

Chieftaincy at the Confluence of Tradition and Modernity: Transforming African Rulership in Ghana and Nigeria

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The notion of “chieftaincy” evokes a multiplicity of images and issues. On the one hand is that of the paramount chief, in his ceremonial regalia, bedecked with copious gold jewelry (Ghana), or beads and turban (Nigeria). This is the image commonly held of the chief, one that betokens a majesty that is seemingly assuring and permanent. It resonates with a romantic fascination that is symbolically timeless. Indeed, it is an image quite reminiscent of what Bowdich had observed and depicted of the Asantehene during his visit to Kumase nearly 200 years ago. This image is indelibly etched in our memory each time we recall chieftaincy. But is it the only representation of chiefly status and is that image unchanging and universal? Not by any means, for there is also the image of the lowly chief, whose regular appearance is no different from that of the ordinary citizen, and in between these two polarities there are innumerable shades and types of “chiefs.” In many respects, the focus on chieftaincy has been narrowly limited to the high-ranking traditional rulers of Africa, i.e., the Asantehenes, emirs, sultans, Kabakas, etc., to the neglect of the influential grassroots village chief.

Indeed, one of the problems facing the student of chieftaincy today is the variegated shades of authority subsumed under the nomenclature of chieftaincy. Perhaps the word ‘chief’ has been used indiscriminately by both Africans and Westerners, thus perpetuating the visions or illusions of “grandiosity, reverence, and quasi-divinity” that Bowdich, Miles and others described in their works.¹ For, the term “chief” is a creation of colonial administrators who, in their quest for a definable title for the existing traditional leader for purposes of categorization within the imperial administrative structure, designated such leaders as chiefs or “warrant chiefs.” As will be demonstrated below in this discussion, the title “chief” was neither uniform in authority nor necessarily complementary. As we know, from precolonial times to the present day, local leaders had borne their traditional titles such as “hene” for the Akan, “Nii” for the Ga, “Togbe” for the Ewe, “Oba” or “Alafin” or “Ooni” for the Yoruba, “Oba” for the Beni in Nigeria and the Republic of Benin, “Sarki or Emir” for the Hausa, “Eze” for the Igbo, etc., rather than the generic label “chief” that the colonial authorities assigned them. Furthermore, the ranking system that existed among different levels of traditional authority

such as “Omanhene” (paramount chief), “Ohene” (chief) and “odekro” (village chief) among the Akan, for instance, was often overlooked when the British lumped together all traditional leaders under the generic rubric of “chief.”

One of the central contentions of this paper, then, is that chiefs—however defined—are a product of a specific historicity. The nature of their authority, therefore, is contingent upon history, for each chiefdom has its own historical unfolding and particularities. Their commonality lies in part in the fact that they have undergone, through fairly identical trajectories, comparable phases of mutations and adaptations. For example, we may accept the notion that “the colonial relationship established between the rulers and the chiefs in the colonial era has continued, however unconsciously, after independence.”²

Secondly, without doubt, chieftaincy is rooted in tradition. Their primary role pertains to their function as custodians of “traditional” resources, institutions and values. The dominant histories of African chieftaincies show how various societies have continuously maintained such institutions for thousands of years. Therefore, the importance of chieftaincy lies in the deeper meaning it presents to the ordinary Africans, whose way of life has been governed by traditional authority, its thought process, and the practical application to resource allocation it carries. Furthermore, chieftaincy’s importance is confirmed by public enthusiasm for an institution that represents the whole community and not only part of that society.

As we consider the future of the institution, a critical, inescapable question is: Is chieftaincy antithetical to modernization? Is it of decreasing relevance to modernization? Are the chiefs an embodiment of the past rather than of the future? After all, the processes by which they ruled, the intricate intertwining of their roles with traditional worldview and deities conjure up images of traditionality. It is largely for these reasons that at the time of independence some observed that chiefs were as anachronistic as much as colonialism itself was.

The history of the institution of chieftaincy can be periodized into three major phases: precolonial, colonial and postcolonial/modern. Although in principle we have reservations about the use of the colonial era as the defining or demarcating phenomenon, we are employing it only inso-

far as it was the one historical development that adversely transformed the institution of African traditional rulership.

Chiefs in the Precolonial Period

We would here summarize the nature of chieftaincy in the precolonial era so as to present a conceptual framework of the institution as it existed in early times as a springboard for assessing the transformations that were to occur in the colonial and postcolonial periods. The position of the chief—where it existed, and especially in centralized states—was guided by specific institutionalized traditions with respect to accession to office and performance of functions. The office often resided in specific lineages that were genealogically linked to the founding ancestors. However, in cases where there were multiple candidates to a chieftaincy position, merit qualifications would become an important criterion in addition to heredity. In instances where no single family/lineage could establish undisputed claims, a system of rotation whereby the successor would be chosen from the competing houses in turns was preferred.³

The chief was the political, social, economic, legal and military head of the traditional state. As political head, he was responsible for the maintenance of good order in his state. He was the guardian of the fundamental values of his people and mediated between them and the spiritual forces. He administered tributes, court fines, market tolls, and other revenues. He was also the final arbiter in the administration of justice. It can thus be seen that in the precolonial era chiefs commanded a great deal of autonomy. However, the chief ruled with the advice of a council that has been variously termed an inner or privy council. Where the system functioned well, these institutional checks as well as the queenmother safeguarded against dictatorial tendencies. As Busia observed, “the chief had to keep strictly the injunction that he was to act only on the advice of his elders.”⁴ He ruled by consensus and, indeed, he could be destooled or dethroned for violating the trust, sanctions or taboos of the state as well as for incompetence.

