

GOVERNANCE, DEMOCRACY AND DEVELOPMENT IN AFRICA: A CULTURAL APPROACH

Presented by:

The Ghana Center for Democratic Development (CDD-Ghana).

At the International Conference on the Cultural Approach to Development in Africa.

(Organized by African Institute for Economic Development and Planning – IDEP - at Dakar, Senegal, 10-14 December 2001)

INTRODUCTION

Governance and democracy have become widely recognized as prerequisites for sustained development (Johnson 1982; White and Wade 1988). Democratic governance fosters transparency, accountability, the rule of law, respect for human rights, civic participation, and civic inclusiveness – all of which are necessary for securing economic productivity, equitable distribution and state legitimacy. We elaborate below the key elements of good governance, highlighting their links to sustained development.

An enabling legal and regulatory framework and sustained national development: An enabling legal and regulatory framework is one in which laws and regulations are clear, transparent, and applied uniformly, and in a timely manner, by an objective and independent judiciary. Where legal systems are weak and the application of law is uncertain and/or enforcement is arbitrary, they tend to distort economic transactions, foster rent-seeking activities, and discourage private capital flows, all of which undermine national development. Where adherence to rule of law is weak, security of private property is also weak, and investment prospects are low.

An enabling legal and regulatory framework is a key prerequisite for sustained development in many ways. Most importantly, it provides the minimum basis for creating rule-bound states, governments, private sectors, and civil societies. It is therefore essential for reducing official arbitrariness, uncertainty in transactions with governments and individuals and transaction costs as well as for promoting private investment. It also enhances the reliability and enforcement of contracts as well as discipline on the part of governments, markets and citizens.

Effective legal and regulatory frameworks are crucial for additional reasons. They underpin the creation, empowerment and sustenance of what Paul Collier (1991) calls “agencies of restraint” and others call agencies of “horizontal accountability” (O’Donnell 1999). Such agencies - independent central banks, audit agencies, ombudsman’s offices, parliaments, and anti-corruption agencies are essential for protecting public assets from depletion and socially vulnerable groups from exploitation. They are also crucial for preventing corruption and enforcing contracts. For such agencies to function effectively, they must be protected from the pressures they are designed to hold in check. They must be autonomous centers of power.

The post-colonial period has seen the neglect and sometimes deliberate attempts by governments to weaken such institutions. Emphasis has tended to be placed on patriotism and nationalism. (Thus, the Head of State will do the right thing because he is a nationalist or patriot). In recent times, where such agencies have been recreated, they have been created only because the World Bank, IMF and other powerful external agencies demanded them. (Policy conditionalities and the presence of expatriates in Central Banks, Finance Ministries, audit agencies are manifestations of this phenomenon).

The new governance agenda calls on Africans to take ownership of the sub-project of reviving, empowering and sustaining their own “agencies of

restraint.” This must be done not because it is an IMF and World Bank conditionality, but because it is necessary. It helps to reduce reliance on “voluntaristic” and therefore unstable forms of self-regulation and self-accounting such as nationalism and patriotism.

Of course, agencies of restraint are strongest and most sustainable when they are anchored in constitutions and/or legislation and form part of a transparent regulatory framework. This alone makes constitutional rule and constitutionalism very important to the good governance agenda, especially when it entrenches checks and balances and protects the independence of the judiciary, central banks, audit offices, and ombudsman’s offices, and places appropriate limitations on executive power.

A cursory review of affairs of state in most African countries will confirm clearly that such restraints are sorely needed in Africa so that national development is not compromised so badly as officials collect billions of dollars from the central bank with very little paper trace, the Governor is unable to resist the raid other than to note the transaction, and the money is expended on dubious and unspecified national assignments. They are also necessary so that the President of a country cannot hold his or her entire appointed public service hostage and dismiss them on the flimsy grounds of failure to attend a prayer breakfast.

