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“He who sets the boundary”. Chieftaincy as a “necessary” institution in modern Ghana

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Abstract. The title of this paper was inspired by an etymology formulated in 1929 by a famous Gold Coast maitre-a-penser, J. de Graft Johnson. He explained the most common akan¹ term for a chief *ohene*² as a derivation from *hye*, boundary, with the meaning of “he who would decide the *ohi* (boundary) between the various groups farming on lands commonly reputed to be under his control” (de Graft Johnson, 1929). The *ohene* is therefore ‘the settler of the boundary’.

Etymology is a tricky territory and I am not sure whether this interpretation is reliable. However it suits perfectly what I intend to say in my paper:

- 1) Controversial as Chieftaincy may be in Ghana, it is perhaps the clearest embodiment of shared concepts of what it means to belong to a place.
- 2) The link between Chieftaincy and place is not a static one. To a great extent chiefs have the power to redefine the very nature, size and scope of the place/locality they embody.
- 3) They are potentially in a better position to re-shape, manipulate, enlarge or shrink boundaries than most other player on the national stage.
- 4) From the early 1990s many of them were able to exercise that power to an extent they had not experienced since colonial days and in ways new to Ghanaian society and to themselves.

I will try to substantiate my points through reference to a recent case of chieftaincy litigation in the Western Region of Ghana.

¹ Akan constitute the main language group in Ghana and its main variety, Twi, is by far the most spoken African language in the country, with controversial aspirations to become the National language. This paper was presented at the conference *Beside the State New Forms of Political Power in Post-1990 Africa*, Università di Milano-Bicocca 15-17 December 2005.

² The term *ohene* (pl. *ahene*) is applied to chiefs ranking above a village head (*odikro*). It is also used as a suffix in order to describe: a) the specific area of a chief’s jurisdiction (es. *Asantehene*: the ruler of Asante; *Agonahene*: the chief of Agona); b) rank and function of particular offices (*asafohene*: a military commander or the head of an *asafo* company; *gyaasehene*: the head of the chief’s servants, etc.). Referring to chiefs and chiefly families as a social body you say *ahenfo*.

1. Chieftaincy in Ghana: hardly a non-state player

During the past two decades, Chieftaincy or 'Traditional Rule' has been experiencing a substantial revival in several Sub-Saharan Africa countries (Rouveroy & van Dijk eds., 1999; Perrot & Fauvelle-Aymar eds., 2003; Vaughan ed., 2003). In West Africa this is particularly true of Francophone countries, where chiefs often found themselves in a weak position for most of the four decades following independence, sometimes to the point of virtual irrelevance (Benin) or near extinction (Guinea Conakry).

In a recent essay by Pierre Englebert³ Ashanti is listed, together with Buganda and KwaZulu, among the most prominent cases of so-called 'indigenous kingdoms' that underwent a 'resurgence' during the past 10-15 years, after the recognition of Traditional Structures of Government was enshrined in the Constitutions of Ghana, Uganda and South Africa.

I can agree about the case of Buganda, but I do not think that terms like 'resurgence' and 'revival' are really applicable to the recent history of Ashanti and Ghanaian Chieftaincy. The reason is that in post-independence Ghana chiefs qua chiefs were constantly crucial elements in national and local power games, both as focal points for identities, and as players directly involved in their institutional and individual capacities. This is generally accepted and has been the subject of various studies (e.g. Chazan, 1983; Owusu, 1987, 1996).

It is hard to define Ghanaian Chieftaincy a 'non-state' player. It is an integral part of the national life – and of the state as well. Chieftaincy is explicitly recognised and regulated under the Constitutions of the Fourth and Fifth Republics (Republic of Ghana 1979, 1992), which incorporated and consolidated a substantive corpus of legislation passed during colonial times and after independence: in particular the Chiefs Recognition Act (Ghana, 1959) and the two Chieftaincy Acts (Republic of Ghana, 1961, 1971). The 1992 Constitution – currently in force – recognizes the historic legitimacy of Chieftaincy and guarantees its autonomy from state intrusions in its specific domains: thus putting a stop – at least in legal theory – to the heavy-handed government interference that had been going on since the days of Kwame Nkrumah (Rathbone, 2000). The Constitution explicitly forbids the abolition of Chieftaincy by legislation and

³ See Vaughan (2003).

denies Parliament the power to legislate to the detriment of the institution in any manner.

The power of recognizing chiefs or withholding recognition – a crucial weapon in the hands of previous governments and regimes – is given collectively to Chiefs themselves, constituted in a hierarchy of corporate bodies. In fact the Constitution provides for an institutional structure networking a huge number of chiefly office-holders, from village or ward chiefs (and ‘queen-mothers’), up to Paramount chiefs, ruling over territorial units that are now more numerous than the Native States were in the colonial Gold Coast administered by the British from the 1920s through to indirect rule.⁴ Each Paramount chief presides over a Traditional Council, formed by his sub-chiefs and the chiefs of towns and villages under his jurisdiction.⁵ All the Paramount Chiefs within each Region constitute a Regional House of Chiefs. There is also a National House of Chiefs, whose members are expressed by the 10 Regional Houses and whose President ranks amongst the very top positions in the protocol of the Republic. The National House of Chiefs has the last word in matters pertaining Chieftaincy. The Houses of Chiefs have the power to recognize and withhold recognition to chiefs.

For decades the Governments of Ghana included a Secretariat for Chieftaincy Affairs. In late 2005, following a much debated decision, its functions were subsumed by a newly instituted Ministry for Culture and Chieftaincy Affairs: an association which is extremely revealing of a still unresolved ambiguity surrounding the collocation of Chieftaincy within the National political system. Some members of the Council of State – the top advisory body – are nominated by the President in their capacity as chiefs. Moreover, Traditional Councils nominate their candidates to sit in the District Assemblies – the basic structure of local government – in the group of non-elected members (30% of total membership) appointed by the head of state in consultation with traditional authorities and other interest groups.

⁴ During the past 5 decades local aspirations to autonomy and higher institutional relevance – determined several secessions and brought about several new Paramountcies and Traditional Councils. These processes are strictly interwoven with developments in the historical geography of Ghana local government system (creation or suppression of Districts). See Harris, 1993.

⁵ Membership of each Traditional council is also determined by local ‘constitutional’ history and custom.

