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SOCIO-POLITICAL RELEVANCE OF CHIEFSHIP<sup>x</sup>  
IN CONTEMPORARY GHANA

A.K. Quarcoo<sup>xx</sup>

It is pertinent that a sociological conference concerned at this time with the institutional challenges of contemporary Ghana should elect to consider the subject of chieftaincy. Chiefship of course, is by no means restricted to Ghana but the type of chiefship which I have elsewhere referred to as the skin or stool polity has become peculiar to the country.<sup>1</sup> It is a system of government which has grown around the use of stool or skin as a symbol of office. We suggest it is a socio-political organization in which the government is essentially of the people, by the people for the people.<sup>2</sup>

Democracy and balance of forces appear to be significant features of the stool polity type of government. It has not been static but dynamic. Nonetheless it appears it has been a drag in a way, to political advancement at different times in Ghanaian history. Basically, however, the history of chiefship indicates that it has proved to be a tried socio-political institution, which as far as records show, continues to be seriously linked with the total life and culture.

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<sup>x</sup>First delivered at a Sociological Conference in Kumasi, March 1975.

<sup>xx</sup>Senior Research Fellow, I.A.S., University of Ghana, Legon.

1. See Quarcoo, 1973: The Stool Polity - a kind of Political Organization IX International Conference on Anthropological and Ethnological Sciences, Chicago.
2. That is, democracy as defined by the famous American President, Abraham Lincoln.

Significantly, ever since the attainment of independence from colonial rule in 1957, the place and significance of chiefship has always been a topical subject.

There is a lot of literature on the constitution of chiefship. All serious documents on chiefship outline the place of the chief in the political structure. Busia has pointed out that chiefship tend to be based largely on lineage system and this continues to be so. Each lineage in Ashanti polity he studied was essentially a political unit and its head represented that lineage on the council which is governing body. A chief is nominated, elected and initiated into a stool office and then becomes at once a judicial officer, a commander-in-chief, the legislative, executive and administrative head of his people. In parts of the Northern and Upper Regions, the chief is initiated into a skin office since the skin is the equivalent of the stool in these regions. The leader so installed was bound by custom to act only with the assent and on the advice of his elders. A chief who resorted to arbitrary acts, disobedience to the elders or disrespect for the constitution of the stool, was destooled. The chief spoke normally in public through linguists and the linguists in turn should relate what their chiefs say in court in appropriate language to the people. Chiefs must not speak uncouth language, as they are basically regarded as the first among their people and also links between the dead and the living. Even now, the chief continues in a large measure to be the hub of unity for separate lineages, villages and sub-divisions. The ideals embodied in the political and social dimensions are basically the same today. The form of political organisation which we are calling chieftaincy required that the person regarded as the most suitable for the position at any particular time should be invited, persuaded or coerced to take the office. The grave responsibilities attached to the office made some people shy away from it. A few, however, in the past as it is the

now, lobbied or even bought their way to it or engaged in prolonged litigations to get the office.

### A chief and some limits on legitimized authority

Constitutionally, a nominated and elected chief is ritually installed into office. Grand public ceremonies, which include taking of the oath of office complete the investiture. A chief duly installed becomes the leader and 'grandfather' of the people. If the chief abused his privilege and ceased to command the respect of his people, he was removed from office but not vi et armis. First, he must be impeached and he must in fact be proved guilty before he could be rejected. The essence of the stool or skin constitution is that the chief is under the law and not above it. He is a leader and not an overlord.

There are a number of examples in past and contemporary history of Ghana when chiefs suffered or do suffer destoolment when they disregarded the advice of their elders or behaved in unseemly manner. Gluttony, drunkenness, taking the law into one's own hands, and discrimination against citizens in the realm on the basis of their origins are among the serious offences which demand the removal of the chief from office.<sup>3</sup>

3. According to Busia (1958) Kings Kofi Karikari 1874, and Osei Bonsu 1800 were destooled. Kofi Karikari did not give his elders enough respect and arbitrarily removed gold from the Bantama mausoleum without permission. Osei Kwame clashed with some of his constituent chiefs when he embarked on his centralization policy without approval. Chiefs Kwabena Boagye of Asumegya, Kwame Braku and Kwasi Ten were destooled for excessive drunkenness. Kwase Asomane of Bekwai suffered destoolment for being a glutton while Kwame Asona was destooled for dealing in charms and noxious medicines. In Juabeng, Akuamoa Panin was removed from office for his abusive tongue and persistent disobedience of his elders. The chief of Kokofu, Osei Yaw, suffered destoolment for being addicted to disclosing the origins of his subjects. Note that putting people at a disadvantage because of their social origin was abhorred even in old Asante which had many people of varying statuses in the extended realm. Tribalism per se has therefore been always abhorred in Akan Ghana. The same is, to a large extent, true of all Ghana.