Transparency and sustained national development: Aristotle entreats in his treatise: *The Politics* as follows: “....to protect the Treasury from being defrauded, let all money be issued openly in front of the whole city, and let copies of the accounts be deposited in the various wards.....” (Aristotle 1981)

Transparency refers to openness in the process of governance – in the election process, policy and decision making, implementation and evaluation, at all levels of government (central and local) and in all branches of government (executive, legislature and judiciary). It is broadly defined as

public knowledge of the policies and actions of government, existing regulations and laws and how they may be accessed. It requires making the public account verifiable and official behaviour amenable to scrutiny.

Transparency may not have been an issue when African communities were smaller, simpler and when knowledge derived on personal basis was possible. Transparency may not have been a big issue in the era of nationalist solidarity. We felt we could trust our leaders to do the right thing - even if they did not consult us before the action or report afterwards. But building trust in large and complex institutions and processes and in a multi-national, post-nationalist and globalizing world requires maximum investment in transparency.

Transparency helps to counteract the well-known and universal tendency for public agencies and officials to trespass, violate and bend the rules. Transparency has profound socio-political and economic consequences for our societies. It has fostered citizen suspicions, cynicism apathy and lack of interest in participation among African publics. Without information about rights, entitlements and responsibilities, the relationships between rulers and the ruled as well as between providers of public services and the consumer public have become degraded and conflictual. Lack of transparency is largely responsible for the tendency for the public to believe in wild and fantastic rumors, especially where public officials are involved.

Today, there is widespread recognition of the importance of transparency to national development. A consensus is emerging among development specialists that development failure is directly correlated to lack of media freedoms. In a modern society, a free and effective media is important for transmitting messages from top to bottom (as in "the development journalism" we are already familiar with in our state-run media). A free media is equally essential for transmitting messages from bottom to top and from side to side.

A free media is also a veritable early warning system for warding off famine and violent conflicts. Note should be taken of a reminder by Amartya Sen, the distinguished Indian economist and winner of the 1998 Nobel Prize in Economics that “*in the terrible history of famines in the world, no substantial famine has ever occurred in any independent democratic country with a relatively free press.*” (Sen 1999). The media is a central part of the ensemble of institutions and processes such as elections, ombudsman’s offices, independent judiciary and active civil society that are relied upon to foster official transparency and accountability. No media freedom, no transparency nor accountability nor good governance. Whatever its downside and notwithstanding cultural inhibitions, delivering good governance in Africa requires that we privilege media freedoms over other values and institutions.

Accountability and sustained national development: Accountability, according to the Encyclopaedia of Democracy, refers to “the ability to determine who in government is responsible for a decision or action and the ability to ensure that officials are answerable for their actions” (Lipset 1995:9). Accountability is also defined as holding responsible elected or appointed officials and organizations charged with a public mandate to account for specific actions, activities or decisions to the public from which they derive their authority. In a narrow sense, accountability focuses on the ability to account for the allocation, use, and control of public assets in accordance with legally accepted standards. In a broader sense, it is also concerned with the establishment and enforcement of rules of corporate governance, avoidance of conflict of interest, and prudent as well as competent discharge of public trust.

Accountability is essential for affirming the obligation of rulers to the ruled, public officials to the public, and government to taxpayers. It is therefore crucial for inducing governmental effectiveness and responsiveness, and generating legitimacy.

Accountable governance requires the creation and sustenance of a variety of cross cutting institutions and processes: free, fair and regularly scheduled elections in which incumbents face a real possibility of losing; an independent media strong in investigative reporting; independent judiciary; independent election authority; effective parliamentary oversight, effective public accounts committee of parliament, independent audit body, independent ombudsman and other independent constitutional commissions.

For these agencies of vertical and horizontal accountability to be effective, they must have constitutional independence, the processes of appointing and removing the officials in these institutions must be insulated from politics and political regimes, and they must have operational as well as financial independence.