According to Constitution, chiefs cannot join political parties and cannot become MPs, but they can be appointed to public offices for which they have individual qualifications and serve in public institutions that are formally non-partisan. A prominent example among very many is offered by the *omanhene* of New Juaben, Eastern region, who was the Statistician of the State during Rawlings' two mandates as elected head of state. District Assemblies are non-partisan bodies and a number of chiefs well beyond the provision of presidential appointees sits in assemblies in all capacities.

The number of individuals occupying positions of responsibility and power in government and public administration who are also chiefs in a different capacity is extremely high. Many academic staff are chiefs. This is also true of business, and the professions. Chiefly positions and titles are sought for actively by the Ghanaian elite. Without any doubt, Chieftaincy provides a consistent focus for players at all social levels. It is an outstanding path to social recognition and political influence.

Consequently Chieftaincy is a very visible feature of Ghanaian life. If you switch the TV, you'll find that the great majority of public events in the institutional and political life of the Republic – including presidential speeches – take place in settings of chiefly pageantry, where top political figures at national, regional or local level deal with 'traditional authorities' which represent specific communities or sections of society. Interestingly, it is on these occasions that chiefs are most likely to put forward requests, pleas, wishes and aspirations on behalf of their communities (concerning schools, roads, electricity, health services, etc.) to the Government members who are present.

Leaving aside formal institutional roles and overexposure in the media, it is quite difficult to assess the relevance of Chieftaincy and its specific ways of operating ('ruling') to the life of Ghanaian citizens. The divide between rural and urban settings has to be considered: chiefs and their palaces and councils are generally closer and more able to exert influence on the lives of their 'subjects' in smaller communities (rural and semi-urban) than in big towns and cities. Chiefs have a great deal of control on land allocation: farming is therefore one of the spheres in which chief can exercise the most power. Another of their spheres of influence is the construction industry in both urban and rural areas: chiefs and stool families have a crucial role in the current expansion of cities like Accra, Kumasi, Tema, Takoradi, Tamale, let alone small urban and semi-

urban centres. During the early period after independence, it was generally believed that chieftaincy in Africa as a institutional relic with a residual leadership role in rural areas, and its fate was supposed to have been sealed by the creation and operation of an effective local government system by the modern nation-state (Campbell, Brierly and Blitz, 1965; Lloyd, 1966, 1967; Lombard, 1967; Skinner, 1968; Miller, 1968; Crowder & Ikime, 1970). However this interpretation was proved incorrect by the unexpected vitality of 'traditional rule' in the following decades, even in eminently urban settings (Bopda, 1993). The rural/urban divide in assessing the role of chieftaincy is by no means the only factor or indeed the most crucial one. The situation is a great deal more complex.

For those Ghanaians who come from geographical or social situations in which chieftaincy is not that important, meaningful contact with **such** institution typically occurs when attempting to acquire a building plot, settling in a different community, starting a farming activity, entering civil service in local government, school, health, and other areas, operating in community development, and assuming roles and responsibilities in religious groups. Another clearly meaningful experience is when someone becomes a title holder or a chief! Some people would be surprised by the low degree of previous connection with the institutional working of chieftaincy and scarce familiarity with its so-called 'cultural aspects' that can be found amongst 'stool-freshers' in present Ghana.

The impact of Chieftaincy can vary from almost total irrelevance during specific phases in an individual's life within specific social, geographical, professional, educational, confessional settings, to paramount importance in other phases or situations in that same person's life. Many Ghanaians deal with Chieftaincy on a daily basis, some only on an occasional basis.

In conclusion, the average citizen perceives Chieftaincy as one part of a very complex picture which includes other institutional, community, corporate and individual powers, realities and interests. In spite of their apparent differences in status and languages, all these different powers and agencies are intimately connected by networks of fundamental ties (family, school, profession, religion, friendship, allegiance, patronage, region, locality, language, 'ethnicity', etc.).

Chieftaincy occupies a prominent position within this picture and constitutes a fundamental aspect of current Ghana's political culture. There is therefore a clear and constant need to assess the real extent and significance of the language of Chieftaincy in power-broking, beyond merely formal institutional links

2. Attempts to enhance positions of power on the national stage

An interesting recent episode in the chieftaincy vs. state saga seized the attention of Ghanaian media for several weeks in 2004. It was the very successful advocacy role played by the Asantehene in June-July 2004 on behalf of Ghanaian Government in its dealings with the World Bank and the IMF during a visit to the United States. He was able to obtain a very helpful rescheduling of the negotiations for the HIPC initiative. Besides that the Asantehene, who is a personal acquaintance of the current President of the World Bank, secured a grant of 30 millions US dollars from the WB directly to Traditional Councils. The sum was to be used for water and sanitation projects (see the front page of *Daily Graphic*, Tuesday, July 27, 2004).

The Asantehene's initiative provoked some criticism from sections of the parliamentary opposition and the press on grounds of the possible 'tribalistic' image suggested by such conspicuous arrogation of political functions by the country's main chief on behalf of a Government led by an Ashanti (J. A. Kufuor), and also the very substantial attention paid by the main international financial agency to a 'traditional ruler' while bypassing the state.

Such objections soon appeared groundless, when it became clear that the Traditional Councils benefiting from the grant were located not only in Ashanti, but also in the Volta, Central and Brong Ahafo Regions.⁶ However the episode and the reactions can tell us something about both the weight chieftaincy has been gaining in Ghanaian public life in recent years and the issues such an enhanced presence is bound to raise.

In comparison with the unhelpful attitude chieftaincy experienced for the first three decades after independence, the relationship J. J. Rawlings established and developed

⁶ Some however stressed the coincidence of this regional choice with the Akan-Ewe informal 'ethnic coalition' that is currently ruling Ghana. To which objection was replied that as a priority area for international development aid the North has different privileged channels to funding for the sectors involved in the grant.

with chiefs from mid-1980s – following his early radical years – was much more positive. Chiefs became crucial partners for the NDC regime in the construction of a national consensus for the harsh structural adjustment policies Ghana had to go through. The development of a sophisticated local government system since the 1980s has given chiefs the opportunity to exert their influence in bringing their communities services, amenities, electricity, roads, new buildings and new civil-service jobs. Decentralization and this growth at local level has greatly benefited chiefs and strengthened their voice on the national political stage.

