

**Konrad Adenauer Foundation**

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**WORKSHOP REPORT ON**

**DECENTRALISATION AND  
TRADITIONAL AUTHORITIES  
IN GHANA**

**HELD AT**

**VOLTA HOTEL, AKOSOMBO**

**16<sup>th</sup>-18<sup>th</sup> AUGUST 2006**

**ORGANISER: NATIONAL HOUSE OF CHIEFS (NHC)**

**SPONSOR: KONRAD ADENAUER FOUNDATION,  
GHANA**

*Report prepared by:*

**VICTOR WAY KUVODU**

Group Photograph



Centre (brown safari suit): The Minister of Chieftaincy and Culture, Hon. S. K. Bofo\_

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## **Introduction**

Decentralisation as a political process to enhance democracy and development has been a key development strategy in Ghana since 1988. Its manifestation being the creation of Metropolitan, Municipal, and District Assemblies and currently operating in a total of 138 districts across the country have existed without the effective involvement of the traditional authorities (chiefs) who are rather the custodians of the lands. They are equally not adequately informed about the local governance process in the context of decentralisation.

This workshop came at the instance of the National House of Chiefs (NHCs), of Ghana in collaboration with the Ministry of Chieftaincy and Culture to promote learning of the decentralisation process in Ghana and to identify roles to be played by traditional authorities in the respective local government jurisdictions in the country. This was also to serve as platform for advocacy for policy to enable chiefs to play their meaningful role in local governance and development process in their localities.

The theme for the workshop was **“The Role of Chiefs in Ghana’s Decentralisation and Development Process”** and the participants were Chiefs who are members of the standing committee of the NHCs, representing the ten administrative regions of the country District Chief Executives (DCEs) representing their regions, Members of Parliament and Ministers of State. Three lectures on topics derived from the theme were delivered by Prof. J. R. A. Ayee, the Dean of the faculty of Social Science of the University of Ghana, Prof. Nabila, Head of Research, NHCs and Dr. Fritz Augustine Gokel, TIPCEE-Ghana.

The Konrad Adenauer Foundation (KAF), one of the five major German Non-Governmental organisations dedicated to socio-economic development in Ghana graciously supported the NHCs to hold this workshop.

The workshop started on Wednesday 16<sup>th</sup> August 2006 with the arrival of participants, through to Thursday and departure on Friday. This report therefore

presents key issues raised and the decisions during the workshop. It is divided into three main parts- Opening, technical and discussion sessions.

### **9: 30am: PART ONE- OPENING SESSION**

The opening ceremony started at 9: 30am with prayer by the Registrar of the National House of Chiefs. This was followed by the introduction of the Chairman by A.K. Essien, the Research officer of the NHCs. The Chairman was the Nana President of the NHCs, Odeniho Gyapong Ababio. Key feature of the session was addresses delivered by the invited guests including the Minister of State in charge of Chieftaincy and Culture in the Office of the President of the Republic of Ghana.

#### **1. Address by Nana President of the NHCs, Odeniho Gyapong Ababio**

In his address, Nana President underscored the role of chiefs in modern governance and the relevance of the workshop as it was meant to sharpen chiefs' understanding of the decentralisation process in Ghana and the role they were expected to play as complement to those of the executive and other state agencies to promote democracy and development.

He hinted that the chiefs remain the centre of development of their traditional areas and in the current changing governance environment, chiefs must take a central role in enhancing livelihood in their communities as was done in the past where their forefathers fought war against invaders, but the war today was against poverty.

He proposed that a fraction of the District Assembly Common Fund (DACF) or the Consolidated Fund (CF) be allocated to chiefs for development interventions in their traditional areas in pursuit of their developmental function. He explained that not that money should be given to chiefs but some viable projects be seen as having been initiated by the chiefs to serve as living monuments and legacies

He said, though chiefs whole-heartedly embraced the decentralisation policy, they had been sidelined in the process. He explained that though chiefs were to be

consulted for the appointment of the 30% of the appointed membership of the Assemblies, the reality was that chief or traditional councils were never consulted.

According to him, since chiefs felt to be and are part of the decentralisation process and good governance of the country, the best place for them to participate in was within the assemblies and proposed that:

- i. the first of the 30% government appointment into the Assemblies be reserved for the Nananom (Traditional Authorities)
- ii. because chiefs are not permitted to be part of “active national partisan politics”, there may be the need for a debate on creation of Second chamber of parliament so as to give opportunity to chiefs to make more meaningful contributions in the legislative process in the country

Concluding his address, he thanked H.E. President J A. Kufuor for the creation of the Ministry of Chieftaincy and Culture as sign of his utmost commitment to the development of the Chieftaincy institution in Ghana and also the Konrad Adenauer Foundation (KAF) for their support over the years. He reiterated the commitment of the NHCs to KAF as partners and wished participants a fruitful deliberation

## **2. Remarks by the Resident Representative of KAF- Mr. Klaus D. Loetzer**

Mr. Loetzer in his brief remark indicated the commitment of KAF to the development of democracy, socio-economic development and good governance in Ghana. He mentioned that the choice and support to the traditional leaders as the most preferred partner in the implementation of their mandate manifested in their partnership with the NHCs since 1994 and could be seen as one of the oldest in their relationship with national bodies in Ghana in the pursuit of their mandate.

He said this partnership was established with a common objective of promoting the rule of law, good governance and democracy in Ghana by integrating the cherished cultural values of Ghana into the country’s democratization process.

According to Mr. Loetzer, KAF believed that sustainable democracy and good governance in Ghana can happen only when they reflected the treasured values and norms of Ghanaians as a people. They equally acknowledged that democracy will grow in Ghana only when the people begun to feel like one people with one Ghanaian culture rather than different ethnic groups with different cultures

He recalled that the focus of KAF's work with the NHCs since 1998 had been on facilitating effective collaboration between the executive, the Judiciary and the Institution of Chieftaincy as a platform for the institutions to discuss issues of good governance.

