was the construction of a bridge across a river between two communities where the chiefs argued they were not informed but argued that the place was the dwelling place of their river god.

The chiefs therefore asked the contractor to buy a ram and some fowls so that they appease the god before the construction and the contractor refused. Any time that workers went to work on the project, the chief directed members of the community to mask themselves and go and pull the work down in the night and beat up the workers. This continued for more than three months before the project was allowed to go on after the DA on behalf of the contractor went and offered the items to the chiefs go and carry out the sacrifice. This is a project that was scheduled to be completed within two months but had to take more than five months. With reference to this particular issue the one of the chiefs had this to say; 'when projects are to be put up within my territory and you do not consult me, I will make things difficult for you no matter the benefits that we stand to gain from such projects'. This means that the chiefs feel they have not been consulted in many cases with respect to the design and implementation of projects.

One major challenge facing chiefs was the long distances between communities in the area and the district capital. The chiefs complained that the distance from their communities to the district capital is so long that when they are invited for discussions on issues concerning their area they are unable to honour such invitations. Coupled with the issue of long distance was the issue of bad roads in the area which makes it very tiring to travel on.

Another important challenge facing chiefs in the interaction process was the issue of language barrier. Majority of chiefs could not understand and speak English while majority of formal local government actors interviewed could not speak nor understand the local language (Sissali). This makes it difficult for them to engage each other in any meaningful interaction given the kind of avenues available to them. For example, the chief of Kulfoo during a focus group discussion said;

Whenever we meet with these gentlemen we cannot say anything. Not that we do not have anything to say, but how do you say it? These are people who do not understand what you say because they do not understand the language neither do we understand them either because we do not also understand the language of the white man which they speak.

Traditional authorities also complained that government officials do not put them in the picture when planning for development activities. They lamented over their non-representation at the Municipal Assembly where only one chief was selected as a government appointee Assembly Member. This they argued limited their ability to participate in development planning and implementation at the local level.

The poor representation of chiefs at the Assembly, made them perceive the Assembly system as not transparent in its undertakings. Most chiefs (90%) actually felt that the Municipal Assembly was an imposition on traditional administration since they were not consulted before MCEs and government appointee Assembly Members were appointed. They perceived the Assembly system as a threat to traditional governance system as the Municipal Assembly was seen to be taking over most of the functions of traditional authorities in the area. They further indicated that before the decentralisation programme, they were important; it is the introduction of decentralisation that has over the years rendered them less important. These views confirmed the observation by Kendie and Akudugu (2010), that as local leaders, chiefs are often very sensitive to the opinions and needs of their people and therefore want to be recognised.

The lack of formal space for traditional authorities within the mainstream local governance structure to engage the DA remains a serious challenge to chiefs in the decentralised process. Thus, the challenge is how to effectively integrate traditional authorities into the mainstream local governance structure without comprising their non-political role. More so, unclear linkages and modes of engagement and cooperation between traditional authorities and formal local governmental structures prevent effective contribution of traditional authorities towards the common goal of local development and become sources of conflicts.

The key areas of concern regarding these challenges as revealed by the study include;

The lack of proper consultation in the appointment of the assembly members by government, Sub-structures taking over some of the functions previously ascribed to traditional authorities, the lack of recognition of the chiefs in mobilising the community, the non involvement of chiefs in the development decision-making processes at the assembly and the lack of accountability to the people through the traditional authorities.

As custodians of community resources, traditional authorities are expected to protect and efficiently manage these natural resources in a sustainable way, yet they are not involved in natural resource exploitation. There is also the lack of a forum such as District Houses of Chiefs to serve as a platform to harness their views and for engaging and lobbying assemblies on issues affecting their communities.

It is clear that these present a challenge to the collaboration between chiefs as well as the formal local government actors in the interaction process. Consequently, it is impossible for them to engage each other in any meaningful collaboration due to these challenges. It is clear that these challenges have serious effects on project implementation. These could range from delays in project implementation to the non-implementation of project. But due to the lack of linkages through interaction between the chiefs and formal local government actors in the decision making process, chiefs are unable to engage these stakeholders to discuss issues that can minimise these challenges.

5.0. Conclusion

The findings of the study indicated that chiefs and their elders as well as the District Assembly had contributed significantly to the development of the area through collaboration despite the fact that there were some challenges. By their various roles, chiefs contributed to the maintenance of law and order through the settlement of disputes, mobilisation of human resources for communal labour and facilitating the release of land for infrastructural development. The DA had also contributed to the provision of educational and health infrastructure and the provision of general social services in the area as well as maintaining peace and security.

It must be noted that all these developments by the chiefs and the DA took place under limited collaboration between the chiefs and the DA staff and Assembly Members. These institutions therefore stood the chance of contributing more to the betterment of the lives of the people if they effectively engaged each other in the development processes of the district. Effective collaboration would help correct some of the challenges that the two parties encounter in the local government development process.

It is concluded that notwithstanding the challenges that the chiefs and the formal local government officials encounter, ensuring effective collaboration between them is important for development in the local governance process. The success and sustainability of any development project or effort in the area would rely on the collaboration between these two institutions so the need to reduce the challenges that arise thereof.

5.1. Recommendations

The resolution of the challenges of the collaboration between chiefs and government officials demands the concerted efforts of the identifiable actors in the local government administration and development process. In the light of the findings and conclusions of the study, the following have been recommended:

To ensure effective collaboration between the Chieftaincy institution and the DA and other actors, there should be adequate involvement of all parties in the planning and implementation of development projects, especially the projects or activities that affect them. There is the need for formal local government actors to actualise participation through the involvement of chiefs and their people in the design and implementation of development projects.

This would ensure that, the DA, which is an agent in the development process would be concerned with both equity and efficiency considerations in the delivery of services. Bringing all actors on board through participation in the development decision making process secures the collaboration of all stakeholders and this is important for project effectiveness and sustainability. Formal local government actors and development partners should recognise the existence and importance of chiefs as the ones who best know and understand their people and their circumstances. The external agents should see this institution as a partner in development rather than undermining them by establishing new institutions to play their roles. As noted by Boafo-Arthur (2001), these institutions are carved out of “the core of the inner perimeter” of the societies they represent and so they are deeply rooted and revered by the people. They should therefore be allowed to play a key role in solving their own problems while external development agents serve as facilitators.

The Ministry of Chieftaincy and Culture and the Regional House of Chiefs should strengthen the dispute resolution mechanisms of the Chieftaincy institution and integrate them into the formal government channels. This would improve upon the processes of dispute resolution and management and accelerate the dispensation of justice. The people have confidence in the traditional mode of settling disputes and if strengthened, traditional courts would better positioned to handle a lot of cases, especially civil cases. Chiefs and their elders who are usually the arbitrators should be given training on the basic rudiments of the country’s legal system in order to improve upon their competencies in adjudication.

There is the need to build the capacity of Chiefs and their elders. The National and Regional Houses of Chiefs and the DA should be resourced by the government and tasked with the responsibility of organising seminars and capacity-building programmes for chiefs and their elders. This would equip them with basic knowledge of their roles in their interaction with other development partners. This would also enhance their ability to analyse their own circumstances, plan and implement development projects and strengthen linkages with other development partners.

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