In recent years Chieftaincy in Ghana has been demanding more recognition of its position and more involvement in governance. Inevitably the potential for conflict between chiefs and local civil servants, which had always existed, now became a reality and the situation continues to deteriorate. Open attacks, accusations of mismanagement and lack of administrative knowledge and attempts to de-legitimize the other party's motivations are becoming extremely common.

However Chiefs enjoy wide support – both directly and indirectly – from influential external forces associated with 'development' issues (international agencies, NGOs, donors, investors, etc.) which are in search of stable and reliable partners within local 'civil society'. In other words, the promotion of governance and, more generally, the 'growth in democracy' is providing an influential international and extra-African supporter for chieftaincy.

In Ghana anti-chief radicalism was at times a political tool (mainly during the Nkrumah years and the early period of Rawlings' rule), but its use was more rhetorical than anything else and was exploited for specific power games. It did not translate into a coherent policy to subvert the deeply engrained hierarchical perspective and non-egalitarian culture that dominates Ghanaian society and is most clearly embodied by Chieftaincy. On the whole, the justification of Chieftaincy as an essential feature of Ghana's national life, its culture and especially its political culture, which formulated during the years of Indirect Rule and further refined by supporters of chieftaincy during the last colonial decade, has been accepted in public discourse and remains substantially unchallenged.

Chiefs and their supporters have been gradually and quite defiantly raising the stake in the past few years, particularly after the political change brought about in the presidential elections in 2000.

It is well known that the peculiarly hierarchical culture underlying Chieftaincy, with its intrinsic stress on hereditary rights and privileges, is patently at odds with the concepts of democracy currently upheld and enshrined in Ghana's Constitution. In spite of this, chiefs and their supporters both at home and abroad can be constantly heard upholding the 'indigenous traditions of government' (councils of elders, youth, women, etc.) and portraying them as a system that favours effective forms of diffuse participation in decision-making processes at all levels, from the smallest communities up to the Paramountcy. Yet the hierarchic nature of 'Traditional Rule', based as it is on a clear distinction between royalty and commoners and a stress on hereditary succession to office, cannot be denied. Although they acknowledge the necessity of reforming 'some outmoded customs', the apologists for Chieftaincy equate this 'Palaver democracy' with the concept of participative democracy, in contrast with representative democracy which is upheld so loudly in ideological discourse throughout our contemporary world.

They complain about Chieftaincy's marginalisation in the present political and administrative processes. Chiefs, they say, enjoy real power in their communities based on historic legitimacy and popular consensus, but lack authority in formal terms in order to express this power to the benefit of an enhanced governance for their 'subjects' and the country at large. The constitutional provisions for their participation in Local Government are hardly applied correctly: the 'consultation' Government is supposed to hold talks with Traditional rulers in order to nominate members to the DAs is purely theoretical. More often than not those nominees are the preferred choice of the government and not the Traditional Council.

Their next demand is to enjoy an 'effective' role in the governance of the country, which in practice means more active participation in local government, regional and national politics.

These requests find growing support in Ghanaian academic circles: 'The incontrovertible point, often glossed over by many, is that chiefs are the pillars in local administration and should be recognized as such' (Boafo-Arthur, 2001).

Ideas on how this institutional change should take place vary. Some argue for a degree of amalgamation between Traditional Councils and District Assemblies, with results that would not differ too much from local government structures that have already been tried out in Ghana's past (for example, increasing the proportion of chiefs acting as ex-officio members in DAs, and the creation of presiding or leading roles for Paramount Chiefs). If nothing else, these proposals demonstrate that the current generations of chiefs differs from one in office twenty years ago in that they fully accept the principles of representative democracy.

Today the debate on Institutional building is a central aspect of Chieftaincy public discourse. Every day chiefs and other 'traditional leaders' are calling for a stronger 'traditional' institutional structure. In a typical appeal of this kind, Gborbu Wulomo Shi-Tse, the head-priest of Ga Nungua, spoke of the need to 'modernise' the role of traditional priests and revive 'dormant' positions and institutions so that they could 'take central stage in the affairs of statecraft, where our role as leaders properly belongs' (*Daily Graphic*, Saturday, September 17, 2005)

Administrative and financial training is seen by many as a crucial part of a strategy to widen and consolidate the position of Chieftaincy in public administration. In August 2005, it came as no surprise that Deputy Minister for Local Government and Rural Development was arguing in the Ghanaian press for the establishment of a college to train chiefs in the skills of governance (to be located in Kumasi). This sounded remarkably similar to imperial British pronouncements on the 'Chief's Academy', a school for training royals and heirs-apparent for the careers that awaited them. The issue has been surfacing sporadically in the media in the recent years, and on each occasion it has lost some of its associations with backward colonial and unacceptably class-based ideas. It now appears that both its supporters and its critics are willing to discuss the matter purely in terms of rationalising the administration and cost/benefit logic (*Daily Graphic*, Tuesday, September 13, 2005).

However demands coming from Chieftaincy are not so much concerned with changing its formal institutional role as with effective participation in the control and allocation of resources. This means in practice a bigger share of the royalties generated by the stool lands, a substantial proportion (55%) of which is currently taken by the government and

the District Assemblies (indeed it is the main source for funding local government, the other sources being state subsidy and local taxation). In short, an increased presence for chiefs in the DAs is a way of re-establishing their control over resources they perceive as ultimately belonging to their stools and the communities they 'rule'⁷. It almost goes without saying that such positions are quite capable of gathering considerable consensus locally, because they play upon a community's pride, aspirations and frustrations.

The campaign to promote Chieftaincy's interests and strengthen its control of resources and the civil service admittedly still lacks coordination. The claims and demands being put forward by the chiefs do not lend themselves to well organised political campaigns.