He reiterated his conviction that chiefs needed to play more prominent role in good local governance since the chiefs remain as the effective interface between the people and the District Assemblies (DAs). He said, KAF's commitment to drive this agenda will be done in collaboration with other German development partners from next year (2007) and they would focus their interventions in Ghana more specifically on strengthening the role of chiefs in Ghana's local government system aiming at an effective integration of the institution into the modern national governing system.

According to Mr. Loetzer, the purpose of the workshop was an opportunity for review of the roles of traditional leaders in charting a new path for the social, economic and political development of Ghana and reiterated that it was critical for continuous assessment of the changes in the decentralisation process and the need to redefine their roles as major stakeholders in ensuring an effective district assembly system that was responsive to the needs of the local people.

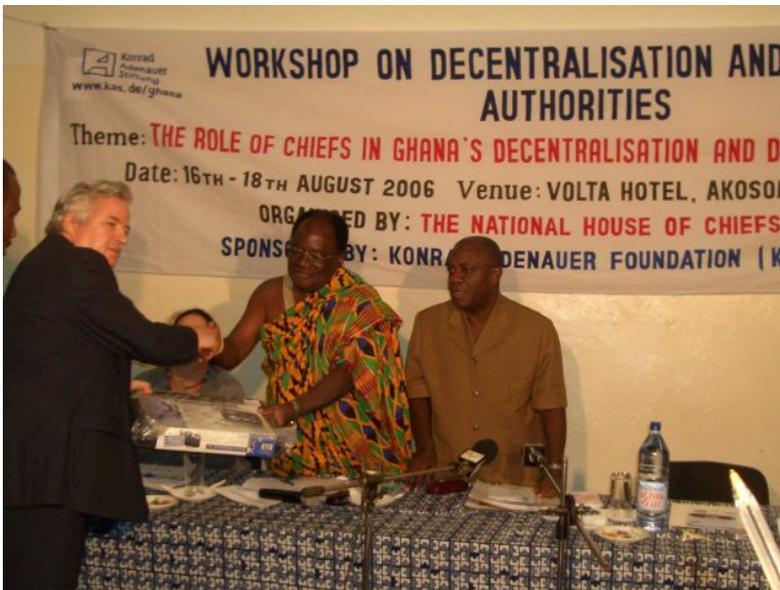
He also mentioned that though the role of the chiefs in the development process is critical, they (chiefs) remained controversial because of the rampant chieftaincy and ethnic conflicts which made many Ghanaians to believe that not all chiefs were ready to play a developmental role. He proposed that:

- i. Nananom would take the opportunities offered by the workshop to identify and find solutions to the stumbling blocks that prevented them from

effective and efficient participation in the development process at the district levels

- ii. the DCEs shared with Nananom the available opportunities for their participation in local governance and development process, the challenges and the problems
- iii. based on the workshop, more concrete steps will be taken to achieving more collaboration between chiefs and the DCEs and other district bodies to bring development to the people

In affirmation of their commitment to improve the work of the NHCs, Mr. Loetzer on behalf of KAF presented a Notebook (computer) and printer to be used by the research officer of the NHC and wished the participants a successful deliberation.



*Presentation of the Notebook and the printer*

With emphasis, the chairman, Nana President of the NHCs, Odeniho Gyapong Ababio once again thanked KAF for the support they gave over the years and particularly for the items presented.

### **3. Keynote Address by the Minister of State in Charge of Chieftaincy and Culture- Hon. S. K. Boafo**

The Honourable Minister in his address appreciated the importance of the workshop as far as it presented an opportunity for the Chiefs, Ministers of State and the DCEs to discuss important national issues and the contributions of the forum to national policy and development over the years. He lauded the contribution of KAF in the development and support for the workshop as an annual event and was grateful for the opportunity to participate in this year's event as the Minister of State in Charge of Chieftaincy and Culture.

He emphasised that no modern state can develop without the practice of democracy, ideals of rule of law and good governance hence the involvement of all institutions including the Chieftaincy being the oldest political institution of the country.

He said, Chiefs should not remain unconcerned on national matters and should be ready to make contributions on matters of national interest as and when they emerged. He urged them not to see the constitutional prohibition on their active partisan politics as a barrier to their contributions to national politics and development.

He recalled his role as a regional minister and the performance of the DCEs and indicated that the future of the DCEs was dependent on the Chiefs. He said, the DCEs needed to improve their images and asked them to adequately consult the chiefs on the appointment of the 30% government appointees into the assemblies. According to him, the consultations by DCEs with the chiefs should include matter on development project planning and implementation and thereby assured the chiefs of their deserved role in the decentralisation process.

He indicated that the issues of chieftaincy disputes, in many cases were not caused by chiefs but some individuals (who he called as chieftaincy contractors) in the communities who would want to pursue some interest and always seeking to pollute the youth.

He re-emphasised the commitment of government for the development of the institution of chieftaincy and the reasons thereof for the creation of his Ministry. he said the Ministry was the link between the Chiefs as represented by the NHC and the Central Government and shall perform as such since the Ministry was responsible to Parliament.

He also implored the Chiefs to be cautious in making or installing Onkosuohenes in their respective traditional areas and entreated Nananom to effectively check the background of those they intended to bestow honour since the stools were not “for sale”

He however declined to comment on the proposal for the creation of Second Chamber of Parliament as suggested earlier by the Chairman, Nana President Odeniho Gyapong Ababio.

**(A brief break for group photograph outside – in front of the workshop venue)**

### **11: 00 am: PART TWO- TECHNICAL SESSION**

This session featured the presentations on the topics by the Resource Persons, the contributions and clarifications made by the participants and presenters.

Lecture One: **The participation of Chiefs in Modern Decentralisation in Ghana**

Presenter: **Professor J. R. A. Ayee.**

Professor Ayee opened his lecture with the assertion that:

“We as a nation cannot move forward without decentralisation and we as a nation cannot move forward with decentralisation without the involvement of the chiefs and many of the problems facing the DAs could be solved if the chiefs were involved in the decentralisation process.”