Chiefs Under Colonialism

As expansive territories were being brought under colonial control in Ghana, Nigeria and other territories, the British were faced with cost and logistical issues associated with colonial administration. Unable and unwilling to commit the resources necessary to administer their colonies effectively, the British resorted to the familiar policy of indirect rule and devolution. Recognizing that the traditional rulers were the centers of economic resources, they decided that it would be a cheap and pragmatic policy to rule the “natives” through their own leaders. In the process of instituting the colonial administration, chiefs and their councils, especially in southern Ghana and Northern Nigeria, came to dominate local administration. The key issue for Lord Lugard was finding the best rulers and policy choice to carry out the “harmonious” dual mandate. Applied with great suc-

cess, especially in Northern Nigeria, Frederick Lugard, Governor and subsequent Governor-General of Nigeria, extended indirect rule to Southern Nigeria, strengthening the powers of some chiefs they chose and creating new chiefs where none existed. According to Ibrahim Gambari, “once put into practice, the policy of indirect rule led to the entrenchment of the powers of indigenous rulers and their growth beyond the limits traditionally assigned to them.”⁵ It must be noted, however, that the autonomy of action referred to here was only in serving the colonial masters and circumventing tradition, and not in relation to the pre-colonial status of chiefs. These added powers in many ways became the source of arbitrariness and corruption, which the British later used as excuses to dethrone, depose or punish some chiefs.

They (chiefs) retained legal powers and authority over land allocation and local taxation, thereby maintaining some degree of autonomy, especially in issues that were considered as falling under the domain of “customary law,” as interpreted by “Native Courts.” Thus, though the boundaries of these administrative spheres were not sharply demarcated, there was some degree of separation between the central government and local administration, hence the notion of a dual system. One may think that the British were really “concerned with” preserving the moral and spiritual significance of the chiefly office of the “natives,” when in reality, the aim was to undermine traditional structures. Using the legitimate rulers of the Hausa-Fulani, for example, the policy of indirect rule was institutionalized by the creation of the “native authorities” system, which maintained a strict hierarchy of chiefs classified by grades and class. This structure allowed the British to effectively control all sectors of society without deploying a large number of colonial officials.

In retrospect, chiefs made it possible for the colonial government to bring immense, often impassable territories under their control. They carried additional responsibilities of a civic nature, as they were entrusted with responsibility for local infrastructural development, including agriculture, health, education, and livestock farming. Inevitably, as chiefs performed the function of “auxiliaries” to the colonial government—a go-between linking the two centers of administration—they found themselves in an uncomfortable, often unenviable position. Their relationship with the seats of colonial administration became increasingly ambivalent as they were the object of local discontent.

Chieftaincy under the Native Authorities system was closely identified with the colonial government in almost every area with such political structures. According to M. G. Smith, “under increasingly bureaucratic procedures, district chiefs...were now required to conduct their administrations within the framework of impersonal rules and to live on their salaries or other legitimate incomes.”⁶ And the meager stipends they received from the central government neither compensated for their unpopularity as instruments of taxation nor assuaged their compromised position as salaried officials. The reality is that the colonial government

had succeeded in employing the strategy of divide and rule to polarize chiefs and the emergent intelligentsia/nationalists.

For their troubles, many chiefs fell victim to destoolment at the hands of the colonial administration, or became collaborators. In the period from 1904 to 1926, for example, Rathbone recorded 109 cases of destoolment in the Akan-speaking areas of Ghana alone.⁷ Busia similarly chronicled 14 destoolment cases involving high-profiled chiefs in Ashanti, including the Dwabenhene, Agonahene, Adansihene, Bekwaehene, Offinsohene, Kumawuhene, Tekyimanhene, Edwesoehene, and Dormaahene between 1942 and 1946.⁸ Similarly, Yahaya has cited numerous cases in Northern Nigeria where emirs were deposed under the leadership of Sharwood-Smith, including the Lamido of Adamawa, Waziri of Borno, Emirs of Bauchi and Argungu, Shehu of Dikwa, and the Attas of Igbirra and Igala.⁹ Chiefs had clearly lost their autonomy under colonialism. It may be debatable whether the chiefs consciously considered themselves as collaborators. Dunn and Robertson, among others, have contended that chiefs did not view themselves as conscious cogs of imperialism.¹⁰ Yet cases like that of the Alake of Abeokuta in 1901 and 1903 suggest that chiefs were conscious collaborators more than was readily visible. Conscious of the British search for a “great chief,” the Alake collaborated with them in his attempt to suppress rebellions in Abeokuta, thereby transforming himself into a very strong authoritarian leader in direct contradiction of the democratic Egba government that had been in place.¹¹ The ambivalence with which many chiefs were viewed as pliant tools in the colonial project cannot be dismissed despite the insistence of an observer as keen and erudite as J. B. Danquah that traditional states such as Akyem Abuakwa were “independent” states within the Gold Coast.¹² On the contrary, during the depression years, for example, chiefs and their councils were the vehicles by which the colonial government made increased demands for exports to offset dwindling imperial resources.