It is worth stressing here that the constitution bans Chiefs from taking an active part in party politics. Consequently their demands have to be brokered by political forces and parties that are obliged by the system to compete with Chieftaincy for influence and control over the same constituencies and the same scarce public resources, irrespective of the personal sympathies and persuasions held by their MPs and activists. Even a Government as sympathetic to Chieftaincy's interests as the current one is, is viewed with a degree of distrust by the chiefs. Rumors about the wish of the Government of creating a Ministry to supersede the Chieftaincy Secretariat, as it was to happen eventually in late 2005, were met with concern amongst a relevant section of the Chieftaincy establishment. In September 2005, the acting president of the Gã Traditional Council expressed his complete opposition to what he described as an awkward attempt by Government to interfere recklessly with the country's institutions and dilute the full independence of Chieftaincy guaranteed by the Constitution. The new minister would become a rival figure to the President of the National House of Chiefs. Echoing the aspirations of his fellow chiefs, the acting president proposed a Chieftaincy Service under the National House of Chiefs to supervise the work of the Chieftaincy Secretariat (*Daily Graphic*, Saturday, September 17, 2007).

The Gã chief was undoubtedly justified in his concerns that the government wishes to secure more control over the chiefs, whom it clearly prizes as crucial allies, but whose increasingly autonomous stance and lively political initiative it tries to bridle.

⁷ Supporters of an increased involvement of Chieftaincy in Local Government often suggest the establishment of 'honorarium for chiefs (according to status) chargeable on DAs share of the Common Fund or even the Contingency Fund' (Boafo-Arthur, 2001). Currently only Paramount Chiefs perceive a honorarium from the State.

However, the history of Ghana teaches us that attempts by chiefs to act corporately and collaboratively on the political stage are threatened by the highly fragmented, partisan and structurally divisive nature of Chieftaincy itself.

The supposed ‘unanimity’ of ‘traditional’ decision-making processes is a cliché and the product of an idealised reading of ‘African indigenous political traditions’. Chieftaincy is a form of minority rule which, when it functions at its best, is sometimes capable of becoming rule by a moderate majority. In this, Chieftaincy is not that different from other forms of ‘modern government’ or any form of government in general.

Chieftaincy in modern Ghana expresses different forms of place-based identity (community, chiefdom, ‘ethnicity’ and region) and very often the logic of this identity is completely unrelated to the formalised and institutionalised debate at national level based on a sort of highly theoretical parallelism between ‘traditional institutions’ and a ‘modern state’ structure.

Chiefs are a hierarchy, and more often than not in hierarchies, the top ranks do not share the same aspirations as the lower one.⁸ It is interesting that influential non-Paramount chiefs are pushing for an extension of the right to sit in the Regional Houses, which is presently restricted to Paramount rulers (and ‘Queen-mothers’). This act, they maintain, would enhance direct representation of important communities that are currently barred from expressing their voice in the most relevant ‘traditional’ forum at the regional and national level.

In the peculiar perspective of narrow identities, chiefs like politicians and other forms of social leadership are inevitably involved in games in which allegiances, parties and factions tend to cut across or subsume their corporate sub-identities as leaders.

The chief however, unlike the MP or the District Chief Executive (a nominee of the central government at the head of a District), is expected to assume a peculiarly non-partisan position in virtue of his crucial role in defining and upholding the boundaries of

⁸ ‘Chief’ is a very generic term. According to the 1992 Constitution (Republic of Ghana, 1992: chap. 22, art. 277), Chief ‘means a person who, hailing from the appropriate family and lineage, has been validly nominated, elected or selected and enstooled, enskinned or installed as a chief or queen-mother in accordance with the relevant customary law and usage’. This legal definition is merely a very approximate reference to a variety of offices, functions and ranks whose essential homogeneity is more an outside assumption than a reality on the ground. For instance, we have little difficulty in understanding the objective political implications of the difference between high chiefly office, which is conventionally defined as ‘kingship’, and those chiefly offices that are subordinate to it.

a particular identity: who and what can be considered 'indigenous', and who and what is 'foreign'. His main duty is then to be the spokesman for that identity. This explains why a chief is allowed and indeed expected to adopt a public stance that would appear incongruous in the case of any other form of social leadership. When the president or another important representative of the state meets communities on a public occasion, chiefs are heard and widely reported in the media and they use these opportunities to put forward their demands, pleas, wishes and aspirations on behalf of their 'subjects' (schools, roads, electricity, health services, etc.). This channel is more direct than the more competent institutional channels (such as regional or district administrations or government departments).

The chief is an embodiment of his community in its relations with the outside world. He is the 'settler of the boundary' and the seal of a very tangible form of identity. However it is a form of identity that operates only in relation to the outside, while inside his community he is primarily the leader of a faction.

This particular role is the most enduring feature of Chieftaincy in Ghana, and the reason why it is needed for Ghanaian society's self-image. And yet this is also the factor that makes it so difficult politically for a chief to survive in his position.

3. Chieftaincy conflicts in the Western Region

All these elements make Chieftaincy a quintessentially unstable world which is constantly affected by high levels of conflict and is itself a principal cause of disruptive disputes, as the recent history of the Northern Region of Ghana clearly shows.

The main causes of Chieftaincy disputes are disagreements over succession to office, struggles to create new Traditional Councils (i.e. to operate secessions from existing Paramount stools and skins and, establish new independent units), and jurisdictional litigation over land.

According to statistics released by the Research Unit of the Chieftaincy Secretariat, 281 chieftaincy disputes were pending before the Judicial Committees of the 10 Regional

Houses of Chiefs in August 2005.⁹ However this number **did** not account for the disputes and litigation that are not brought before the Houses of Chiefs. Although only four cases were being heard, the Northern Region is known for the high level of chieftaincy disputes. A most notorious case is the longstanding conflict between two factions – Andani and Yakubu – within the royal family of Yendi, the supreme chiefly office of Dagomba, which led in 2002 to the massacre of Ya Na Yakubu, a very well known long-serving top traditional ruler, together with over forty other persons, at the hand of an armed party linked with the rival Andani faction. Despite several high level attempts to mediate a pacification and enforce a ‘road map’ out of the crisis, the situation in the area remains still dangerously unsettled with renewed outbursts of violence (September 2006); a successor has not yet been agreed upon, the funerals of the late Ya Na have not yet been celebrated and political repercussions at the national level were and are serious¹⁰

Less devastating in terms of loss of lives and disruption of daily life and activities, chieftaincy litigations are looming in several Districts of the Western Region.