He continued with an overview of chieftaincy as an old political institution that cannot be wished away in the business of modern governance of the state. He

identified the historical governance role of the chiefs as the Native Authorities (NAs) during the pre-independence period as seen as kin-pins in development and thereby affirmed the role of chiefs in the post-independence era.

He indicated that although successive regimes acknowledged the importance of the chiefs, they adopted a lackadaisical attitude towards the involvement of chiefs in governance, hence chiefs had not been effective in general national governance since independence. He therefore sought to address the following questions:

- i. what accounts for the ineffective participation of chiefs in decentralisation
- ii. under what circumstances or conditions can chiefs participate effectively in decentralisation
- iii. what lessons could be learnt about chieftaincy and decentralisation

In order to address the above questions, he defined the concepts of *participation* and *decentralisation*.

He defined participation as a political process as being an opportunity for active involvement of a group of people with public institutions through voting and lobbying; an opportunity as being invited and expected to express one's wishes on issues of governance; an opportunity for collective activity for the purpose of achieving some common objectives, especially a more equitable distribution of benefits of development.

He also defined decentralisation as transfer of significant authority, responsibility for services and fiscal and human resources to local government units for the development of their areas and reduction of poverty and also involving legal and administrative measures to transfer authority, resources, accountability and rules from central government to local entities.

He established the relationship between the two concepts as each dependent on the other since the two are political, interested in development and distribution of power.

In justification for the participation of chiefs in Ghana's modern decentralisation, he indicated that there had not been disagreement over the role of chiefs in local governance and development because chiefs are;

- i. mediators
- ii. drivers of education of their people
- iii. front-runners in the fight for social development
- iv. leaders in reconciliation process
- v. link between the external community and their people

Anchoring his justification he referred to the following government documents

- a. the Committee of Experts, 1991 which indicated that chiefs have "more perceivable role to play to offer counsel and mobilize people for development"
- b. the National Decentralisation Action Plan (NDAP) of 2003 which acknowledged that chiefs are important partners in ensuring judicious natural resource management
- c. the 2000 Manifesto of the New Patriotic Party that recognises the indispensable role of chiefs in local government and is the symbol of traditional solidarity
- d. the 1978 Constitutional Commission that confirmed that grassroots democracy is overtures to chieftaincy.

**a. Reasons for ineffective participation of chiefs**

According to Prof. Ayee, chiefs' participation in local governance and development since independence has been ineffective due to the following

- i. Lack of a consistent policy on representation of chiefs in local government units. He identified that the independence constitution and subsequent ones- 1961 (chiefs were banned), 1969, 1979, the decentralisation policy adopted in 1988, the 1991 Committee of Experts' Report vs. the Consultative

Assembly and the 1992 constitution did not make adequate provision for participation of the chiefs in local governance and development

- ii. Lack of political will and commitment on the part of government. Perhaps the inadequate provision from the side of law was as a result of lack of the will from the side of central political authority (governments) since they see chiefs as competitors rather than partners
- iii. Ill-defined relationship between chiefs and local government units. Referring to the 1992 Constitution, he identified that there is lack of *specificity* in the nature of consultations with chiefs; institutional weakness in institutional anchoring of chiefs; relationship is restricted to consultations on land release and participation in ceremonial functions
- iv. non-existence of structured and formalised arrangement to foster partnership between traditional councils and the local government units such as the District Assemblies,
- v.the resistance from District Assembly members because of benefits, for instance the DACF
- vi. chieftaincy disputes

#### **b. Conditions for effective participation of chiefs in local governance and development**

In view of the factors inhibiting the effective participation of chiefs in the decentralisation process, Prof. Ayee called for the revision of the provision on the appointment of the one-third membership of the DAs since mode of consultation was not prescribed in the current law. According to him, because there were several traditional authorities and no certainty about consultation, the phrase “other interest groups” being vague, the ongoing practice was limited to consultation within the ruling party as the non-partisan character of the DA system was a fiction. He indicated that there was the need for prescription of the mode of consultation between the Traditional Authorities and the DAs rather than leave it to Regional Ministers, DCEs and party executives. He said the creation of an institutional representation of chiefs in the decentralisation process, i.e. 50% of the 30% government appointment into the DAs was most preferable.

He also indicated the need for chiefs to undergo internal reforms and to exhibit democratic culture and good governance characteristics. He also called for the development of the right capacity and attitude for partnership between government and chiefs and hinted that the partners (chiefs and government) should not see themselves as competitors. He concluded that development of political commitment and will on the part of government was most important to enable chiefs to participate meaningfully in the decentralisation and development process of the country and there was the need to create more avenues for closer interaction between DAs and the chiefs.

**c. The Lessons from the topic**

The lessons as offered by the topic included;

- i. participation and decentralisation are related because they involve competition, sharing of power and partnership where there are winners and loser
- ii. participation and decentralisation involve reciprocal relationship
- iii. effective participation of chiefs will be resisted by those already benefiting from the status quo, for instance the share of the DACF
- iv. chiefs are important in decentralisation because they have development of their people at heart

The above lessons as adduced serve to point out how best could the proposed conditions be operationalised or turned into enabling the participation of chiefs in view of the realities of the process of decentralisation as a political process in Ghana. Granted that the chiefs are important in decentralisation because they have development of their people at heart, are they ready to reciprocate in the relationship and how ready and capable are they to manage the resistance they are likely to face from those already benefiting from the status quo and indeed, what strategies should be adopted by the NHCs and its partners in fulfilment of their role as players in the decentralisation process as partners in development.

### **Summary of discussions on Lecture One**

The presentation that could be seen as the “song of the chiefs” attracted spontaneous positive response from the participants who were mainly chiefs. The chairman lauded the delivery made by Prof. Ayee and opened the discussion. Before the discussion ensued, the Hon. Minister, S. K. Boafo asked if it was important for Nananom to sit in the Assemblies and participate in debate on matter on the floor of the Assemblies.