It is also important that internal controls (the supply side of accountability) are underpinned by external controls (the demand and political side of accountability). That is, in addition to internal and technical controls, citizens must be empowered to demand responsiveness and accountability from governmental and public agencies.

An Anti-Corruption environment and sustained national development:

Corruption of course is a universal problem, with complex causes. Its net effect is commonly regarded as negative for all societies, especially developing countries. It leads to economic inefficiencies; distorts development; inhibits long-term foreign and domestic investments; misallocates talents to rent seeking and away from productive activities; induces wrong sectoral priorities and technological choices. It also undermines state effectiveness in the delivery of services, and the protection of the vulnerable and the environment. Corruption promotes economic decay and social and political instability, perverts the ability of the state to foster rule of law, and eventually corrodes trust and undermines legitimacy. These costs

mean that sustained African development requires mounting a frontal attack on corruption.

Of course, corruption is highly rewarding for those who engage in it. Therefore, the creation and sustenance of a low corruption environment requires the establishment of effective mechanisms of discovery and punishment. An institutional framework conducive to fighting corruption must promote easy oversight, assessment of wrongdoing and punishment for those convicted of wrongdoing. Equally important, the institutions established to oversee, expose and punish corruption must be insulated from the very actors they are supposed to be controlling (Diamond 1998). Here too, we must build institutions for preventing, detecting and punishing corruption instead of relying on individual morality.

And because of its complex and multi-faceted nature, combating systemic corruption requires partnership and collaboration among public agencies, private sector and civil society, including the media (Langseth, Kpundeh and Pope 1999). Maximum effectiveness is possible only when the existing laws and regulations are supportive and transparent.

Stakeholder participation/civic inclusiveness and sustained national development: “Participation” refers to the involvement of stakeholders and citizens at large in the making, monitoring, review and termination of policies and decisions that affect their lives. It is about the creation and sustenance of mechanisms by which individuals, the private sector and civil society can participate in their own governance.

Stakeholder participation gives meaning to civil society empowerment, which is vital to making governments and private sectors responsive; and of course, governmental responsiveness in turn fosters trust and legitimacy. Stakeholder participation is crucial for engaging the energies and securing the

commitment of citizens for sustained development and for fostering equity in the distribution of the benefits of development.

Indeed, in the context of Africa's "divided societies" and in the face of severe gender inequality, inclusive civic participation is absolutely essential for generating social capital and societal cohesion. It helps to foster trust and reciprocity between citizens and their governments, the state and the private sector, and among the different social and political groupings.

However, it is important to add a note of caution on the institution and value of civic inclusiveness. The principle is always correct. But the application has often been incorrect. In Africa, inclusiveness has been secured largely through patronage, cooptation, bribery and manipulation of national symbols. (For example, "Your tribe, region or religion is included because the most incompetent and most corrupt individual from your tribe, region or religion has been given a cabinet post in our government"). The distribution of the typically small national cake has been at the center of politics. (Thus we built community centers for villages as a sop, and without developing productive and the jobs that would sustain the local economy and keep citizens from that area at home to enjoy the community center).

In nearly all cases, inclusiveness has focused on sharing economic benefits and symbols, leaving political power to be kept as a monopoly. (You take the crumbs from the national cake and leave political power in my mighty hands). Thus, one of the most important value adding intellectual tasks we have to undertake is how to foster inclusiveness in a manner that would sustain and not undermine long- term economic growth.

Second, participation does not necessarily have to be direct. Direct democracy is not necessarily the most efficacious and practical way to institutionalize stakeholder participation in complex and large societies. Good governance and sustainable national development will be fostered if credible

regularly scheduled elections are held, and in between elections, key decisions are made by government and elected representatives, in consultation with the private sector and civil society. The cause of good governance is best served in modern societies through representative democracy with strong elements of consultativeness and a little bit of direct democracy.