A major one broke out exploded in 2005 around the Paramount stool of Sehwi Wiawso, which covers three Districts in the Western Region, including a substantial portion of the surviving forest land of Ghana, where there is flourishing international and local timber business. A section of the royal family of Wiawso carried out a move to destool the Paramount Chief, eventually succeeding in the course of 2006, after much commotion in the area, repeated interventions of security forces in order to preserve public security, serious hindrance to the life of residents, and a protracted standstill for many crucial activities: it would be risky, for instance, entering deals in land that might be subverted if the Paramount chief was destooled: as it happened eventually. By Ghanaian standards Sehwi Wiawso is a ‘big stool’ which receives massive royalties from timber concessions and gold mining, as well as rents from the scores of immigrant tenant farmers (‘foreigners’) from other parts of Ghana or abroad who crowd Sehwi’s

⁹ 61 in the Central region, 52 in Brong Ahafo, 44 in Ashanti, 39 in Greater Accra, 25 in the Western Region, 23 in the Volta Region, 16 in the Eastern Region, 4 in the Northern Region, 2 in the Upper East [Upper West...?] (Daily Graphic, Saturday, Sept. 17, 2005).

¹⁰ was killed and beheaded, with more than forty retainers and staff, in the course of an attack against his palace in Yendi by an armed party connected with the opposing faction. Beside throwing into disarray a part of the country which by the was recovering from the wounds of bloody inter-ethnic strives in the Nineties which involved Dagombas, Nanumbas and Konkombas

forest hinterland. From a local perspective, this conflict is but the current expression of a deep rift in the area's ruling group, which surfaces periodically. The political implications of the strategies deployed by local actors in order to reassess the local balance of power are well understood, interacted with and manipulated by forces operating at national level. In the current fight many observers point the finger at the New Patriotic Party (NPP) – the current Government party – as exploiting this situation to increase and consolidate its hold over an area that is still a National Democratic Congress (NDC) stronghold. The destooled Paramount chief, who took office during the years of NDC power, was seen by some as a legacy of the previous regime, and many of his subjects reproached him because in their opinion this inhibited his ability to represent Sehwi in its dealings with the current Government.

The conflict that has exploded in Wiawso in 2005 has been offset to some extent by the resolution of another major Chieftaincy litigation that has been seriously affecting the south-west corner of the Western Region for almost seven years: the rebellion of up to 15 of the 47 chiefs under the jurisdiction of the Paramount stool of Western Nzema/Jomoro District (for early developments, see Valsecchi, 2003).

Western Nzema Paramount Stool is not as big a stool as Sehwi Wiawso, and has nothing comparable 'attached to it' in terms of actual wealth (although the area has relevant potentialities in terms of mineral resources). However there is some substantial 'chop' and the office is one that carries considerable political cachet and associations in the turbulent Nzema context (Valsecchi, 2002).

This rebellion was led by the chief of Half Assini, the District Capital and by far the most important town in the area and one of the main subordinate stools within the Paramountcy. The 'traditional capital' of the Paramountcy is in fact Beyin, today a small and impoverished town. The conflict between Beyin and Half Assini, whose aspirations for autonomy date back at least to the late-nineteenth century, was simmering throughout the colonial days and continued into the independence period, occasionally erupting into something more serious.

Half Assini's chief and other dissidents accused the Paramount Chief, Annor Adjaye III, of violating basic constitutional and human rights by expelling Alex Asamoah, a controversial figure, from the Paramountcy with the backing of the Traditional Council

(in effect this meant expulsion from the District, which has the same boundaries as the Paramountcy) .

A successful businessman, Alex Asamoah was an immigrant from the Central region who established a substantial network of personal links with prominent individuals in the District through his commercial activities: notably with the leaders of the communities on the lagoon border with the Ivory Coast. For instance the chief of Jawe Wharf, an important settlement bursting with trans-border economic activities (of both a legal and an illegal nature), became his close friend and supporter. Asamoah, who had risen to the position of head of the migrant workers in Jomoro/Western Nzema, prefixed the honorific title *nana* to his name and was universally known as Nana Alex Asamoah: his bigmanship was substantially recognized by local convention, although he was not connected with 'indigenous' social and kinship hierarchy. Through his hard work and contacts, Nana Asamoah rose to a position of leadership within the structure of NDC (National Democratic Congress, the then ruling party) at the District level, eventually becoming the chairman of the party for the constituency.

He had some influential supporters in Half Assini, although many others resented the intrusion of this outsider from far beyond the District border and, more importantly, lacking any 'ethnic' credentials: 1) no connection between his original matrilineage and any of the Nzema Paramountcies; 2) no connection between his father and Nzema; 3) he was not born or brought up, or educated in any part of Nzema; 4) he has learned the Nzema language fluently but still speaks as a foreigner.

Obviously one or more of these elements could be brought up against a huge proportion of the 'indigenous' individuals residing within the Paramountcy/District, while a very sizeable part of the population is liable to be charged with all the elements at the same time. But generally this does not happen until a particular boundary has been crossed.

The activities of Nana Asamoah began to upset people when, in 1999, it became clear that he was trying to get out of office the incumbent District Chief Executive of Jomoro District. Local government in the District was (and still is very much) in a state of permanent unsettlement (Daddieh, 1998). In the years 1995-1999, three DCEs were dismissed either by the Government or by a no-confidence vote in the District Assembly. Nana Alex Asamoah tried very skilfully to capitalize both on his strong links

in the District and his alien origin, portraying himself as the ideal candidate for the top position: rich and respected, he was nevertheless not a 'son of the land' and, so he implied, not therefore involved in internal factional disputes, conflicts, chieftaincy litigations. When the third DCE in 5 years was removed by a vote of the Assembly, everybody said that the 'coup' had been engineered by Nana Asamoah. The deposed DCE was Mr. T. Ekye Kwesi: a prominent 'son of the land' and a member of the main *abusua* (matrilineage) serving and supporting the Paramount Stool. Ekye Kwesi was not only a rival of Nana Asamoah within the party, he was also an active threat to his private business interests. Indeed Nana Asamoah was in charge of the distribution of fuel to fishermen in the area through a network of service centres: an activity which inevitably prompted more or less substantiated allegations of involvement in smuggling with the Ivory Coast. One of the groups or companies formed by the youth in Half Assini, the "Cambodia Boys", attempted to engage in this very profitable business, thus threatening the virtual monopoly exercised by Nana Asamoah and his associates. The "Cambodia Boys" wrote a letter to the District Chief Executive seeking his approval of their move: which he granted to them. The statement by the DCE was obviously cause of serious concern for Nana Asamoah, who started using openly his levers within the District assembly to engineer a withdrawing of the consensus towards the District Chief Executive and his removal from office. In the meanwhile the case between Nana Asamoah and the "Cambodia Boys" had been brought before the chief of Half Assini, Nana Ayebie Amihere II, for an arbitrated settlement. The chief's judgement - critics said through the interference of Asamoah - was against the youth group, who made appeal to the Omanhene for a review of the arbitration. The hearing in Beyin determined a reversal of Half Assini chief's sentence. The Omanhene' pronouncement in favour of the "Cambodia Boys" and in support of the decision of the District Chief Executive was a serious blow both to Nana Asamoah, who felt disgraced, and to the chief of Half Assini, who felt somewhat humiliated.