In response, Professor Ayee referred to the presentation and reiterated the point for institutional representation of chiefs in the assembly other than chiefs as personalities being present in the assemblies to contribute to debates.

Nana President in affirmation of Ayee’s point made it clear that all that chiefs were asking for was their representation within the structures of decentralization or policy making and implementation at the local level. In his words, “I want to send my representation there with the venom to go and administer.”

Nana Dasebre Oti Boateng in confirmation of Nana President’s position indicated that no Omanhene would like to go and sit in the Assemblies where his subjects were sited and making debates. He mentioned that with the existence of the hierarchy, delegations are made into such places. He recalled how some of them as young graduates were nominated into the Assemblies and later selected to represent the DAs in the Constituent and Legislative Assemblies before the promulgation of the 1992 Constitution.

He also recalled the proposed roles of the Chiefs in the DAs (as appeared in the presentation by Prof. Ayee)- the opening and closing of Assemblies by the paramount Chiefs with the right of Address and its rotation if there were more than one paramount chiefs in the district.

He further emphasized that development involved all and there was no way chiefs could be denied the right of participation as far as their right as persons who pledged to preserve the welfare of their people and with the requisite experience and expertise

to perform their roles. He called for the redefinition of paradigm for local governance and development. He proposed the new paradigm as “GTP”. **G** for government, **T** for Traditional Authority and **P** for Private Sector. According to him, this new paradigm will serve to ensure the needed coalition by the three partners. He condemned the existing situation (public-private partnership). He indicated that there was the need for the definition of partners in development since the traditional authorities are separate institutions and could not be seen as part of the private sector or the public being represented by the central government. This he said will improve the public and participatory attributes of national development more than what pertains now without which the objectives of decentralization will be undermined. He urged central government agents such as the DCEs to see chiefs as partners and not competitors since no chief was interested in their “transient powers”

***Lecture 2: Decentralisation within the Traditional System of Authority in Ghana***

***Presenter: Naa Prof. Nabila – Wulugunaba (Chairman, Research Committee of NHCs)***

The presenter in his opening statement re-emphasised that:

“The chieftaincy institution is one of the traditional institutions in Ghana and through its own resilience and cultural values has been able to survive irrespective of the changes, which have taken place since the pre-colonial, independence and post-independence periods”

He appreciated the national governance arrangements as provided under Article 270, (1) of the 1992 constitution that guaranteed the existence and independence of the chieftaincy institution to perform as would be expected.

Introducing his topic, he wanted to examine if there exist any form of devolution of power or authority or delegation within the traditional system and the extent of similarity of modern decentralisation within the chieftaincy institution. To illustrate the concept and nature of decentralisation within the traditional system of authority he identified the following:

### **a. Types of chieftaincy Institutions**

He illustrated this by examining the nature of the two main forms of traditional authority during the pre-colonial era. These are the non-centralised or fragmented and the centralised systems. The non-centralised which some anthropologists referred to as acephalus societies where the head of family was the rallying point of authority as exemplified by the Talensi, Kokomba and Ga communities of Ghana. The centralised system on the other hand exist with clearly defined hierarchy of authority with the King or Paramount Chief at the apex of traditional authority as practiced in most Akan states in southern Ghana, Mole, Dagbani and Gonja of Northern Ghana.

### **b. Hierarchy of Chiefs or Structure of Chieftaincy**

Considering the general traditional governance arrangement, he identified that major activities of chiefs are carried out within the chief's court, traditional councils, the regional houses of chiefs and the national house of chiefs. According to him, there exist a hierarchy of chiefs in the various traditional areas where the lowest may be the Village chief (Odikro) and the highest as the paramount chief. He then defined decentralisation as "any meaningful authority devolved to local or lower units of government [traditional] that are accessible and accountable to the citizens who enjoy full potential rights and liberties"

### **c. Succession of Chiefs**

On succession to stools and skins, he cited the process of nomination, enstoolment or enskinment as the case may be, and the participatory approach (as traditional) and the check on the powers of the chiefs that demonstrate the level of democracy and decentralisation within the system.

He defined chief as "a person hailing from the appropriate family who has been validly nominated, elected, enstooled or enskined as a chief or queen mother in accordance with the prevalent customary law and usage", (Article 277 of 1992 Constitution). The power to nominate and elect are the preserves of the queen-mother and the kingmaker in most traditional communities in the south while it is vested in

the overlord and his council (elders who may chiefs) dependent upon the level of chiefs to be so nominated, elected and enskined.

Apart from the qualification criteria of individuals to be nominated as being hailing from the “appropriate family” other families within the community are also “opportuned” to become royals since the chief is permitted to marry from any family within or without the royals provided the family is of good conduct. According to the presenter, the policy of non-restriction of the chiefs in establishing marital relations constitutes the openness of the system to all persons in the community to get access to the throne (stool or skin) and to participate in and enjoy from it. Once elected the chief becomes the spiritual and secular leader of the community. According to the presenter, the democratic participation of the public or the subjects is guaranteed in all areas and the chief is accountable to the people and can be removed for bad conduct.

#### **d. The Structure of Traditional Administration**

He emphasised that it is within the hierarchical structure of the institution of Chieftaincy that one can speak of decentralisation of traditional and administrative authority. He indicated that the devolution of authority is from the paramount chiefs to the divisional and sub-chiefs or village chiefs and in some cases the head of families. These levels of chiefs below the paramount chief are allowed the authority/power and responsibility to perform functions in the areas of culture, mediation, arbitration, land administration among other without undue interference from the paramount chief being the highest authority in the designated traditional area. However, in some cases the actions or decisions of the sub-chiefs would have to be ratified by their superiors.

He indicated that different titles and names are designated for the different levels of authority within the hierarchy of the institution of chieftaincy based on their respective function and level of authority within the hierarchy. For instance, the palace of the chief is made up of elders who form the inner council of advisors for the

chief and perform specific functions with levels of relevant authority. These functions include;

- central administration,
- finance,
- farming,
- development
- public relations (spokesperson /okyeame)
- and except where some chiefs perform specific religious functions, there exist some families who perform all religious functions at the various levels of the hierarchy as priest and chief priests

He also cited that in practice as demonstrated in most traditional areas in the country, chiefs encourage the existence of civic organisations. These include the women organisations, youth organisations (Asafo companies) and the association of artisans and diviners with their own leaders appointed or confirmed by the chief.