Democratic values and institutions, and national development:

Democracy is a system of government based on the consent of the people and one in which the mandate to rule is subject to periodic renewal. Modern democratic governance also entails citizen representation.

The relationship between democracy and good governance is fairly straightforward. Democratic governance and good governance share similar values and institutions. Governance focuses on the administrative and technical aspects of the exercise of public authority; democracy focuses on the political aspects of governance. (Leftwich 1993)

However, the relationship between democracy and national development is rather complex. While the countries in Africa generally regarded as developmentally successful, Mauritius and Botswana, have had effective multi-party parliamentary governments (Sklar 1989; Brautigam 1999), Uganda and Ghana put in their best performance with economic reforms when they had authoritarian regimes (Jeffries). Indeed, the South East Asian developmental states were developmental and well governing long before they became democratic. Secondly, democratic pluralism seems to bring complications to the economic reform process. Empowering civil society has often meant empowering the popular classes and others who may be opposed to painful austerity measures.

But then, South East Asian rulers, for reasons that are not clear, did not seem to need democracy to govern as if they had a social contract with their citizens. The notion of “the iron rice bowl” and “the mandate from heaven” seem to imply a certain amount of commitment to accountable governance. However, the equation is different for Africa. The colonial origins of the African state appear to have removed many of the elements of an organic connection between African states and publics, rulers and their subjects (Ekeh 1975; Hyden 1980). It is not surprising then that in Africa, authoritarian control has rarely been used to promote good governance or sound economic policies. Indeed, in the absence of effective self-policing, discipline on the part of leaders and credible agencies of restraint, even good policies have all too often fallen prey to neo-patrimonialism and accompanying tendencies to self-destruct. Thus, an obviously rational and nationalistic/patriotic Mobutu could find reason to loot his own treasury and find himself dependent on chicanery and repression to survive.

Against this background, it can be contended that democratic values and institutions must be added to the good governance and national development potion in Africa – even if democracy had not been needed in achieving the developmental successes of South East Asia and even if liberalization of politics creates short-term complications for economic reform. Democracy offers the best prospect for reconstructing the social contract between rulers and the ruled in Africa. It is the only way to subject mandate to govern to periodic renewal and make continued stay in office dependent on a modicum of performance. Democratic rotation of office is the only way to get the African politician to “get a life” and to reduce the high stakes attached to getting and retaining power. Moreover, democracy and its central principles such as decentralization of power, federalism, consociationalism, protected minorities, give and take, negotiation and respect for human rights, may be the most effective means by which the inevitable conflicts in multi-ethnic, multi-cultural, multi-class African societies can be meaningfully and sustainably managed (Gyimah-Boadi, 2001). Moreover, civil society

empowerment is the best means to liberate and harness the creative potential of the majority of citizens for national development. (Landell Mills, 1992)

Background to governance and democracy agenda in African development: A number of factors account for the emergence of governance and democracy on the agenda of African development at the end of a millennium and into the beginning of a new one. They include the following:

- The development failures of the African continent in the 1980s, and in particular the mixed and meager accomplishments under structural adjustment programs (SAP). (Leftwich 1993)
- The rise of pro-democracy movements in Africa and other parts of the developing world, with the demand for improved governance as a rallying point. (Bratton and van de Walle 1992)
- The forces of globalization, the rise of global competitiveness, shaped by the end of the cold war, and the imperatives it places on countries and their governments to provide a sound domestic policy environment and sound economic management. (Bates 1994; Grosh 1994)
- The lessons drawn from the experiences of the developmentally successful countries of South East Asia and a few in Africa - that sustained development requires not only investment in physical and social infrastructure (roads, bridges, schools etc), but also substantial investment in civic infrastructure (trust, reciprocity, citizenship, and public accountability). (Wade 1991; Amsden 1989)
- The new agenda also reflects the growing sense that the main strategies and tools used for state and nation-building and for socio-economic advancement in the first 30 years of African independence are largely unsustainable, even if they delivered some limited developmental successes. (Sanbrook 1985)

It is important to note that the governance and democracy agenda does not ignore/reject the notion that factors, such as initial poor economic conditions

at independence, hostile international environment, negative external shocks, and policy mistakes, have contributed to African development failures. However, as a forward-looking agenda, it places emphasis on factors that are largely within our control and which are crucial for advancing the goals of national development, however defined. Above all, the good governance agenda represents an effort to revive and strengthen trust in governmental authorities, institutions, political leaders, private sectors and civil societies. In short, it is an agenda for moving African nations towards “developmental states.”