In terms of the chiefs’ power, the Native Authorities Ordinance (NAO) in Ghana (1944) and Nigeria (1947) entrenched their increasing diminution in autonomy. Thus while the Ghana Ordinance stated that chiefs were “enabled to take an effective part in the administration of the Colony,” what the colonial government envisaged by “effective part” was in reality relegating chiefs (through the State Councils) to roles pertaining to ritual and tradition, thus further curtailing their independence. The 1948 Watson Commission’s report omened the demise of chieftaincy even in its transformed precolonial character. In a tone inimical to chiefly interests, the Commission concluded that chiefs were an impediment to the “political aspirations of the people,” that is, the movement toward independence. And even though the Coussey Commission was subsequently to cast chiefs in a more favorable light, the independent authority that they had enjoyed during the precolonial era was all but gone. Coussey admittedly concluded that “the whole institution

of Chieftaincy is so closely bound up with the life of our communities that its disappearance would spell disaster.” Despite its recommendation that a new structure of local administration should be developed in which Native Authorities would be replaced by Local Councils on which chiefs would compose up to one-third of the membership the institution of chiefs continued to suffer increasing marginalization and an erosion of their jurisdiction.

Similarly in Nigeria, Lord Lugard’s Political Memoranda of 1907 painted a clear picture of the diminished role of the chief, when it cunningly stated that “[T]here are no two sets of rulers—British and Native—working either separately or in cooperation, but a single government in which native chiefs have well-defined duties and an acknowledged status equally with the British Officers. Their duties should never conflict and should overlap as little as possible....”¹³ While this statement was a source of inspiration for Abubakar Tafawa Balewa in his 1950 Native Authorities reform proposal, Balewa himself acknowledged that the chiefs did not have “well-defined place, rights, obligation or powers,” except as given by the British.¹⁴

The introduction of the Authur Creech-Jones’ Local Government Dispatch recommendation in 1947 provided a conciliar system that basically imposed restrictions on chiefs, including direct central governmental control. By any means, having elected councilors meant representative democracy and not the “natural rulers” of Africa. For many of the chiefs, the duality of control at both the local and national levels was very clear. The 1951 Pott-Maddocks Commission further reduced the powers of the chiefs even more by establishing Chiefs’ Advisory Councils, Outer Councils for the districts, and Native Treasuries for all the Native Authorities throughout northern Nigeria. As it were with the Ghanaian cases, these councils subordinated the chiefs to the established British authority.

There is no better place for understanding the limits or the lack of chiefly powers in Nigeria under colonialism than the constitutional frameworks adopted over a period of time, beginning with the Richards Constitution of 1947. The Richards Constitution created a common legislative council for both the north and south, through the establishment of Regional Councils and the House of Chiefs. It also recognized regionalism through the acceptance of the tri-regional structure for Eastern, Western and Northern Nigeria. In 1951, the John MacPherson Constitution provided for wider political participation for all Nigerians, in addition to the creation of Regional Houses of Assemblies, Houses of Chiefs and Executive Councils. Finally, the Lyttelton Constitution of 1954 further created the dominant regional structure that limited chieftaincy to the regional and ethnically based political parties of the Action Group (AG), National Council for Nigerian Citizens (NCNC) and the Northern Peoples Congress (NPC).

While it can be stated that Native Authorities’ reforms were attempts to create new progressive changes, in reality, they were antithetical to the Nigerian chieftaincy in gen-

eral. The constant attacks on the NA system by leaders such as Tafawa Balewa and other major opposition politicians lent credence to the undermining of chieftaincy. The ruling Northern Peoples Congress (NPC) pushed for the creation of a Minister of Local Government and an elected premier solely to oversee the NAs. Thus the introduction of the Chiefs-in-Council system was part of the grand strategy to reduce the powers of the chiefs by both the British and Nigerian nationalists. Similarly the vast system of District Officers (DOs), who were political appointees, subordinated chiefs to the Provincial Administrative Law. Thus, the authority to appoint or depose chiefs was vested in the hands of few politicians as was clearly happening in both the North and South. Perhaps the major nationalist attack on the Nigerian chieftaincy came from no other than Chief Awolowo himself, a leading national politician, whose contempt for the institution stemmed from chiefs' role as collaborators in the independence movement in the South.

On the eve of Ghanaian independence, the CPP's resentment for the chiefs was equally widespread. The party's mouthpiece, the *Evening News*, regularly branded chiefs as imperialist collaborators. In fact the CPP's view was that the institution of chieftaincy was antiquated. To confirm the increasing erosion of chiefly power, under the Korsah reforms, Native Courts were now termed local courts, served by magistrates. Nonetheless, it must be recognized that many chiefs, especially the more powerful ones, commanded considerable clientele and patronage. And it was in light of the fear of the wide support base that powerful chiefs such as the Okyenene of Akyem Abuakwa and the Asantehene wielded, especially as centers of opposition, that the government sought to curb their influence.

To recap, since the colonial era, chiefs have been dependent on the central government for recognition of their legitimacy as representatives of their people as well as for obtaining economic and political favors in the interest of the people they represent. In the intricate and delicate power struggle between the local and central authority forces, the former had already lost out.

Postcolonial Chiefs

Since independence, the Head of State in Ghana has had the authority to withdraw official recognition from a chief, particularly those who publicly opposed the government. Thus chiefs have been directly controlled by the government since independence. With the creation of the House of Chiefs, government could now recognize or withdraw recognition from a chief. It could destool a chief and it was even empowered to control his finances.

By the Ashanti Lands Bill, for example, the Kumase stool lands and their revenues were removed from the Asantehene and now placed directly under the control of the central government. The final administrative blow to chiefly authority came when chiefs were placed under the authority of the Regional Commissioner.

The Independence Constitution of Ghana in 1957 reinforced the authority of the central government to recognize or withdraw recognition from chiefs and deliberately drew no formal distinction between "ordinary" and "paramount" chiefs, thereby arrogating to itself the authority to elevate or demote any chief. Although government could seek the advice of the House of Chiefs, its consent was not required. Thus, with political independence came a further erosion of the political and economic autonomy of the chief. In fact, any chief who was suspected of being an NLM/opposition sympathizer or supporter faced the threat of destoolment.