He emphasised that the ability of the institution at any level to perform its function of social mobilisation and supervision for community development is as a result of the clearly defined decentralised positions or ranks and roles within the system.

#### **e. Traditional Councils and Houses of Chiefs**

The presenter identified the composition of the councils and the houses vis-à-vis their respective powers and functions as epitome of the practice of decentralisation within the traditional authority in Ghana.

He indicated that the traditional councils as composed of divisional and some sub-chiefs and headed by the Paramount chiefs serve as links between the people and the DAs and are with powers to discuss and determine matters on education, health and transportation within the areas of jurisdiction. The councils have their judicial committees with powers to determine chieftaincy matters except where the paramount chief becomes the subject matter.

The Regional House of Chiefs (RHCs) as composed of paramount chiefs and in some cases some divisional chiefs have the powers to determine matters relating to nomination, election, selection and installation or disposition of a chief. The National House of Chiefs as the highest authority is also composed of five paramount chiefs elected by their respective Regional Houses with specific functions for the promotion of the institution and enhancing life of the people of their respective traditional areas without undue interference in matters of the respective traditional councils.

According to the presenter, the clearly defined structures of authority and roles in the national governance of the institution by itself demonstrates the nature of representation and devolution of authority as required in modern day governance of modern states of which the institution of chieftaincy is part and can best play as a partner.

He concluded that:

“The hierarchical structure of the institution established by our forefathers has inbuilt system of decentralisation. This has invariably given legitimacy to the [institution] within each traditional area in the nation as a whole”

He however admonished that the survival of the institution and its existing structures depended on the chiefs themselves as they were expected to ensure transparency, credibility and accountability in the domain of the institution as being capable to attract respect from the members of the communities, the civil society, government and the donor community as well as how the various activities were organised without unnecessary undermining the authority of the various cells within the institution.

### **Summary of discussions on Lecture Two**

The chairman thanked Prof. Nabila for the delivery. He indicated that the paper as presented described the Institution of Chieftaincy in Ghana. Indeed, the paper

represented the true picture of the Institution. He however called for few comments from participants.

Commenting on the presentation, Nsonna reiterated that the decentralized character of the chieftaincy institution in Ghana as demonstrated in the hierarchy made it possible for the representation of traditional authority in every community no matter small it may be. According to him this made the institution more close to the grassroots than the modern system of governance.

He emphasized that the existence of the professional and interest groups with their own leaders/heads and being recognized where their views and opinion were sought on matter before the chiefs was more demonstrable that decentralization exists within the institution. He therefore called on the managers of modern system of governance to appreciate the concept of decentralization inherent in the institution and thereby accord it the needed recognition.

Touching on chieftaincy disputes, he described the situation, as close to non-existence since in most cases, the disputes were not caused by chiefs but “some elements in society” with some other interest other than that of the community.

Opening his contribution, Nana Dr. Oti Boateng made the distinction between chieftaincy and monarchy with respect to the processes of nomination, selection and installation of those to be called Chiefs or Kings.

He emphasized that in the case of determination of those who occupy stools and skins, there exist a kind of decentralized structure and process as mentioned by Professor Nabila in his presentation. He was emphatic that the chieftaincy Institution was most democratic as could be attributed to the modern institutions of governance. Using the qualification criterion into the position of Member of Parliament (MP) comparative to ascension to stool or skin, he emphasized that one would become an MP because he hailed from or resided in a particular constituency as the case for the chief who was expected to hail from the appropriate family. He indicated that

“chieftaincy is open” as opposed “monarchy which is close.” He mentioned that this was evident in the eligibility criteria to ascend to the thrones and stools. In the case of Chieftaincy there exists the “heir presumptive” as against Monarchy’s “heir apparent”. He explained that in the case of the open chieftaincy where the eligible heirs are presumptive, any member from the appropriate family is eligible to become a chiefs as against the heir apparent to the seat of the monarch who should necessary be the first son or daughter of the King or Queen.

He re-echoed the role of chiefs as agent of stability in the communities and the need for clear definition of their roles in the decentralization process with clear administrative systems including budgetary allocations.

### ***Topic 3: The Emerging Role of Traditional Authorities in Socio-Economic***

#### ***Development of Ghana- the Way Forward***

##### **Presenter: Fritz Augustine Gockel**

In order that participants would appreciate the essence of the topic, the presenter opened the presentation with the definition of *Gross Domestic Product* (GDP) which he also described as the *National Cake*. He defined this as “sum total of money value of goods and services produced by normal residents in a country over a period of time, quarterly, yearly or as data will permit.”

He identified the sources or ingredients of the national cake as:

- cocoa and forestry within the agricultural sector
- mining and construction within the industry sector
- wholesale, retail and financial services within the services sector

He described the Ghanaian economy as fragile since the national economic growth points were linked to the external sector and thereby subjected to the world’s most volatile markets.

He emphasised that Ghana's economy was still vulnerable to external shocks due to weak inter-sectoral linkages with domestic structures. He traced this problem to our colonial past as far back as 1911 and had been entrenched since except some years during the Nkrumah regime. He therefore attributed our "undersized national cake" to the vulnerability of the national economy.

He further described the national cake in terms of its growth rate over the years-between 1984 and 2004 and 5.4% being the highest as product of the GPRS I, i.e. 2002-2004. He however indicated that the present economic structures and the GDP growth rate could not deliver \$1000 worth of the cake per person by 2015, except that more efforts were put into the process and also involving others. According to him, the projected growth rate to give us the \$1000 as contained in the GPRS II is 6.0% and would require the participation of all stakeholders including the chiefs to achieve this target.