The subsequent sections of the paper are devoted to a preliminary review of key elements of African culture and traditional political institutions and practices. It explores the relevance of indigenous political values and institutions to democratic governance in postcolonial Africa.

TRADITIONAL VALUES AND INSTUTIONS

African culture is often conceived of as anachronistic, sexist and denigrating of the rights of individuals. The various campaigns against cultural practices such as female genital mutilation, widowhood rights and practices of witchcraft have highlighted those customs that devalue the wellbeing of individuals, particularly women. The African’s predilection towards mysticism, superstition and the spiritual, has also been noted; and emotion, rather than logic and reason, are said to constitute the basis of behavior.

We don’t intend in this paper to rebut these; for there is little doubt that certain customs, attitudes and outlooks are inimical to Africa’s welfare in contemporary times. However, the persistence of certain undesirable customs and attitudes must not blind us to positive aspects of African culture that inform the core values of African societies. It is these values and the institutions, set up to support them, that were largely responsible for the

development and survival of pre-colonial African states. We will explore some of these values and institutions in the next section of this paper.

Humanism and Communitarianism:

The foundations of African traditional values are humanistic and communitarian. Africans place great emphasis on community, human welfare, and on what philosophers describe as “personhood.” Communitarianism fosters a strong sense of community and a spirit of collectiveness. It emphasizes the relationality of individuals--- the fact that individuals are interdependent and subscribe to the same communal values. The notion that individuals must always seek communal, rather than individual good encourages people to be each other’s keeper.

Communitarianism is what also informs the custom of holding land in trust for future generations rather than for individuals. The spirit of communality seeks the welfare of other less fortunate members of society, and requires that well-to-do family members provide for and uplift poorer members of the family. Finally, because communitarianism considers the community as a fundamental human good in an interdependent world, it constantly stresses harmony and co-operation and recognizes that actions of individuals affect the community as a whole.

This does not mean the individual was considered unimportant. African morality promotes the well-being of individuals and emphasizes that the desired attributes of a person are those things that bring about dignity, respect, contentment, prosperity and joy to the individual and the community. But the communal being does not live in isolation; he is embedded in society. A communal being therefore naturally relates to others and is constituted, to an appreciable extent, by social relationships. The notion of “personhood,” which is defined as moral achievement, explains the importance Africans attach to certain “humanistic” values. Personhood is attained in proportion to how one lives life, and how one participates and discharges duties to the

community. When an individual's conduct is consistently cruel, selfish and ungenerous that individual is described as "not a person." (Gyekye 1977). On the other hand, a person is that individual who has good character, is generous, considerate, respectful of others, etc. Thus being considered a person is a moral judgement that is based on assumptions that there are certain basic norms and ideals to which the individual must conform in order to be regarded as such.

The emphasis on humanity and personhood finds expression in several African maxims. A common name among the Ewe of Ghana is "Amewushika," *a person is worth more than gold*, and "Vinyowuho," *a child is better than riches*. Akans of Ghana also have a maxim, "a human being needs help," suggesting that a human being deserves help, and therefore ought to be helped.