Nana Asamoah's manoeuvre against the District Chief Executive was eventually successful: Ekye Kwesi was removed from office. However his dismissal was strongly resented by the Paramount Chief, who publicly criticized the District Assembly. Obviously the Chief's real target was Alex Asamoah, as the man acting behind the scenes. The Paramount Chief's reaction was in line with the government's own

concerns. Although not a 'NDC man', the Paramount Chief had strong links and support within the then government and national power establishment: especially an influential secretary of state, Lee Ocran (a veteran politician and business executive), who is moreover a sub-chief in Beyin, and Issah Salifu, an highly respected army officer from the Northern Region who had played a leading role during the PNDC era as the man at the top of the CDR (Committee for the Defence of the Revolution) organization in the Western Region, where he later kept his residence and a wide network of connections. Indeed the government withdrew its own appointees to the assembly who voted against the DCE and even dismissed the Presiding Member of the Assembly.

However, a section of the Traditional Council, led by the Chief of Half Assini distanced itself from the Paramount Chief's pronouncement and, in November 1999, sent two memos to President Rawlings complaining about the threat to the security of the district posed by the Paramount Chief's intimidating behaviour.

The tension continued to increase, until a breaking off occurred on 24 March 2000, when Asamoah, the Chief of Half Assini and their supporters refused to attend a meeting of the Traditional council to which they were invited to discuss the empassé. As a reaction the Paramount Chief issued a statement in which he charged them of gross disrespect to the Stool, expressly barred the dissenting chiefs from attending Traditional Council meetings and decreed the banishment of Nana Alex Asamoah from Jomoro/Western Nzema.

The consequences of a banishment order are extremely serious. The chief of Half Assini and his followers remarked as an accusation to the Paramount Chief that it implicitly granted the right to any citizen or resident to kill Nana Asamoah, should they meet him within the District's boundaries. No doubt such an implication is contemplated by local perceptions of his type of act, which can be quite obviously a thorny topic of discussion considering the rights granted by the Constitution of Ghana. If only to show the non purely academic nature of the matter, we may remark that on 26 March 2000 Asamoah narrowly escaped an attempt on his life when somebody shot at his car while he was driving in Half Assini.

On 30 March things took another dramatic turn when fifteen Divisional Chiefs and Queen-mothers and several hundred elders and 'concerned citizens', led by one of Half

Assinis's elders, Koloko Tanoe – the head (*abusua kpanyinli*) of the Stool family of Nzimitianu – gathered in a Hotel in Takoradi under aegis of Half Assini's chief. They denounced the unconstitutionality and illegality of the orders issued by the Paramount Chief against Asamoah and themselves, accused their ruler of behaving autocratically, and unilaterally decreed his suspension from office. The Chief of Half Assini was proclaimed Acting Paramount Chief by the rebels and he decreed that in future meetings of the Traditional Council would be held in his palace. Koloko Tanoe was generally indicated as the mind behind rebellion and a staunch advocate of secession from Beyin.

This amazing development did not benefit Nana Alex Asamoah, who had to run for his life and left the District discretely never to return. The name and past roles of the 'foreign' big man vanished quickly as soon as his previous 'indigenous' allies dropped him in practice, while using his case as the pretext for launching their attack against the Paramount Chief and the current 'traditional' framework of the area.¹¹

Their immediate strategy as a body was clear: to undermine the position of the current Paramount Chief by isolating him from as many chiefs as possible. But opinions amongst the rebels differed on the next step.

Their leader, Half Assini, supported by the chiefs surrounding his town in the western section of the Paramountcy, was obviously aiming at secession, i.e. getting his own status raised to that of Paramount Chief and obtaining the recognition of a new Traditional Council from the House of Chiefs.

Some other rebel chiefs, geographically closer to the 'traditional capital', Beyin, were instead hoping to unseat the incumbent Paramount Chief in favour of some other candidate within the stool family who was more sympathetic to their demands and ambitions. These rebels had more of personal grudge or disaffection towards their ruler than a real enthusiasm for the ambitions of Half Assini. Moreover a division of the Paramountcy would not necessarily have improved the position of their towns.

A big set back for secessionists was the refusal of the chiefs of some big towns to join their ranks. Notably the stool of Nuba, historically an important supporter of the

¹¹ What was said 'in the room' by some of his former local supporters – and opposers of the Paramount Chief – was that, alas, Asamoah did really exaggerate when he indirectly defied the Paramount Chief through his plot against DCE Ekye Kwesi. That amount to gross disrespect towards the entire Paramountcy, which is totally unacceptable from a 'foreigner' and a non-Nzema.

Paramount stool, remained staunchly loyal. Nuba's land accounts for a big chunk of the forest and best agricultural land in the Paramountcy/District and its population has been increased by the immigration of large numbers of immigrant tenant-farmers (critics say that Nuba is playing a waiting game and present a large bill to Beyin once the trouble is over).

However the rebels were enough in number to entrench their positions in their areas. Their more effective achievement was to paralyze more or less completely the operation of the 'traditional sphere' at the Paramountcy level, disrupting the working of the Traditional Council's committees and causing a substantial drop in the number of cases brought before chiefly courts above the town level. But more generally the conflict strokes a serious blow to the already unsettled situation in the area. By now an attempt by the Regional Coordinating Council (Regional administration) to settle the dispute had been scuttled and the case formally referred to the Regional House of Chiefs' Judicial Committee for adjudication. A paralysis of the 'traditional sphere' meant that disaffection and conflict were undermining communities from within and perilously affecting the efficacy of the entire local government system. The shadow of the Chieftaincy trouble was immediately reflected in the District Assembly, and enormously complicated the positions of the DCE, the Presiding member and the District administration. Everything they did was perceived locally as related in some way to 'the trouble'.