### ***What Role for Traditional Authorities in Growth Agenda?***

He identified the opportunity for the role of the chiefs and for that matter the Traditional councils in chapter 22 of the 1992 Constitution. He said the decentralization and local government framework remain significant especially for the critical role the Traditional Authorities can play in Ghana's socio-economic development in their local government areas.

With specific reference to Article 240 Section 2(e) which states that the system of decentralized local government shall have, among other features;

"to ensure the accountability of local government authorities, people in particular local government area shall, as far as practicable, be afforded the opportunity to participate effectively in their governance," he emphasised that traditional authorities can innovate socio-economic roles to sustain the process of the growth agenda.

He however admitted that chiefs had no formal space in the mainstream economic governance structure of Ghana beyond discretionary representation in the district assemblies. He said that the challenge was how to effectively integrate traditional

authorities into the mainstream economic governance structure of Ghana without compromising their status quo.

According to him the challenges to Traditional Authorities to perform economic governance role include good leadership with focus on development. He said a chief should be visionary leader who acknowledges the simple truth that development is the product of a people's own effort. He emphasised that chiefs should be aware that sustainable development cannot be doled out to any Traditional Authority unless its leadership and people were prepared to bend the environment to provide their social and economic needs. He advised chiefs to design committees for policy and programmes and through these committees inform the DAs appropriately.

He said chiefs should develop and appreciate the concept of social accountability and value for money. He reminded chiefs that areas with good infrastructure remained the destinations for investors and urged them to have the capacity to generate and enforce social accountability for achieving better development effectiveness. He said chiefs should be capable to checking and reporting and perhaps protesting on poor quality of service provision by local government administration and by external contractors within the jurisdiction of Traditional Authorities and thereby enforce performance auditing of development projects to prevent less efficient use of public resources.

According to him, the capacity for social accountability should be supported with security and police duties. He was of the view that communities considered to be disciplined and safe attract investment for development. He therefore urged Traditional Authorities to develop the capacity to generate local intelligence for enhancing security of the person and property to attract investors; ensure effective community policing in conjunction with formal police system and maintain the peace in area without internecine or local fights.

What was also relevant for the chief's role in the economic governance was the provision of social collateral. He said Traditional Authorities could provide the social collateral which he described as confidence for investment, job creation and

employment. He said it was only on the strength of social collateral that chiefs could liaise with development finance institutions for assistance, to support well-conceived projects which the people themselves are willing to own as theirs.

Considering land as a critical factor of production he identified that Traditional Authorities had the capacity to facilitate access to land for investment particularly in the implementation of the GPRS II and the Agricultural Transformation project as expected under the Millennium Challenge Account (MCA) since all were based on agro-led development strategy. He therefore urged Traditional Authorities to commence the building of land banks by ensuring speedy resolution of land disputes and encouragement of settlement of disputes out of court.

He concluded that development is a product of a people's own effort driven by visionary leadership without which the people will remain poor in the mist of abundant supply of natural resources and that poverty was an issue of choice and therefore the Traditional Authorities could set the agenda not to choose poverty.

### **Summary of discussions on Lecture Three**

The chairman thanked the presenter for a good work done. He indicated that the subject matter was as important as the call by chiefs to be recognized as players in the decentralization process since it was by such expositions that participants, particularly the chiefs could be awakened to their socio-economic roles. He then opened the floor for the discussion.

Commenting on the topic, Nana Dr. Oti Boateng indicated the need for clear legal framework for the Traditional Authorities to achieve their role in the economic governance of the state. He once again asked for redefinition of concept of development. He mentioned that the current terms such as poverty reduction strategy should be changed since they represented ambiguities in the minds of the people. He said, "We need self-sustained growth" other than reducing poverty. Adding, he said another dimension should be added, cultural infrastructure to add to economic wellbeing.

He further asked for the clarification on the definition of “national cake” as presented by the presenter and if it was available for everybody to share.

Before the presenter came with the explanation, the Hon. Minister mentioned that the legal framework as proposed by Nana Dr Oti Boateng would be considered as long term solution. But in his opinion, chiefs could still perform socio-economic function in the short term based on their abilities and innovative and visionary leadership.

In his response, the presenter indicated that there was no need to be legalistic about some aspects of “economic definitions” or everything. He made the point that there was the need to evolve the basis for legalities and their consolidation by engaging ourselves as social elements.

He explained that the GDP could be measured by using different approaches and for the sake of making “a simple picture” about the nature of the national economy of Ghana, he used the GDP as the national cake instead of the NDP. He indicated that there were a lot of statistical difficulties that could not allow for a simplistic calculation of the NGP and it was important for the understanding of the participants to use the GDP. He however accepted that terminologies as used in development theories and plans change with time or based on what was of emphasis to the parties.

### **Summary of Debate on the Group Presentations at the Plenary**

The overall purpose for the syndication was to afford participants to effectively evaluate the presentations made during the seminar and make workable proposals that will finally be reflected in the communiqué to be issued at the end of the seminar.

The participants reconvened after lunch at 2:30 pm. The chairman announced the membership of the two groups with thematic areas for consideration. Each group was expected to appoint a chairman and secretary to ensure good deliberation and reporting at the plenary. One hour was allocated for the group discussion, which started at 3:10 pm and ended at 4:30pm.

Opening the debate, the chairman wanted a clarification of membership of the proposed committees within the leadership of the Chief. He explained that it would not be permissible to open membership of such committees as already existing in some palaces to members of civil society as indicated in the proposal. He was emphatic that membership of the committees should be limited to natives who were not linked to any civil society group as the individual members would be expected to be loyal to the chief in the discharge of their duties.

Participants, particularly chiefs were of the view that the required or quality leadership attributes as enumerated in the proposal were “naturally” part of the institution of chieftaincy and for that matter the chief as a person. According to them, chiefs are supposed to be unique and expected to abide by certain code of conduct. They emphasized that before a person is selected and nominated as a chief, he should be seen as a person without blemish and to be taken through a rigorous process of training during his period of confinement in order to prepare him for good leadership role. They however accepted the proposals as a reminder to the chiefs to appreciate their emerging role and urged chiefs to ensure that such committees were established and functioning in furtherance of their role in local political and economic governance.