Reverence for Age:

It is often said the principle of age as a criterion of wisdom in Africa distorts social relations and encourages gerontocracy, the rule by elders that is not necessarily based on achievement or knowledge. Knowledge is not identical with wisdom nor does longevity determine achievement or knowledge. But if age is perceived as denoting experience and resilience, then deference to age can be considered a positive value to be cherished. Experience is regarded as the primary source of knowledge as demonstrated in the Swahili maxim: "Experience is the mother of knowledge." It has also been pointed out that the Ewe word for knowledge, *nunya* literally means "thing observed."

Related to the African's reverence for age is the importance attached to taking care of the old. It is considered wicked to abandon one's elderly relatives; and from an early age one's responsibility to parents especially in their old age, is inculcated in the child.

Knowledge is in itself a cherished value; it connotes freedom. Wisdom is distinguished from knowledge and is also considered a highly desirable trait. Many African maxims suggest the indispensability of wisdom in grappling with practical problems. Africans generally also recognize wisdom as providing individuals with the ability to think out and solve practical everyday problems and to reflect on humanity.

Various scholarly works have addressed the question of African traditional values and traditional governance institutions. J.E. Casely Hayford's book, Gold Coast Native Institutions (1903) and John Mensah Sarbah's Fanti National Constitution (1906) are among the earliest attempts at presenting the structural underpinnings of African societies and cultures. Later scholars such as J.B. Danquah (1928) and Busia (1954, 1967, 1968) engage the dialogue on African governance, challenging notions that African societies were feudal by explaining the democratic aspects of, for example, Akan political organization. Typically the Asante kingdom is held as an example of a centralized government in which decentralized regions and localities retained substantial autonomy and mechanisms for resolving internal conflict. A division in Asante consisted of an aggregation of units made up of lineages, villages, sub-divisions and divisions. Each lineage was a political unit and the chief was the axis of the political relations of the different lineages.

It has been argued that in Africa chieftaincy is perhaps the only indigenous institution that has been able to withstand the onslaught of alien cultures. From West to East, North to South Africa the institution of chieftaincy has proven resilient even in times of political instability and, in the case of some troubled states, has acted as an important source of legitimacy. But the chieftaincy institution has not always won the admiration of democrats. The chieftaincy title is seen as an institution to which only a few have access; and it is based on circumstances of birth, not merit. It is not only hereditary, it is for life. Seldom are "natural rulers," as chiefs are sometimes called, subjected to any meaningful performance appraisal.

Scholars have also drawn attention to the hierarchical, stratified nature of African society in general, which allows the political and economic dominance of lower classes by the aristocratic groups. Thus even where there are checks and balances against absolute authority, the exercise of those controlling forces is not the privilege of the entire community including commoners, but the exclusive preserve of immediate members of the ruling aristocracy. Commoners seeking to exercise institutional vigilance and controls have been either censured or compelled to adopt linguistic courtesies and protocols of communication, which have been conditioned to enjoin conformity, or minimize dissension. Cynics have interpreted such protocols as censorship.

Notwithstanding the above drawbacks and reservations, a number of values and practices consistent with and affirmative of democratic governance can be found in African traditional political institutions and cultures. Following classical and modern scholars such as Aristotle, Robert Dahl, Phillippe Schmitter, David Held, Larry Diamond etc., we identify a number of the elements of democracy and democratic governance elements in traditional African political traditions and institutions, especially in the case of the Asante of Ghana. They include competitive succession, rule by the consent of the people, checks on power, consultation, consensus, transparency and accountability, inclusiveness, fairness, and respect for property rights.

Competitive Succession:

The hereditary nature of chieftaincy has led to the assumption that the institution is undemocratic and unreflective of popular will. Evidence from other scholars and writers on traditional political institutions however, suggests that there are strong elements of democratic values in chieftaincy institutions, evident in different traditional states across the continent. It has been variously observed, for example, that chiefs in societies such as Asante, Yoruba, and Swazi, rule with the will and consent of the people, have limits

and checks on their powers, allow for freedom of expression and wide citizens participation in governance.

