



CIKOD POLICY BRIEF

INTERFACING TRADITIONAL AND FORMAL GOVERNANCE IN GHANA'S DECENTRALIZATION PROCESS

DECEMBER 2009

CIKOD POLICY BRIEFS ISSUE #1:
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Abstract

This policy brief highlights the fact that traditional authorities and their indigenous knowledge systems have been the basis for social and economic development in Ghana. This is true particularly at the local level. Traditional authorities should therefore be integrated into the decentralization system. Ghana is well endowed with a resilient traditional authority system, comprising chiefs, queen mothers, clan elders, youth leaders, spiritual leaders, who are already deeply involved in the development of their areas of jurisdiction. Traditional authorities offer a great opportunity for Ghana to be a flagship leader in Africa, providing a unique decentralization model which integrates traditional and formal local governance systems..

Summary

- The Traditional Authority system enjoys high legitimacy ratings in Ghana and a positive interfacing of traditional and modern governance structures at the local level will prevent duplication and conflicting power relations and contribute to efficient and effective decentralized development.
- The traditional system brings in the added value of local resource mobilization, useful indigenous and local knowledge as well as effective local organizational systems to complement the formal modern governance systems for a more socially, economically and environmentally sustainable development.
- The current decentralization system pays little attention to the existing traditional authorities leading to conflicts and inefficient use of development resources.
- For effective decentralization in Ghana, traditional authorities, especially chiefs and queen mothers and their traditional councils should be given political space and resources to play leading roles in the lower structures of the current decentralized system.
- The Ministry of Local Government and Rural development (MLGRD) should be empowered to facilitate the intergration of TAs and IK into all relevant government ministries and departments.

INTRODUCTION

It has been amply demonstrated that Traditional Authorities (TAs) play a major role in the development process in Ghana and elsewhere in Africa (Arthur, 2007; ECA, 2007; Ayee, 2007; Odotei, 2007; Nana Kwabena Nketsia IV Trust, 2007, Ray and Eizlini, 2004). Several examples in a number of varied areas of development where this role has been demonstrated in Ghana are presented briefly in the section below. The policy brief aims at highlighting this important role and drawing the attention of policy makers to the need to involve them in the decentralization process.

TRADITIONAL AUTHORITIES IN DEVELOPMENT IN GHANA

The contribution of Traditional Authorities in development is exemplified in the promotion of educational development programmes and projects (Asantehene Otumfuo Osei Tutu II, 1999); environmental conservation and climate change programme and projects (Okyehene Osagyefo Amoatia Ofori Panin, 2000), value added agricultural production and processing programmes/projects (Juabenhene, 2002; Naa Banka Nanyaali Graa II, Nadowli, 2009)

A research report by the Center for Indigenous Knowledge and Organizational Development (CIKOD) and the University of Cape Coast (UCC¹) describes the institutions of the traditional authority system to comprise chiefs, queen mothers, clan heads elders, asafo and youth groups and traditional priests. The paramountcy is the basic unit of governance with a traditional council as the administrative structure. The traditional council is hierarchically structured from the Paramount Chief at the apex to the clan head and elders at the lowest level.

Box 1. Perceptions on the role of TAs in development

When household respondents were asked their opinions on the effectiveness of TAs in performing their roles in local governance, 79% of the 214 respondents thought Paramount Chiefs are effective; followed by elders (75%), Divisional Chiefs (68%), Queens (65%) Sub Divisional Chiefs (59%) and Odikroor village chiefs (58%). Asafo and Okomfoor traditional priest were rated least. With regard to the relations between TAs and Unit Committees of the District Assemblies (DAs), over 95% of all respondents thought there were cordial relations between them. This high positive response suggests that it should be possible to build on these cordial relationships and encourage TAs and DAs to work together if appropriate policies and guidelines for working together are put in place.

Data on the perception of households at both Paramountcy and odikro levels on the relevance of TAs in their lives revealed that out of 300 respondents, there was an overwhelming 96% relevance rating for chiefs, 93% for queens 88% for clan heads and 62% for asafo groups. Reasons for the general high rating for TAs included their important roles in the following areas: maintenance of peace and discipline, custodians of land, providing leadership and direction, facilitation of development, preservation of culture and societal values and maintenance family cohesion (Guri et al., 2008).

TA respondents stated that they are generally relegated to the background by the District Assembly (DA) in terms of planning and implementation of projects in the district. DA officials however think the assemblies have created sufficient room for TAs to participate through community forums, frequent consultations and representation of TAs on committees of the assembly.