On land issues, chiefs accepted the challenge and indicated that they would remain as source of inspiration for society and would continue to provide the necessary social collaterals to attract investment. They were of the view that the ongoing Land Administration Project (LAP) embarked upon by government of which they were key players, remained the hope that many problems related availability of lands for investors will be a thing of the past. A contributor in the debate for availability of land requested chiefs to be properly guided by development plans of their localities and to prevent the indiscriminate sale of lands by some chiefs and family heads. he lamented that it was becoming difficult to get access to lands for the construction of social facilities like schools and hospitals. In this connection it was revealed that many members of the communities including chiefs were not much aware of the law

(accountability law passed during the PNDC regime) on land use and disposition by family heads. According to the contributor, family heads could be sued for sale of lands that members of his family were not in agreement with. Members were therefore urged to be conversant with land related laws.

On the issue of support particularly, the construction of palaces for chiefs by the central government, Nananom were of the view that, it will not be appropriate to ask government to provide them with palaces in view of growing demands on the state. They believed that they should not look like a burden on the state and that Chiefs by their own initiatives and resources should be capable to build respectable palaces.

Issues raised concerning boundary demarcations particularly along international boundaries were not treated since it was not in the powers of the chiefs at that level. This was based on explanation given by the chairman for ..... and supported by the chairman. They however entreated traditional authorities along the national boundaries particularly in the Volta region to co-operate with the competent bodies in charge of the demarcation exercise as when they resumed work.

In view of the above and among others the communiqué presented at the end of the seminar (here attached as appendix A) reflects the opinion and position of the chiefs of Ghana in their quest for participation in the decentralization and development process in their traditional areas.

### **Closing remark**

In his closing remark the Chairman thanked the participants for their interest and participation in the workshop. he was hopeful that their commitment for the developing roles for the Traditional Authorities would be realised one day. he requested from two paramount chiefs and two DCE to assist the Rapporteur in the “finalisation” of the Communiqué.

He also reminded participants (chiefs) who were scheduled for a meeting with H.E. the president of the republic of Ghana the following day, (Friday 18<sup>th</sup> August, 2006).

## Appendix A –The Communiqué

**COMMUNIQUÉ ISSUED AT THE END OF THE FIFTH TRIPARTITE  
SEMINAR OF THE NATIONAL HOUSE OF CHIEFS, MINISTERS OF  
STATE & MEMBERS OF PARLIAMENT HELD AT THE VOLTA HOTEL,  
AKOSOMBO, FROM WEDNESDAY 16<sup>TH</sup> – FRIDAY 18<sup>TH</sup> AUGUST, 2006**

At the end of the fifth seminar of the Tripartite Committee of National House of Chiefs, Ministers of State and Members of Parliament held under theme ‘**The Role of Chiefs in Ghana’s Decentralization and Development Process**’ the following Communiqué was issued:

1. That, the seminar is in line with the resolution adopted by Nananom at the fourth tripartite seminar held in June, 2005. Nananom at that seminar resolved to participate more actively in the decentralization process and accordingly renew their call for policy guidelines to unambiguously spell out the position of traditional rulers in the decentralization process.
2. Nananom call on all and sundry to bury their differences and continue to contribute their quota towards the socio-economic development of the country.
3. That, it is the conviction of the Tripartite Committee that we can only succeed as a nation if there is collaboration and co-operation between Nananom on one hand, the Executive and the Legislature on the other. In this connection Nananom renew their faith in the Tripartite Committee and call for the building of bridges of trust between Chiefs and Political Leaders.

4. That, Nanamon unequivocally recognise and appreciate their roles in the Governance of their respective traditional areas and the nation at large and the indispensability of these roles in the modern governance of the state.
5. That, the Decentralization process in Ghana as avenue for popular participation, decision-making and implementation as well as source of legitimacy for governance institutions at the local level is not new to the Chieftaincy institution of Ghana.
6. That, Nanamon will continue to perform their duties as the hub of their traditional areas to engender the desired socio-economic and political development of Ghana.
7. That, Nanamon in their 'more perceivable role pledge to offer counsel and mobilize people for development', the institution of Chieftaincy should be adequately represented in the local government structure of the country. In this respect Nananom urge government to allocate a third of the 1/3 of the appointed members of the district assemblies and 1/3 of appointed members of the zonal, urban and unit committees to the traditional councils of this country.
8. Nananom hereby urge government to see chiefs as partners in development but not competitors.
9. That, Nananom welcome the creation of Ministry of Chieftaincy and Culture and hope that with the support of Nananom the Ministry will perform its deserved role as an effective link between Nananom, the Executive, the Legislature and other government agencies.
10. That, Nananom call on the Executive and the Legislature to speed up the process of enacting into Law the new Chieftaincy Bill which will soon be put

before Cabinet to bring it in line with the 1992 Constitution so as to enable Nananom play their meaningful role in the good governance of the Country.

11. That, Nananom renew their earlier call on government to adequately resource the Houses of Chiefs and Traditional Councils to enable them fulfil their constitutional obligations. Nananom are therefore requesting that percentage of the Consolidated Fund be allocated in the name of Traditional Councils for Development Interventions in their Traditional Areas.
12. That Nananom in their complementary role as agents and partner in development, resolve to undergo reforms and reaffirm their commitment to serve as Social Collateral to attract investment into their Traditional Areas. In this respect, Nananom will support the relevant institutions of state in the Development of area maps, development and implementation of development and land use plans as well as other policies and programmes connected to land use and administration by the Assemblies.