It must be noted that though chiefs had been cowed into loyal cooperation with the central government, as an institution, chieftaincy was not dead. Nonetheless, it continued to be the target of attenuated campaigns and manipulation. For instance, in 1959 the government deliberately elevated the Effiduashene, a staunch CPP supporter, to a status of co-equal with the Mamponghe, his erstwhile overlord. Chiefs were now widely seen as rubber-stamps of central government policies. In these processes, the central government restructured and manipulated the institution of chieftaincy, paradoxically, a trend not unlike the one for which the colonial government itself had been accused of in an earlier period. "The government not only had the power to make or break individual chiefs, it had now given itself the powers to act as the ultimate arbiter in chiefly matters."¹⁵ This process continued, despite protests that "no government, colonial or independent, had the power to make or unmake a chief...[E]verything about Chieftaincy existed by customary law and that alone."¹⁶

Chiefly authority continued to suffer from ambivalence. It is interesting to note that at the same time as Kwame Nkrumah was undermining the power of chiefs, he was also appropriating the accouterments and trappings of chiefly authority such as their appellations and drum music to bolster his own national image. It was an uneasy relationship. In many respects, chiefship was looked upon in less than favorable light.

The manipulation and curtailment of chiefly authority by central government has continued in the post-Nkrumah era in Ghana. NLC Decree 112, for instance, reversed chiefs who had held their positions thanks to the CPP. Although the 1992 Constitution theoretically removed the right that the government had reserved to itself in recognizing or de-recognizing newly appointed chiefs, the signs were quite evident that chiefs would continue to suffer a diminution in autonomy.

The post-colonial situation or condition of chiefs in Nigeria is similar to that of Ghana in many ways. Perhaps, more than many other significant issues (and more than the Ghanaian case), chieftaincy has always been a national issue in Nigeria. The precarious situation of chiefs in post-independent Nigeria was determined earlier on by many factors. Various ways of tight control, subordination, manipulation, imprisonment, removal from office, upgrading of status and salary increment, were established and used

by different Nigerian governments in dealing with the chiefs. The initial introduction of appointments and elected members in the House of Chiefs begun this process, along with the establishment of the Chief and Council system. Over a period of time, several governments used and misused the chiefs when needed for political support, implementation of policy or public mobilization. In 1962, for example, the NPC government of the North passed the Provincial Commissioner Law that subordinated the Emirs and chiefs to their control. Following a dispute with the regional government in 1963, the Emir of Kano, Alhaji Sanusi was removed from office on the basis of a conflict arising from the provisions of the Provincial Administrative Law. This was followed by the formal take-over of the NA police, prisons and Native Courts in the same year. While the three local institutions gave the chiefs some legal powers with impunity, the policy was aimed at reducing them to nothing.

Following the 1966 military intervention in politics, the position of the chiefs was redefined in many ways, including directives controlling their activities, and the takeover of NAs, prisons and Native Courts by the state governments. In 1967, and subsequently on three other occasions, the military government of Nigeria created more states in the country, breaking the territorial domains of many chiefs and rendering them less important. The 1976 Local Government Reforms gave more powers to local government councils over traditional rulers and marked a watershed in the authority and powers of the chiefs since independence. The little semblance of executive authority they had was effectively removed under the reform process. As the Oba of Benin forcefully contended, neither the First Republic nor the military regimes of 1966–79 provided much for chieftaincy in Nigeria. He maintained: “I think we may conveniently jump the period of the military regimes because there was nothing outstanding in the roles of traditional rulers in the administration of that period.”¹⁷ In addition, the 1978 Land Use Decree (Decree No. 6 of 1978) gave land control to the state governors (for urban areas) and local government chairmen (for rural areas) in direct contradiction to the pre-colonial system. Also, in the 1979 Nigerian constitution, the major provision relating to the chiefs was the establishment of a State Council of Chiefs, which served no more than an advisory body or role. This advisory role could be ignored or rejected by the government at any time (as they did on many occasions). Similarly, the 1995 Draft Constitution of Nigeria provided some measure of constitutional framework for the chiefs, but subordinated their authority to the National Council of State. As a result, both public expectations and service delivery lay with the councilors and not with the chiefs.

Chieftaincy continues to be a major issue in the Nigerian political system, especially with the rising number of “honorific” and self-appointed chiefs who clearly lack both territorial and social functions. A source of significant debate is the fact that the rampant elevation of chiefs to higher classes and status, the arbitrary creation of new chiefs, their deposition and dethronement, and the indiscriminate acqui-

sition of chieftaincy titles by political elites have affected even the functioning of governments at all levels. It is ironic that chiefs are viewed only as important when it suits the interests of the political class. One may contend correctly that Chief M. K. O. Abiola’s rise to national prominence and subsequent election to the Nigerian presidency (despite the annulment of his election in 1992), were partly a result of his more than 2,200 (and counting before his death in 1997) acquired chieftaincy titles that bought him influence and power. Most Nigerian politicians at all levels have found it convenient to receive or acquire titles as a symbol of prestige and power in determining their electoral fortunes, alliance or political appointments to high offices.