Both parties to the conflict were keen to make gains in the 2000 and 2004 presidential elections and were hoped for a shift in the balance of power nationally. 2004 was definitely a gain for the Paramount chief: Lee Ocran was elected MP for the Jomoro constituency on a NDC ticket.

These developments helped impressing a different turn to the situation, which started evolving quickly when some communities within the Traditional Area (Nzimitianu, Newtown, Anlomatuaepe, Ekpu) revolted against their secessionist chiefs, accusing them of having adhered to the secession without the consent of their subjects. These conflicts led to attempts to mediation by various individuals and groups (religious leaders, politicians and in particular some highly respected chiefs) which helped to defuse the situation.

As prospects of a secession were losing momentum and probably most of their appeal, the opponents shifted their focus to destooling the Paramount Chief by playing on divisions within the royal family and demanding the appointment of someone capable of negotiating a compromise solution to the conflict. Resentment towards the current incumbent ran high among some influential family members, who accused him of neglecting crucial commitments he had made on his enstoolment, such as the rebuilding of the ruined palace in Beyin, of using instead stool funds for furthering his own education and professional position (he recently graduated from Cape Coast University and did a master's degree in public administration). The rebels tried to capitalize on this dissent to the 'king-makers' to choose a member of the family more agreeable to them. This attempt was not successful. It is rumoured that the head of family (*abusua kpanyinli*) actually confronted the Paramount Chief with a request that he step down through mutual agreement, but the head of the family did not have the legal grounds (and perhaps the political will) to proceed to a destoolment *ex auctoritate*. The Paramount Chief requested financial compensation for his voluntary abdication that could not be met by the family. He won the battle within the royal family, which was always the most serious challenge.

Between 2004 and 2005 there were up to eight defections from the rebel ranks: they were chiefs living close to the paramountcy's capital who made their peace with the Paramount Chief by paying reparations to that effect, swearing oaths of allegiance and killing cows and sheep. However this climbdown further undermined their position within their own communities: the original supporters of the rebellion disapproved, while the general public questioned their dependability, given that they had started all the trouble in the beginning and then climbed down after years of conflict. It is only seemingly paradoxical that their main defender now appears to be the paramount chief, in relation to whom these former opponents presently find themselves in a state of extreme weakness and dependency.

More than any other external efforts at reconciliation these developments helped ease the tension, at least temporarily. Discontent over the long conflict and its negative effects on local society was running high amongst the population, and the main leader of the rebellion, the chief of Half Assini, realised he could not afford a protracted and open confrontation. The defections amongst his allies were also compromising all the

secessionist option's remaining chances of success: a Paramountcy made up of just a few stools on the District's westernmost tip was not a viable proposal and probably would not enjoy support among the population of the District capital itself, let alone Government and the House of Chiefs. We might add that the strength of Half Assini was already eroded in the course of the litigation by the death of some of its the main actors, first Koloko Tanoe, the alleged inspirer of the entire conspiracy, and later some of the rebel chiefs. These deaths were obviously diffusely remarked upon by many who interpreted them as obvious supernatural retributions for those who had imperilled themselves by breaking their oath of allegiance to the Paramount Stool – *per se* a most irksome and dangerous act – but especially by overrating their own effective ability in handling the unavoidable 'spiritual' consequences of this act. In short, people reproached them that they were unable to assess correctly the efficacy of their 'protections' in magical terms in front of the their ruler, whose power (*tumi*) compounds the one intrinsic to his royal status with the one he can derive from personal ability in dealing with powers and forces of both mundane and supernatural character and establishing pacts with them. More than anything else, the death of leading 'troublemakers' was adopted as a clear indication of which side in the conflict was the righteous one.

In the middle of 2005, the parties to the conflict moved towards a negotiated settlement brokered by eminent religious leaders that would be honourable for Half Assini and his followers. In a meeting of the parties in Ezinlibo, on (date) it was agreed that the rebellious chiefs might accept rejoining the Traditional Council in Beyin without any further penalty or reparation being imposed on them¹². After reaching this settlement the case pending before the Regional House of Chiefs was withdrawn. Subsequently most of the remaining rebels resumed attending the Council after just a simple pouring of libation, while Half Assini and three others are still at large¹³.

The Paramount Chief has won this particular round of the contest, but clearly any lasting solution will have to grant Half Assini and the ex-rebels some substantial gains.

¹² See Western Region House of Chiefs, Petition Book, vol. 2: 12-08-97/09-06-05: 422-425, Suit No P. I./2000, 23-3-05, Nana Ayebia Amihere II x 16 ors, Petitioners vrs Awulae Annor Adjaye III, Respondent; 05-04-05, Nana Ayebia Amihere II x 16 ors, Petitioners vrs Awulae Annor Adjaye III, Respondent.

¹³ Those who rejoined the Council after the settlement are Ezinlibo, Cocoa Town, Bawia, Nzemetianu, Agyeza, Mpeasem. Half Assini, Anlomatuaape, Ekpu and Ghana Nugua have not yet (September 2006)

Even if secession seems to have been averted and the Paramountcy's territorial integrity is not in doubt, it will be some time before we know the real consequences for the Paramount Chief and for the primacy of Beyin.

4. The 'Settler of the boundary': adaptation and mimetic devices in a conflictual universe

Although it is impossible to predict the future development of the chieftaincy dispute in Western Nzema, the examples provided in this paper of the chiefs' roles and behaviour as 'settlers of boundaries' say a lot about recent trends in Ghana's 'chieftaincy culture'.

The chief of Half Assini acted in a manner that has become typical. Given his subordinate position in hierarchy in a more elitist 'traditional' environment, the only way for him to increase the status of his office and his town, which is the District capital but only a subordinate stool within the 'traditional hierarchy', was to attain the status of Paramount chief. This would have gained him access to the House of Chiefs and other institutions at the Regional and National level. Anything less would not have emancipated Half Assini from the obligation to channel all 'traditional' contacts outside the Paramountcy through Beyin. Half Assini's followers in the rebellion would have been happy with improvements within the local 'traditional' context.