**FOR AND ON BEHALF OF THE NATIONAL HOUSE OF CHIEFS**

**ODENEHO GYAPONG ABABIO II**

**PRESIDENT, NATIONAL HOUSE OF CHIEFS.**



## APPENDIX B –SYNDICATE GROUP PRESENTATION

### GROUP A

#### Q 1 - *How can we develop the necessary leadership and structures in support Nananom's role in social and economic development?*

The group identified the following attributes for good leadership. these are;

- Approachable
- Integrity
- Knowledgeable
- A listening Leader (tolerant)
- Reliable
- Well nominated and enstooled to win public confidence and trust

For appropriate structures, the group indicated that there is the need for Steering Committees to be established to manage effectively and efficiently it socio-economic role. These included

- Standing Committee (Council of Elders) for the Chiefs
- Finance Committee-sourcing and mgt functions
- Land Committee-allocation
- Education Committee-
- Planning Committee- be done in line with existing planning models
- Communication Committee- information to and from the TC and the DAs

In support of the structures, there is the need for capacity building for chiefs and their secretariat in areas such as;

- i. Research and Training
- ii. Workshops and Seminars for the Chiefs and their secretariat to be abreast with information and new ways of doing things
- iii. Provision of Equipment and infrastructure to support running of Traditional Administration

- iv. Construction of Traditional Palace for Chiefs by the Central Govt.
- v. Maintain cordial relationship between Chiefs and MMDCEs.

***Q 2: How can we as Nananom ensure to attract investors into our Traditional Areas?***

The group identified the following as measures to be taken in order to attract investment.

- i. Land administration and boundaries to be well demarcated with documents to be financially supported by the Central Government.
- ii. All International boundaries to be well defined and identifies and secured by Central Government.
- iii. Establish Conflict Management, prevention and Resolution Committee
- iv. Documentation of all land banks to be financed by Central Government.
- v. All investors must first call on the paramount Chiefs as their 1<sup>st</sup> point of call.
- vi. Maintenance of Law and Order under Traditional Council
- vii. Infrastructure Provision e.g. Roads, Water, Electricity etc.

***Q 3. How should chiefs behave to be acceptable as social collateral by investors?***

***They must be:***

- i. Knowledgeable - their roles, especially under the Chieftaincy Act.
- ii. Honest
- iii. Dedicated
- iv. Impartial
- v. Non-partisan

***Q 4. What should Traditional Authorities put in place to ensure secure access to land for investors and other development partners?***

In the opinion of the group, the following could enable access to land

- i. The central Government must ensure early completion of the LAP Project

- ii. There should be proper documentation of the Traditional Council Lands and the creation of land banks.
- iii. The Traditional Council must have an Industrial Plan.
- iv. The Town and country Planning Department should also assist the Traditional Councils to plan its villages and towns.

## **SYNDICATE GROUP B**

### ***1. How can we build in the traditional system of decentralisation into the modern system of decentralisation?***

- i. We recognise that the Traditional System has an in-built decentralised and democratic principle in it. That is, a well developed hierarchical structure from paramount to a village chief to a headman. Traditional councils meet at the palace at specified days of the week to discuss important issues concerning the community.
- ii. We also recognise the modern system of decentralisation. For instance, a well developed hierarchical system from the Unit Committee, Urban/Town/Accra Councils, Metro/Municipal/District Assemblies and Regional Coordinating Councils.
- iii. The state should recognise the traditional decentralised system and principles and incorporate them into the modern system of decentralisation.  
e.g., Conflict Prevention, Conflict Management and Conflict Resolution

### ***2. Under what conditions can chiefs participate effectively in decentralisation in Ghana?***

- i.* The representation of the traditional authorities/chiefs in the lower structures of the decentralised system should be clearly defined either in numbers or percentages. e.g. Unit Committees, Town/Accra/Urban Councils.

- ii.* The representation of the traditional authorities/Chief in the District Assemblies should be 1/3 of the 30% appointees. This should be done in consultation with the traditional councils.
- iii.* Traditional councils should be adequately resourced to initiate development programmes.

**3. *What role can the National House of Chiefs and Regional Houses of Chiefs play in influencing policies in decentralisation***

- i.* Traditional Councils should be allowed to bring their inputs to bear on policies before implementation.

**4. *What are the lessons learnt in Chieftaincy – District Assemblies relationship?***

- i.* Most problems of relationships are due to lack of consultation and instructions between some DCEs and traditional authorities.
- ii.* There are mistrust and suspicion between some DCEs and the traditional authorities due to communication gap.
- iii.* There must be regular interaction through fora, durbars, town meetings etc. between traditional councils and the District Assemblies.

## **Appendix C- Programme of the Workshop**

### **16<sup>th</sup> August 2006**

4.00 pm      **Arrival of participants and registration**

6.00 pm      Dinner

### **17<sup>th</sup> August 2006**

7.00-8.00pm      Breakfast

#### **OPENING SESSION**

8.15 am              Sitting of participants

8.20 am              Opening Prayer

8.25 am              Introduction of Chairman

8.30 am              Welcome Address by Nana President of  
the National House of Chiefs

8.45 am              Remarks by Resident Representative of  
Konrad Adenauer Foundation

9.00 am              Address by the minister of local government,  
Environment and Rural Development

9.25 am              Keynote Address by the Minister of Chieftaincy and Culture

9.50 am              Group Photograph

10.00 am             Cocoa Break

#### **TECHNICAL SESSION**

10.30 am             The participation of Chiefs in Modern Decentralisation in  
Ghana by Professor J. R. A. Ayee.

11.00 am             Decentralisation within the Traditional System of Authority in  
Ghana by Naa Prof. Nabila – Wulugunaba (Chairman,  
Research Committee of NHCs)

11.30 am	The Emerging Role of Traditional Authorities in Socio-Economic Development of Ghana –the Way Forward by Fritz Augustine Gockel
12.00 noon	Discussion
12.50 pm	Formation of Syndicate groups
1.00 pm	Lunch
2.00 pm	Syndicate group discussion
4.00 pm	Report from syndicate groups
4.30 pm	Adoption of Communiqué
5.30 pm	Closing Remarks
6.00 pm	Closing

**18<sup>th</sup> August 2006**

7.00-8.00 am	Breakfast
9.00 am	Departure