In 1991, for example, General Ibrahim Babangida, the Military President of Nigeria, was promised a “sizeable” Igbo chieftaincy title by an ex-civilian governor from the area, on the grounds that he bring his own corrupt governors before the tribunal trying civilian ex-officials.¹⁸ Babangida’s effectiveness, it seems, was to be rewarded by a chieftaincy title, even though the government’s role in defining chieftaincy was weak at best. The significance of this case is that chieftaincy has been a major source of sectarian and communal divide, friction and violence in many instances, either through governmental appointments, dethronement, sanctions or challenge of legitimacy from many sectors. Under the current government, both President Obasanjo and Vice-President Atiku are title holders of various kinds with significant influence within groups such as the chiefs themselves and others that see the importance of such honors.

Just as it is with Nigerian politicians, academics and civil servants have been part of the process of acquisition of chieftaincy titles with or without direct connection to the institution itself. The purpose and intentions are all tied to a well-established notion of getting a piece of the national cake, which is a widely-held view in Nigerian political culture; the more titles one acquires, the more influential one becomes, irrespective of the lack of legitimacy to one’s claim.

Theoretical Perspectives

Against this background of a brief profile of the historical unfolding of the institution of the chief in Ghana and Nigeria, let us consider some theoretical paradigms in order to provide a contextual framework for our analysis and recommendations.

1. We have contended that chieftaincy is a culturally and historically specific phenomenon. From the early precolonial period, each institution was a product of a specific cultural and historical milieu, irrespective of its multiple manifestations; it was shaped and defined by its historical and cultural contexts. However, reference has already been made to the fact that the terms ‘chief’ and ‘chieftaincy’ were creations of colonialism and that in doing so the colonial administration succeeded in categorizing local leaders under one rubric

for purposes of co-opting them in the service of colonial administration. This is the process that van Nieuwaal and van Dijk describe as the “encapsulation of chiefs into a system of indirect rule,” which they otherwise characterize as “codification.”¹⁹ However, this was not the only case of colonial manipulation of the institution. In situations of acephalous societies, colonial rulers did not hesitate to create and impose chiefs, randomly selecting local individuals and elevating them as chiefs.²⁰ In thereby appropriating the imported construct of “chieftaincy,” or creating chiefs where they lacked traditional and historic legitimacy, the colonialists in fact reinvented tradition. Unlike in precolonial times when the position of the traditional leader and the nature of his rule were guarded and negotiated by locally established systems, many colonial chiefs lacked legitimacy. What clearly occurred and has persisted to the present day is that there are different models and different power bases of chieftaincy. Chieftaincy manifests itself in complex figurations. As current practice stands, there is no way of defining the specific nature of the administrative, religious, and legal roles required of each chiefly position; each has its own “grammaticality,” even as we recognize that the institution has been considerably shaped by antagonistic forces at the hands of colonial and nationalist leaders alike. The “traditionality” in traditional authority has itself been recreated.²¹ The public attitude toward the chief has also changed dramatically.

2. Our second contention is that chieftaincy has to be understood within the framework of the nature of local-state relations, and in this context, chieftaincy has been subordinated to not just central government but also local government.

Assessment

It is clear that over the past 120 years, the independent political authority and autonomy of the chief in both Ghana and Nigeria have been virtually eliminated through a process of local government reform and judicial acts. The direct access of chiefs to local revenues has similarly been seriously undermined. Indeed access to local revenues and taxation are now vested in local councils. Since the passage of the Stool Lands Amendment Act in Ghana (1960), for instance, the administration of stool lands has passed into the hands of government. And a chief can call himself paramount chief only when he is so gazetted. With regional and district administrators in charge of local administration, chiefs have no real power.

Commenting on this process, Rathbone concluded: “This turbulent history suggests that the transformation of chieftaincy in Ghana was not the result of the kinds of organic change which result from the varied processes of modernization. It was in

large measure the product of a battle for control of the countryside which was very clearly won by the governing political party.”²²

In the Nigerian case, too, since the passage of the 1976 Local Government Reforms and the 1978 La Use Decree, land allocation has been transferred to the government at various levels, with the state and local councils exercising primary responsibilities instead of the chief. Similarly, while chiefs could be “upgraded” or promoted under the reform process, their steady loss of power and control over land and structures of local government has been significant. It is fair to argue that the 1976 Local Government Reforms laws were the final culmination of the loss of power of the chiefs in a long protracted battle against subordination and secularization. In some instances, the “reform” process has involved the creation and imposition of new chiefs, thereby further weakening the institution.

In reality what had happened is not the demise of chieftaincy but rather its transformation, a process that has accentuated rather than resolve ambiguities and ambivalence. Chiefs continue to be points for the evocations of local and ethnic pride. They symbolize pride in history, pride in home town. They are the repositories of local history and spirituality, and upholders of local values. Advocates of the institution emphasize that it is a living example of African alternatives to Western systems of governance. Furthermore, chiefs are conduits for local development programs. At the same time, others charge that chiefs are antiquated relics, upholders of the most repugnant of traditionality. The colonial image of chiefs as upholders of traditions that are not quite wholesome still persists in some quarters.

In fact, in many quarters, they are objects of hatred, scorn and popular discontent. Chiefs are widely criticized for corruption and bribery. It is further apparent that the institution itself has become a profoundly corrupting influence in local and national politics, as evidenced in especially in Nigeria. In Ghana, they are regularly charged with alienating stool lands, of which they are by tradition trustees. In perusing Ghanaian dailies, one would be struck by the innumerable reports of contestations about chieftaincy successions, allegations of wrongdoings on the part of chiefs, and of incidents of violence attributable to animosities on the part contesting parties to chiefly positions. In a quick reading of one Ghanaian daily alone, 38 cases of incidents involving land or boundary disputes and destoolment cases were highlighted in the period between July and December 2002, not to mention the highly publicized Wuaku Commission that investigated the assassination of the Ya Na. It seems that a more damaging view of chieftaincy has emerged relating to the conscious effort and drive by separate interest groups, including local/regional, state and national governments to impose a false sense of loyalty or acceptance of chieftaincy.