In the past, the chief was the recognized supreme judicial, military, political and sometimes religious or ritual authority within the confines of his geographical boundaries. On the whole the election and the processes of making chiefs involved the participation of the whole society. He sat upon the stool or skin of the ancestors and assumed the social personality of the royal ancestors. He was therefore accorded reverence as their successor and he performed sacrifices on behalf of the living. His 'judicial' functions included the restoration of broken relations occurring from religious as well as social offences. He was regarded as 'sacred' and had supreme prestige although he had constitutional checks and balances on how he used his authority. He was not to be a despot for he had to govern with the aid of his councillors who consisted of elected heads of lineages who made up the different divisions in the society. This provision made each member of the council a direct representative on the council on the basis of kinship.

On formal assumption of political authority over his people, it was the duty of a chief and his council to maintain peaceful relationships within a given community and make war on aggressors or even neighbours who, in the opinion of the community must, advantageously, be attracted or attached to it.

Chiefs were guardians of the laws and customs of their people. In this exercise some past Ghanaian chiefs came against some of the earlier converts to other religions like Christianity and Islam. The chief was ubiquitous in the life of the people, but the colonial rule steadily affected and spelt out areas where they could not operate. The effect was that there was, as might be expected, disarray in several departments of the ethos of chiefship.

### The chief today

The first vital change that came with the colonial rule is that it took most of the legal and political sovereignty of the chief in council. Chiefs, of course, continue today to be made through the processes of nomination, election and installation. The kin qualification also continues to combine kinship with the principle of popular election. However, a complex of factors, namely, the loss of sovereign power, the effect of the long history of nationalist movements, and the economic power of the chiefs which has continued to decline give us a different portrait of the Ghanaian chief of today.

A chief today, therefore, is nominated and elected by his people in accordance with customary usage and so acquires legitimized authority within a specified area to perform functions derived from tradition. To be able to exercise his functions as required by custom he must be gazetted by the central government. He is neither a military nor necessarily, a spiritual leader, and his judicial functions are also circumscribed. He can arbitrate but the two people or factions must normally agree to have the arbitration in his court before he could act as the arbitrator. Indeed this provision is valid even in towns and villages whose population are fairly homogeneous. Experience however shows that even now, many people find it advisable and convenient to submit to the 'courts' of the chiefs.

In the stool polity are grades of stools and stool offices with graded political competences. Only higher grades of chiefs need to be gazetted by government. Others are recognized through the apex of chiefs of the country. In this regard the lower chiefs rather operate under the former powers of the stool polity constitution. Until today, a typical traditional council may have an apex chief usually called a paramount chief. Under him may be divisional chiefs who are often chiefs of districts. Divisional chiefs also usually

have village chiefs under them. Occasionally, a paramount chief may have some village chiefs directly under him. The reason for any particular arrangement which does not conform to the orthodox pattern is often historical.

The hierarchy of stool is an index to the hierarchy of stool offices and political power in the realm. Right from the village level each chief has a council of elders with whom he administers the village, town or division. A citizen can move a case from one court to another at his own will, by swearing the oath of the court to which he desires to go. There is also an arrangement whereby one could appeal to a higher court. One should have good reasons to attempt to move one's case from a lower court to a higher one, since penalties at higher courts tend to be severer than those at lower courts.

Although these arrangements do still exist, British rule essentially took away most of the legal and political sovereignty of the chief in council and subsequent changes have continued to persist in contemporary Ghana. As we have observed earlier on, a chief may be elected by a people, but the central government should gazette this chief to 'consummate' installation. We observe that factors that have helped to undermine the authority and effectiveness of the institution of chiefship, are complex. Chiefship since the colonial era has tended to be an arm of the central government. Indeed, it has been suggested that the concept of indirect rule had as its objective, progressive adaptation of the Institution to modern conditions. Modern conditions, probably refer to government as envisaged by the colonial administration.