¹ A research team from CIKOD and UCC carried out a study on the role of traditional authority (TA) in the decentralized system in eight districts of the Brong Ahafo and Central Regions of Ghana (Guri et al., 2008). The study included a validation workshop in which TAs reviewed the outcomes of the study. These districts are: KEEA, Twifo-Hemang Lower Denkyira, Assin South and Mfantseman of Central Region, and Tain, Asutifi, Nkoranza and Bechem of Brong Ahafo Region.

In terms of existing linkages between state institutions and traditional authorities at various levels, it was established that although the Ministry of Chieftaincy and Culture and the Houses of Chiefs are the official institutions charged with the responsibility of integrating traditional knowledge into national policy, there are no legal mechanisms for interaction with other government institutions except for some token representation on the Council of State, the Regional Co-ordinating Councils and some state commissions. At the community level, the unit committees and area councils are the official organs of the decentralized governance system. Insufficient linkages to the traditional councils and TAs in general; with cases of conflicting activities between TAs and local government structures were reported. There was a general call for a return to the Town or Village Development Committee System of the 1970s which brought together both traditional institutions and all stakeholders with the chief as the head.

The barrier between the traditional and formal structures is mistrust and fear of conflicting power relations. Nonetheless, it was evident from the research that there is goodwill between the two sides in terms of the willingness to work together. This is particularly true at the sub district level.

Box 2: Some Propositions during the validation workshop (2008)

Traditional Authorities should be given a role in the decentralization process for the following reasons:

- a). They are closest to the majority of Ghanaians (rural Ghana)*
- b). They are available 24 hours to local communities*
- c). They are more efficient in the use of resources to address community issues (compare the resources at the disposal of the DCE as compared to the Paramount Chief).*
- d). They have a better understanding of what goes on in their communities and are able to take rapid action to address community problems.*
- e). They are better at mobilizing local people for local action*

POLICY ISSUES AND GAPS

The key policies that govern the decentralization process in Ghana include the following (Boafo-Arthur, 2001):

- The 1992 Constitution Chapter 20: Articles 240-250; Art 35
- The Local Government Act (Act 462) of 1993; establishing the MMDAs and related LI 1589 of 1994 establishing the sub-district structures
- The Civil Service Law, PNDCL 327 of 1993
- The National Development Planning (system) Act 480 of 1994
- The District Assemblies' Common Fund Act 455 of 1994
- The Local Government Service Act

None of these existing legislations on the decentralization process of Ghana today specify any automatic inclusion or clear roles of TAs in them. The purpose of this policy brief is to draw the attention of policy makers to spell out a clear developmental role for TAs in the new decentralization framework.

RECOMMENDATIONS AND POLICY IMPLICATIONS

The 1992 constitution makes the following points:

- ❖ Article 39 (1) states that “the state shall take steps to encourage the integration of appropriate customary values into the fabric of national life through formal and informal education, and the conscious introduction of cultural dimensions to relevant aspects of national planning”.
- ❖ The second clause of the same Article further requires that “the state shall ensure that appropriate customary and cultural values are adapted and developed as an integral part of the growing needs of the society as a whole”.

The policy implication at the lower levels: for effective decentralization in Ghana, Traditional Authorities, especially chiefs and queen mothers and their traditional councils should be given political space and resources to play leading roles at the lower levels in the current decentralized system. To achieve this, two options are proposed:

- **Integration of TAs at the lower levels:**

- The policy on the establishment of district sub-structures should be reviewed to allow for the automatic inclusion of TAs in the district sub-structures as well as in the relevant sub-committees of the district assemblies and the various government ministries and agencies.

- **Interfacing with TAs at the lower levels:**

- TAs and their Traditional Councils should continue to operate as independent institutions. However, steps should be taken to ensure legislative reforms to clearly define the role of TAs in the decentralized governance system.
- The traditional councils should be sufficiently resourced to play specific roles including resource mobilization, supervision of implementation of government projects and monitoring and feed back on quality of implementation.
- The TAs should be further capacitated through education on the DA system as well as modern accountability and transparency systems so that they will align their development activities with those of the district assemblies.

The Policy Implication at the central government level: there is the need to create an inter-institutional mechanism that will allow the Ministry of Chieftaincy and Culture (MCC) to facilitate the effective interfacing of TAs and IK into policies of relevant institutions such as the Ministry of Agriculture (MOFA), the Ministry of Local Government and Rural development (MLGRD), the Ministry of Health (MOH), and the Ministry of Environment, Science and Technology (MEST).

5.0 References

(These are being compiled separately)