Questions And Issues

1. We return to our foundational questions: Is chieftaincy antithetical to modernization? Has it lost its relevance for the modern age? Are chiefs an embodiment of the past more so than of the future? Does the deep-rooted and intricate intertwining of their “traditional” roles with religious functions and deities make them unsuited to modernization? Is chiefly authority, by its nature, antithetical to democratization? Is chieftaincy as anachronistic as much as colonialism is?
2. How can the office of the chief be transformed into more than the “honorific” and “ceremonial”? How can it be reformed to position it for more effective leadership in local politics? Can the institution transform itself internally? For self-transformation is required not just of the postcolonial subject but also of the postcolonial chief.
3. How does the contemporary chief visualize himself as a broker between his state and the central government? In a relationship of symbiosis? Of mutual convenience? How does he/she maintain legitimacy for implementing local policies?
4. How can state-local relations be negotiated so that the office of the chief can be a more effective channel in local governance and democratization processes?

Some Provisional Recommendations

We recommend that the institution of contemporary chieftaincy has to be reinvented, that is, tradition has to be invented again, as it was during the colonial era. Chieftaincy has to be transformed from the static into a dynamic, ever-evolving phenomenon. Chiefs must play increasingly effective roles as brokers:

Chiefs as Brokers

In the delicate interplay between chiefs and central government, the relationship should be one of mutual interdependence rather than competitive. Central government is constantly aligning itself with traditional authorities by increasing its presence at some local functions and recreating existing festivals of the spectacular.

“We thus witness a mutually perpetuating invention of traditions whereby post colonial states seek no [sic] enlist chiefly support by creating national councils, conferences and consultations. On their turn, chiefs create similar avenues for the enlisting of state support for their positions in society.”²³

Chiefs must similarly renegotiate their positions vis-à-vis central government. We propose that to prevent abuses, absentee chiefs, and moonlighting, chiefs must be paid salaries, with the chiefs reserving the right to accept or not to accept them. More importantly, the traditional councils should be allowed to retain one-half of all the local revenues collected by the district/local councils. Such revenues should be used to finance local development projects as well

as expenses entailed in the performance of “chiefly” duties such as their roles in annual festivals.

Chiefs must play a greater role as brokers, or to invoke Bourdieu, as “converters” in African societies today. They must be capable of converting the power of the past into the present, interpreting the law of tradition into codified customary law, and invoking the power of ritual into manifest value-systems. The chief must be the effective link between other traditional leaders such as, in Ghana, matriclan elders (“abusua mpaninfo,” asafo leaders (“supifo”), and religious leaders as well as local office-holders, on the one hand, and local elected/traditional council office-holders and central government, on the other.

Governance, Agency, and the Future

There has been a recent focus on mechanisms of good governance. Increasingly there have been calls for transparency and accountability in public office. In the search for new paradigms, we posit that the chiefs have an important role in the development of new models of governance and democratization. To those who have suggested that there is an inherent contradiction in the notion of elective representation and chiefly authority that is largely derived from hereditary devolution of power, we argue the following:

1. The chief’s position is based on *moral* authority as the guardian of ‘tradition.’
2. The idea that the chief *represents* his people is not based on Western representational government that presupposes free elections and universal suffrage; rather, it is grounded on a social and moral order of representation vested in the office he occupies. Indeed, “indigenous African concepts of power were based not on the European, winner-take-all style of domination, but rather involved mutual restraints and constraints between chiefs and the people.”²⁴
3. As Ray and van Nieuwaal argued in their examination of power and legitimacy in chief-state relations in Ghana, chiefs derive their claims to legitimacy, authority and even sovereignty to precolonial times whereas the modern state is a successor to, and a creation of, the colonial state.²⁵

African democratization could well dwell on its cultural and traditional roots to strengthen and reinvent itself in unique ways.

Limited Legal Pluralism

The most important single function of the chief is perhaps legal. He is expected to guarantee the orderly resolution of normative conflicts through the traditional legal system. The chief and his court have the responsibility of maintaining local order. The institution therefore symbolizes stability. It is through this legal role that the traditions, norms and values of his community are validated and transmitted. What we call for is a judicial independence from state intervention at the local level, though with the right of appeal to

higher judicial structures. “The principle of local autonomy entails leaving the solution of local problems to members of the local order.”²⁶ Thus what we propose is recognition of limited legal pluralism. However, local autonomy also imposes certain responsibilities on the chief and members of his court.

We also argue for strengthening the role of chiefs in the construction of communal identities and conflict resolution. Chiefs have the capacity and legitimacy to mediate in conflict resolution as links between the demands from ‘below’ (local constituency) and those from ‘above’ (central government).

Globalizing Chieftaincy

While recognizing different models of the contemporary institution, chieftaincy must be moved onto the global stage, enabling the chief to *mediate* between his district and the world. The globalization of chieftaincy requires chiefs to negotiate their positions in global contexts—vis-a-vis local development, environmental issues, NGO’s, tourism.²⁷

Educational Role of Chieftaincy

We advocate a greater educational role for the chief. He/she must create more innovative programs for educating youngsters and visitors alike on the significance of local ritual activities and festival celebrations and the role of chiefs in them. Rituals and festivals must be seen not as nostalgic relics of an ancient past, but as instruments for constructing identities, evoking history, and transmitting values. Tradition is not the mere and rigid preservation of the past. It requires continuous dialoguing and reinterpretation of the past with a view to making sense of the present and directed toward facing the challenges of the future, for tradition may be doomed to irrelevance if it ceases to meet the needs of the present as well as those of the future. Minimum educational requirements must be set for chiefs, and where this is too late, continuing education must be provided so that chiefs might become effective representatives and advocates for their communities with the outside world.