Historically, it is known that there were many instances when the colonial regime that was established paradoxically often supported the chiefs against their people. This phenomenon rather weakened the position of the chief. Records show that after the Yaa Asantewaa war

of 1900, the stool constitution of Asante was seriously assailed. Even candidates known to have no right according to native customary law to be incumbents of stools were elected to various stool offices against the people's will. Such chiefs were naturally disrespectful to the conventions of chiefship and ruled without regard to the constitution of the stool because they had the support of the colonial government. Although the people often kicked back most of the time they did not succeed in having justice done. It is evident that the history of chiefship would definitely have been different if attempts to refuse to cooperate with government sponsored chiefs which started in Agona in 1905, to which Busia refers, had persisted.<sup>4</sup> A similar case is reported to have occurred in Juabeng in 1907.<sup>5</sup> Government support for the chiefs has been abundant in the history of Ghana in the latter nineteenth and especially, in the twentieth centuries.<sup>6</sup>

The law of reciprocity operated in that chiefs who were government sponsored chiefs also tended to support the central government not infrequently against their own people. This situation of affairs still persists. It is the case that sometimes sycophantic telegrams, or utterances of support are sent to governments by selfish or sometimes apparently wicked individual. The aim of such acts is difficult to determine but often they merely seem to be designed to please the powers that be. Granting that they mean what their proposals say, the constitutions and decrees of post colonial central governments clearly indicate that they would like to have the benefit of the experience of chiefship but not sycophancy.

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4. Busia 1958: p.105, Reports that the Agona people refused to serve Kwame Boakye who was a government sponsored chief.

5. Ibid. p. 106,

6. Ibid. See page 107 et. seq.

## The Stool Polity, Democracy and Development

Democracy as a term or a concept of government has been one of the most stretched. We even have references in political history to democracy in dictatorship. While western countries regard democracy as "a form of government with the supreme power vested in the people and exercised by them directly or indirectly through a system of representation and delegated authority in which people choose their officials and representatives at periodically held elections" (Webster Hutchison's edition of 20th Century Dictionary) - that is representative democracy - some Eastern countries like Russia emphasize economic control by government for the benefit of the community usually through a one party organization. Reference may be made here to the concept of democracy as envisaged by the famous American President Abraham Lincoln who portrays democracy as a government of the people, by the people and for the people. Whether that type of democracy is widely practised is another matter. The stool polity system of government is, in effect, a government which derives its authority from the people. In the light of the above definitions, it is a democratic form of government. There is representation, decentralization of power, accountability, and freedom of the individual within a polity. Checks and balances are provided on the political power of a chief within the constitution, and the right of the people to reject the political direction of a leader who ceases to rule with, by and for them is jealously guarded and maintained.

Describing the decentralisation aspect of chiefship Sekyi pointed to what he described as concentric circles of competences of stools and their incumbent in relation to the apex stool of any 'state'. Danquah's contribution on the position of stools and their competences clearly demonstrated the apportionment of power to different stools. (Danquah 1928, Rattray 1929). "The Pattern of the Stool Polity", as M.G. Smith put it, "may be described as being one of corporations

aggregate related to each other which in turn is represented in the corporations whole which are the stools in combination to form the structure." (M.G. Smith, 1956, p.68)

In the stool polity system of government therefore, there are definite political competences and obligations, and delegated responsibilities. Constitutionally, no stool officer has absolute power. The wing chiefs are checks, and at the same time important ancilliary agents in the government at every level. The pattern of the stool polity of Asante Union was one in which the 'state chiefs' became wing chiefs of the whole union government. This pattern is what has been described as concentric circles of political power.

#### The Stool Polity and Development

National development which was the theme of the 1974 Ghana Sociological Conference may be taken for the purposes of this paper to mean advancement to a guided goal, for example, of obtaining the things which are, in contemporary times, generally regarded as desirable landmarks and styles of life prevalent in the so-called developed countries.

In the case of Ghana, we may list items of progress to include an extensive exploitation and use of our natural resources and the development of agriculture including animal husbandry. Apart from these, national development may include such conditions as mutual respectability, plenty for all, stability, peace and predictability in national political organization. National development, it would seem, could therefore proceed better in an atmosphere of trust and understanding. At the moment no scientific law of progress has been established but people generally seem to know what they mean when they talk about it. There is a sense in which we may think of progress in terms of evolution. Urbanity which is regarded as progress from folk or rural existence is not necessarily, as you may agree, development. Development we suggest must involve the whole of the culture.