The Paramount Chief enjoys direct access to Regional and National institutional and political forums. During the most difficult moment in the dispute, when he was not free to move about a large portion of his Paramountcy, he seldom went to Beyin. Within Jomoro, the best chance of spotting him was usually at some official inauguration for development project involving important international partners, such as the big environmental projects in the Nkasa National Forest Reserve or the Amanzule river basin.

In his capacity as paramount chief, he was most in Sekondi the Regional Capital, Accra, and Essiama, a town in the Nzema East District subject to the Paramount stool of Atuabo-Eastern Nzema.

In Sekondi he regularly took part in the business of the Regional House of Chiefs, and sat on several of its committees. By 2004, he was interviewed on an almost daily basis

in the media on the subject of the Chieftaincy in the Western Region. In August 2004, he was a leading member of the House of Chiefs of the Western Region when it greeted the president on his visit to Sekondi. It is worthy of note that, the following day President Kufuor resumed his pre-election tour and in Half Assini visited the District Assembly premises. In Half Assini he was met by the chiefs of Western Nzema while the conspicuous absence of their Paramount Chief was much remarked upon. The Chief of Nuba, a key figure in the reconciliation process, gave the official speech to welcome the president on behalf of the divided traditional council.

In Accra where he was doing his intensive master's course in public administration, the Paramount Chief showed up regularly at official functions and meetings connected with Chieftaincy and related matters, and was a regular contributor at workshops, symposia, etc. on community development, leadership, administration and cultural aspects of chieftaincy.

Essiama became for him an important forum for his activities in relation to the Nzema as an 'ethnic' group. Essiama is home to a permanent body set up in the 1990s by the paramount chiefs from the districts of Jomoro and Nzema East in order to coordinate their activities. The name of this body is *Nzema Maanle* (lit. 'the Nzema world' or 'the Nzema state'), thus employing a definition that can be applied to several territorial and social units which, for linguistic, historical or geographic reasons, perceive themselves as 'Nzema' (the Nzema region is not all Nzema-speaking in the strict sense of the term, and not all Nzema-speaking communities are within Nzema).

Our embattled Paramount Chief found the Nzema Maanle to be an ideal forum for maintaining his profile as a Nzema chief, and it offset the diminished visibility and efficacy of his personal position as a result of the conflict within his paramountcy.

He became the chairman of this body in 2004 and managed to consolidate its very modest position by searching for funding from a very wide range of sources. He has been trying to widen the institutional remit of the Nzema Maanle. A large portion of the Nzema people lives in the Ivory Coast, where they occupy the territory running from the Ghanaian border to Grand Bassam. In spite of serious political problems, Abidjan still attracts many members of the Ghanaian Nzema female and male workforce, as well as being an important centre for their commercial activities, financial investments and

social relations. The Ivorian section of Nzema has always had deep links with the Paramount stool of Beyin. Indeed the most influential members of the royal family of Beyin are Ivorian citizens or Ghanaian residents in the Ivory Coast (more often than not they enjoy dual citizenship).

Capitalizing on his position in the Nzema Maanle, the Paramount Chief is pushing for more formal and institutional links and contacts between Nzema 'traditional authorities' on either side of the border.

The Paramount Chief of Beyin is openly exploiting the opportunities provided by the current stress on 'trans-border' issues in public debate throughout West Africa. His work on 'trans-border' issues has made it possible for him to repair and consolidate his recently threatened position within the royal family and strengthen his personal standing in the Nzema public opinion which has always been very sensitive to such issues. His peers, the other Nzema Paramount Chiefs, appreciate the high profile the Nzema Maanle has attained as a prospective forum through which Nzema 'ethnic' debate can be held, guided and presented to the nation as a whole in a manner that upholds the sectorial interests of the chiefs as a corporate body.

In spite of all recent attempts to restrict the boundaries of his domain and even to oust him from those boundaries through destoolment, our Paramount Chief showed a remarkable ability in confronting his enemies and widening the scope of his activities as a chief. More importantly, his reinvention of his role enjoys the explicit consensus not only of most of his subjects and the Nzema 'ethnic' public at large, but also of relevant powers at the regional and national levels.

He is a true 'Settler of the boundary'.

5. Conclusion

Chieftaincy in Ghana continues to play a crucial role in establishing identities. Recent years have witnessed an amazing increase in the ability of chiefs to perform this role and to widen substantially the scope of their actions as chiefs.

In entrusting the chiefs as a corporate body with a primary jurisdiction in dealing with chieftaincy matters, the Constitution enhanced their ability to change dramatically the

geography of chieftaincy. The creation of new paramountcies in the past few years demonstrates that this power has been exercised on a grand scale.

Although driven by internal disagreement and impeded by a lack of strategic aims, chiefs as a body are actively striving to increase their institutional role in sectors like local and regional government and to acquire a bigger share of the related resources.

On the other hand Chiefs don't move with the same ease as a corporate body. Chieftaincy is an expression of specific sectional interests. Sometimes it succeeds in establishing areas of agreement across different sectors, but at the end of the day it is structurally dominated by the interests and needs everyone expects it to express, and these are very often incompatible with a wider political discourse.

In other words Chieftaincy needs the state as much as society needs Chieftaincy.

However we should not overemphasize the role played by the state in providing the ultimate legitimacy for the authority and power of chiefs in order to demonstrate the inherent lack of autonomy and the marginal character of contemporary Chieftaincy in the context of the post-colonial state (see Reilly & Tordoff, 1993; ...).

Apart from its deeply entrenched formal and institutional characteristics, Chieftaincy is a crucial expression of Ghana's society and culture. As C. Lentz and P. Nugent (2000: 14-16) put it, 'there is no greater folly than to imagine that the state and society are somewhat divorced from one another in the Ghanaian setting...They are in reality mutually constituting'.

However it is worth adding that within this process of mutual constitution there is plenty of room for chiefs to continue redefining themselves in a manner that allows them to operate institutionally and politically from perspectives that are distinct from the national one. Although these perspectives easily transcend the state (Skalnik, 1989), they can often hold very considerable significance for national and trans-border politics in general.

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