Modernizing Chieftaincy

Underpinning these recommendations is the recognition that chiefly positions are endowed with two domains of power, one real, the other symbolic or imagined. This paper therefore calls for the recognition of the enabling possibilities of recreating and transforming memory associated with chieftaincy so that the image of the 21st century chief becomes the new model that integrates contemporary imaginings. The commonly held memory-created image of chieftaincy continues to be a product of colonial bureaucracies and missionary conversion projects. If that image is one of a subordinate, pliant cog, that of the contemporary chief should be transformed into one that is self-liberated and dynamic through selective retention and adoption of practices conducive to modernization.

A new vision of the chief—global, modern, entrepreneurial—must be constructed. To achieve this, the institution of chieftaincy must recognize that it is capable of re-inventing itself, of negotiating and modifying itself to sustain it into the future. Chiefs must continue to be considered not only as guardians of the public interest and custodians of the traditional state, but also brokers of the present and into the future. In emphasizing the fluid, syncretic, eclectic, constantly evolving and compelling character of chieftaincy, one is also thereby giving recognition to a more personalistic model. To appropriate Mbembe:

The postcolony is made up not of one coherent space, nor is it determined by any single organizing principle. It is rather a plurality of ‘spheres’ and arenas, each having its own separate logic yet nonetheless liable to be entangled with other logics when operating in certain specific contexts; hence the postcolonial ‘subject’ has had to learn to continuously bargain and improvise. Faced with this...the postcolonial ‘subject’ mobilizes not just a single ‘identity,’ but several fluid identities which, by their very nature, must be constantly ‘revised’ in order to achieve maximum instrumentality and efficacy as and when required.²⁸

This is not to say that we are ignoring differences between “rural” and “urban” chieftaincy, between the relatively simple world of the rural chief and the complex nature of the urban chief who has to deal with more intricate issues such as immigration, urban decay and social ills. However, we need to recognize that the character of chieftaincy has forever changed, and for the institution to appeal to the young, and hence the future, it has to be seen by youngsters as being responsive to issues that affect their world. Chiefs may have lost some constitutional and legal authority over the centuries, but they still retain considerable traditional legitimacy.

Chieftaincy today stands at a delicate confluence of tradition and modernity. Paradoxically, there is an increasing appeal in chieftaincy today, even to outsiders and non-Africans. In Ghana and Nigeria today we find an increasing number of professionals and educated people accepting and even looking for chiefly positions. Many see it as an added form of legitimacy and strength to their professional offices.

Occupants of chiefly offices have retained traditional accouterments of the institution while simultaneously appropriating trappings of modernity such as cell phones, internet connectivity, jet travel capability, and educated credentials. The new image of a global chief that we are advocating is a syncretic one. He stands at the confluence of traditional (seemingly conservative) and modern (seemingly progressive) forces. It is a hybrid phenomenon and cannot be typified by any single characteristic. Syncretic leadership requires that the occupant have the ability to constantly adapt to changing circumstances. He must have the capacity to mediate between the past and the future. It also re-

quires that he be able to mobilize an array of different resources and instruments to modernize his community.

No single study can do full justice to an institution composed of traditions and individuals as variegated as that of chieftaincy. Its occupants include individuals as powerful as the Asantehene (who sits on a stool that controlled an empire that in the 19th century was as large as Ghana today), Okyenhene, Ya Na, the Sultan of Sokoto, the Alafin of Oyo, the Ooni of Ife, the Oba of Benin as well as occupants of very minor stools or thrones. Ghanaian and Nigerian chiefs, unlike in many other parts of Africa, are still the repositories of considerable power and influence at the traditional, and in some cases, national levels. Indeed, the powerful ruling aristocracies of the Asantehene, Okyenhene and Ya Na, the Sultan, the Oba or Ooni, to name a few, are neither whitening away nor losing influence and dignity. However, for chieftaincy—however defined and configured—to survive into the future and play an effective role on the local and world stage, it has to be transformed. The chief must be capable of charting new courses and landscapes, “a new socio-political path for himself and his community.”²⁹

Conclusion

Chieftaincy in Ghana and Nigeria, in its manifold manifestations, was born out of a specific historicity: heads of traditional polities who exercised varying degrees of political, religious, economic, and military leadership in precolonial times. Their authority was circumscribed by institutionalized systems of checks and balances. During the colonial era chiefly authority was subjected to various forms of manipulation including collaboration, undermining and co-optation. By the onset of independence in the late 1950s, both nationalists and scholars alike were predicting that the forces of modernization and social change would relegate chieftaincy to either inconsequence or oblivion.

Yet forty years after independence, in the shifting and unstable postcolonial states fashioned by politicians and soldiers alike, chieftaincy has not only been deeply inscribed in the political landscape but in some quarters has even been hailed as a more authentic and practical representation of the African political process. We have argued that far from being colorful relics of an ancient past, or reactionary forces antithetical to modernization, “chiefs” remain central to the political order, its governance, conflict resolution, and legitimate processes. Thus chiefly authority should not rest purely on the accident of birth or the financial ability of a purchaser. On the contrary, clearly defined processes regarding claims to chiefly positions, the nature of authority, and the exercise of power should be devised and maintained.