With the imposition of colonial government came a new type of political education. Among its salient ideas was that of "territorial units" which needed cooperation between aggregate native authorities for the purpose of providing social services. This in effect fostered a new conception of government. The spirit of giving grants to native authorities towards development projects, and the establishment of treasuries was encouraged. Native authorities made grants for public education, sanitary and general public services. Government made provision for a centralized native administration to cater for services.

Thus the seeds of getting an organization to cater centrally for public services were deliberately sown although in Ashanti for example, that kind of centralization brought its own problems, especially as regards the relationship between the Confederacy Council and the regional or constituent states. In the main, however, the principles enunciated for example through the style of indirect rule largely enforced or adopted the customary practices of indigenous political institutions which existed before the colonial experience.

#### The chief's financial resources in modern Ghana

In the past the chief was financed in every aspect of his private and public responsibilities by the people and from the resources of his realm. He was entitled, by virtue of his stool office, to complete dependence on his community or state for everything. Most 18th or 19th century Ghanaian chiefs of the centralized political communities were therefore fairly 'affluent'. That position began to change long before the end of the colonial era in 1957. A chief continued to inherit the 'spirit' and social personality of his predecessor but his personality can no longer be said to merge with his office in every way.

Now the chief may have some property which he may call his own apart from the property of the stool. He does not, in fact, receive tributes and gifts from his subjects as of the past. His entitlements to certain parts of game hunted within the confines of his jurisdiction are no longer seriously regarded. As a result of the curtailment of these advantages of office, a chief is unable to be a beneficiary of his realm as required by custom. Chiefs may not levy taxes without approval from the central government and taxes levied must be accounted for strictly. Most chiefs receive stipends approved by the central government. The effects on the maintenance of the supporting institutions of the stool office are obvious. As a result of that state of financing their respectability and social standing, as the first among their people, have suffered.

The contemporary situation of the stool polity  
and social development

The stool polity type of government required that a chief should keep the peace within his realm and jealously guard the boundaries of his territory as well as defend his people against external aggression. The maintenance of political order entailed operations in other spheres of the social organization. The chief was the care of unity, the grandfather of his people and the epitome of the culture. In the context of the present national state of Ghana, the chief is still likely to be useful in fostering unity. This may seem paradoxical since it has been the case that some contemporary politicians have used or tried to use the institution to bring about segmentation of the country. Hence some argue that the institution appears to be predisposed to sectarianism.

As we have noted earlier on, it is on record that some occupants of stools in the past as well as now, sometimes either became drags on progress or betrayers of the trust imposed in them.

In spite of these social facts, successive governments before and after independence in 1957 continue to feel that the institution is indispensable in the overall political and social administration of the country.

Indeed, contemporary Ghana is rural in many places and the stool polity appears to have been most effective in such places. Even at a time in the recent past when the judicial powers of chiefs were rigidly curtailed, rural folk preferred and continued to seek arbitration from chiefs. For various torts and even crimes, the arbitration of chiefs was preferred to litigation in law courts which, among other things, are sometimes considered remote.

We have indicated that sociologically the overall political influence of chiefs has changed and their financial resources are not only limited but in some cases not guaranteed. It is a fact that both casual as well as serious observers have questioned the wisdom of retaining contemporary chiefs. People have wondered why candidates even continue to agree or litigate for the office of chiefship at all. It would seem reasonable to expect that, under normal circumstances, it should be difficult to get incumbents for vacant stool offices in contemporary Ghana. This is not so. Very affluent and respectable individuals are making themselves available for most of these offices that become vacant. In some cases candidates get involved in protracted litigations for the places. The future of personnel for stool offices seem to be assured and the quality of such personnel in terms of education also promises to be high. We will have to examine the factors promoting this trend of affairs carefully to see what is happening. However, we observe that not only are most villages and towns anxious to have educated chiefs to meet the demands of contemporary conditions, but that a number of enlightened people think the stool polity type of government has something to offer the present and future of Ghana.

The evidence of this contention may be seen in a number of things they do in the political and social reconstruction of the nation and state of Ghana. Among these is the call to chiefs to help stream-line customary laws to make them truly assimilable into the general laws of the country. The body of customary laws of Ghana is of course already recognised as part of the law of the country but the diversities in the laws on very similar or identical issues make it necessary for some revisions to be done. Besides, some of the usages are obsolete and ill-suited to modern conditions and life. Reference has only to be made to the various Acts and decrees since 1960 to notice the trend of the social and official governmental thought to which we have referred. Act 370 of 1971 went a long way to specify the arrangement of sections. There was to be a National House of Chiefs with five chiefs from every region of Ghana, elected from chiefs of the regions. Article 154 of the Constitution conferred on it specific functions but it was also stated that the House would be required to deliberate on matters referred to it from time to time by the National Central government. This House was required to advise on chieftaincy and government on a variety of matters including the final revision of customary usages and law. Part Two of the Act established regional Houses of Chiefs which was not very different from Provincial Council of Chiefs of the past. Indeed, the national House of Chiefs could be compared with the Joint Provincial Council of chiefs which had Dodowah as its meeting place.<sup>7</sup> The difference was mainly in the composition and the responsibilities of the new House. Part II dealt with Traditional Councils and the duties of persons to assist the councils. The following are other parts of that Act. Act IV dealt with Divisional Councils, Part V with Proceedings affecting the Institution itself, Part VI, Stool Property - Part VII, Customary Law, Part VIII dealt with who

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7. Except that Ashanti was not represented.

is a chief and categories of chiefs, enstoolment and destoolment of chiefs. The current decree of the N.R.C. government has accepted the main principles of the Act 370 of 1971 which it has revised.

As a matter of fact the whole of social development is to be one of the foremost concerns of the institution of chiefship. Hence the traditional ways and means of socialization like festivals, periodic calls back home, and specific organization of projects to improve the conditions of the people, towns and villages, are to be exploited by chiefs. Fortunately experience has proved that the traditional rulers would be useful in preserving the desirable aspects of a distinctive Ghanaian culture.

#### The Chieftaincy Research Project

At this point it may be useful to mention some of the efforts the government itself is making to examine the challenges of contemporary Ghana in the sphere of culture. Rightly, it has been felt, we suggest, that the challenges to Ghanaian culture require dispassionate and scientific study of the institutions like marriage and family inheritance and chieftaincy. The study of chieftaincy exposes us to the study of all those institutions listed before it. The national concern to embark on the project of studying this has already been concretely demonstrated by governments preceding the N.R.C. However, there has been a formal launching of it by the N.R.C. government.

As far back as 1960, even the late Kwame Nkrumah, who at a point during the struggle for independence felt that the chiefs were obstructing the way and that they should be dispensed with, seemed to have disabused his mind of this and favoured the guaranteeing of the place of chiefs in the 1st Republican Constitution.

## Summary and conclusion

We have been trying to examine the institution of chieftaincy and its socio-political relevance in contemporary Ghana. Although we did not trace its history in any detail we tried to draw attention to the checks and balances inherent in it and consequently to its democratic principles. The supreme power, we saw, resided in the people and they could reject a chief when he ceased to rule in accordance with the laws of the people who legitimized his power.

The colonial experience brought about some changes in the powers of the chief and that of the people. The colonial era and government are past. Subsequently popularly elected national governments or military councils have taken the reigns of government at different times. Evidence shows that governments since the national independence of Ghana have all felt that the institution of chiefship continues to be useful in the political and social administration of the country. Therefore in their own ways, the governments have sought to guarantee the place of the institution in the government of the country. Not only do they do this but they call upon chieftaincy as an institution to help in the task of reconstruction. The most recent development is the reorganization of Houses of Chiefs and national research programmes to examine the traditional customs and usages of the country as a whole.

This down to earth attitude to study the basic indigenous institutions of the country dispassionately seem to be a step in the direction which we may call scientific. The results, we hope, should be revealing and useful in forging future governments which may be better based on the soil of culture. Culture of course is dynamic and obviously cognizance would have to be taken of that in the study. This means it would be necessary for us to be painstaking in our researches in order to locate the vital and resilient aspects of the culture. Our final observation is that it is not unlikely

that something fruitful may evolve from the study which is currently being done on chiefship. If this proves to be so, we would hope, that the institution would be put to greater and better use in the social development of the country.

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