In the highly contested and constantly transforming nature that is characteristic of the institution today, chieftaincy has to be made responsive to the changing forces of modernity for it to survive. A “fit” must be found between the traditionality of chiefly authority, on the one hand, and the modernity of central government, on the other. The position of the chief (and his political structure) may well be

not only the most effective vehicle of local development but also the most important singular institution in establishing participatory democracy at the grassroots level. Chieftaincy must be an aid to, rather than an impediment to, transforming African into the new millennium.

In debating the future of chiefs in Africa, we must put the matter in a practical perspective. We need to concern ourselves less with the theoretical question of whether the present-day African state should exist in its present form or not; rather, our focus should be on the functionality and relevance of African institutions. There is no need to reject the chief in the village in favor of an elected official, as long as we know his duties, responsibilities and compensations. Indeed, clearly defined chiefly roles can lead to the development of national symbols and unity. A well-constituted chief and an elected official in Ghana or Nigeria, can *both* carry out the ceremonial and governing functions that we so much desire at the local level. The African chief therefore cannot be perceived as part of the establishment; rather, he symbolizes and represents his region or community (no matter how it is constituted). Conversely, the chief must understand the point of view of the ordinary people as it were in precolonial Africa. The fluidity of chieftaincy in Ghana and Nigeria today should not call into question traditional authority as irrational or irrelevant. It will be very misleading to assume that the elaborate political structures and institutions of precolonial Africa did not have any meaning or usefulness, and thus must be discarded. We conclude that the African chief is not an anomaly in the democratization process, especially when we take the lessons of institutional collapses in Africa outside of the chieftaincy. In the traditional African hierarchy, the chief represents everyone and is the embodiment of a way of life, governance and stability. In reality, he transcends any notion of political choice in democracies and should have no personal part in the political battles for resource allocation that have come to symbolize African politics and the crisis of legitimacy in African institutions.

Endnotes

1. See William F.S. Miles, *Hausaland Divided: Colonialism and Independence in Nigeria and Niger* (Ithaca, N.Y.: Cornell University Press, 1994).
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3. See, for example, Kwame Arhin, *Traditional Rule in Ghana Past and Present* (Accra, Ghana: Sedco, 1985), p. 28.
4. K.A. Busia, *The Position of the Chief in the Modern Political System of Ashanti* (Oxford: Oxford University Press, 1951), p. 15.
5. Ibrahim Gambari, “British Colonial Administration,” in *Nigerian History and Culture*, ed. Richard Olaniyan (London: Longman, 1985), p. 166.
6. M.G. Smith, *Government in Zazzau* (London: Oxford University Press, 1978 [1960]), p. 334.

7. Richard Rathbone, *Nkrumah & the Chiefs* (Accra, Ghana; F. Reimmer; Athens, Ohio: Ohio University Press; and Oxford: James Currey, 2000), p. 13.
8. Busia, *The Position of the Chief*, p. 216.
9. A.D. Yahaya, *The Native Authority System in Northern Nigeria* (Zaria, Nigeria: Ahmadu Bello University Press, 1980).
10. See, for example, John Dunn and A. F. Robertson, *Dependence and Opportunity: Political Change in Ahafo* (Cambridge: Cambridge University Press, 1973), p. 93.
11. Gambari, "British Colonial Administration."
12. Position was argued in *Akim Abuakwa Handbook* (London: Forster Groom, 1928).
13. Cited in Bello Ahmadu, Sardauna of Sokoto, *My Life*, 2d ed. (Zaria, Nigeria: Gaskiya Corporation, 1986 [1962]), p. 73. Also see Frederick Lugard, *The Dual Mandate in Tropical Africa* (London: Frank Cass, 1965).
14. *Ahmadu, My Life*, p. 73.
15. Rathbone, *Nkrumah & the Chiefs*, p. 146.
16. *The Daily Graphic*, 28 Jan. 1959, reporting on Danquah's petition before an Accra Divisional Court seeking to quash government's removal of Okyenhene Ofori Atta II on grounds that government lacked legitimacy.
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18. *West Africa* (London: Afrimedia International, 1991), p. 409.
19. Rijk van Dijk and E. Adriaan van Rouveroy van Nieuwaal, "Introduction: The Domestication of Chieftaincy in Africa from the Imposed to the Imagined" in *African Chieftaincy in a New Socio-Political Landscape*, eds. E. Adirann van Rouveroy van Nieuwaal and Rijk van Dijk (Leiden, The Netherlands: LIT; New Brunswick, N.J.: Transaction Publishers, 1999), pp. 2–3.
20. See, for example, Sean Hawkins, "Disguising Chiefs and God as History: Questions on the Acephalousness of Lodagaa Politics and Religion," *Africa* 66 (1966): 202–47.
21. Following Eric Hobsbawm and Terence Ranger, *The Invention of Tradition* (Cambridge, Cambridge University Press, 1983) a body of literature emerged on the 'invention of tradition' in African Studies.
22. Rathbone, *Nkrumah & the Chiefs*, p. 161.
23. Mvenda Jibo, *Chieftaincy and Politics: The Tor Tiv in the Politics and Administration of Tivland* (Frankfurt: Peter Lang, 2001).
24. Donald I. Ray and E. Adriaan van Rouveroy van Nieuwaal, "The New Relevance of Traditional Authorities in Africa." *Journal of Legal Pluralism* (1996): 37–38.
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27. See, for example, Martinus Daneel, "Environmental Reform: A New Venture of Zimbabwe's Traditional Custodians of the Land," *Journal of Legal Pluralism* (1996): 37–38.
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