Regarding succession, it has also been pointed out that unlike monarchical rulers of the West there are no heir apparents in traditional Africa; there is competitiveness in the process of selecting African rulers. In African kingdoms rarely was there a single designated individual in succession rule. Succession often alternated between different independent gates within the royal lineage. Among the Asante, Ewe, and Ga of Ghana, for example, even though the chief must come from a particular royal lineage, kingmakers have a choice of candidates to pick from. This allows for competitiveness, influence from and campaigning by interest groups that lobby the membership of the electoral council. In some cases, notably among the people of Abura Dunkwa in the Central region of Ghana, succession is predicated on the needs of the times; and individuals from eligible households whose qualities are considered peculiarly suited to societal needs are sought as ideal candidates.

In Akan society where selection is based on achievement and character, royals are groomed to acquire certain qualities that would enhance their chances. J.B. Danquah (1928) likened the selection body to an electoral college where representatives of the people, in the form of elders, choose their ruler.

This worked well as lineage ties were the basis of communal life and everyone belonged to a lineage or a clan headed by elders. The heads of important lineages were the chief's councillors and, naturally the representatives of their lineages. Elders were chosen by grown-up men and senior women of the lineage. If the superior chief did not like the nominee he could state his reasons and ask that the lineage reconsider and present him with someone with whom he could "look after the state" (Busia, 1968)

In the Akan set-up, as in the political organization of other ethnic groups in Ghana, (e.g. Ga Dangbe) there is consultation and lobbying within royal families and among the elders at the chief's court for suitable candidates. Among the Asante, for example, the queen mother is asked to present three nominees. The queen mother usually then holds a meeting with all the adult men and senior women of the branches of the royal lineage to consider the qualities of prospective candidates. The process allows for the rejection of the queen mother's choice. If her choice is rejected three times she loses her privilege of selection and selection is then made from the lineage by the all the kingmakers, including the queen mother.

Consent by the People:

Most African monarchs acknowledge that they hold power in trust for those they govern. Ordinary citizens have a say right from the beginning of the election process, and are able to assert their will through young men, *mmerante* or *asafo* groups who could express their opinions on the choice of candidates. If they express strong reservations, their views could force the "kingmakers" to reconsider the choice. "*Wei dei mbrante no mpe no*" (the youth do not like him), it may be said. In the Akan polity the *asafo* are a recognized association with a recognized leader, who contributed to debates and whose representations on issues carried weight. Thus through the *asafo* ordinary citizens could criticize government and contribute to decisions affecting the realm.

The maxim, "a royal does not install the chief; that is the privilege of the ordinary citizens who have to serve him," underscores the importance of the people's will in the process. Similar maxims have been attributed to the Basotho people of Southern Africa, the Lovedu of the Transvaal and the Ndebele of Zimbabwe suggesting that rulers derived power from the people. According to the Basotho, "A chief is a chief by the people" (Gyekye, 1996).

Particularly in pre-colonial times the traditional set-up encouraged participation by citizens in decisions. The chief's palace was also the place where cases were adjudicated and citizens had free and easy access to make representations to the chief if they so wished.

Checks on Power:

It stands to reason that if the chief rules by the consent of his people, the people would constitute a check on arbitrary power. Chieftaincy tenure is subject to popular controls. No monarch is absolute as there are countervailing powers that are generally recognized, including spiritual powers such as the power of ancestors. The belief that the chief is not above the law is widely held in many African societies. Among the Swazi, Bechuana, Ewe and Akan, the chief could be tried by his own council if he broke the law.

Under the Akan political system, the checks on chiefly power were embedded even in the pledges and oaths that were recited at the formal installation of the chief and which were constitutionally binding on him. A series of public injunctions by the elders outlining the wishes of the people regarding the chief's conduct, were publicly conveyed to the chief.

"We do not wish that he should curse us. We do not wish that he should be greedy. We do not wish that he should be disobedient. We do not wish that he should treat us unfairly. We do not wish that he should act on his own initiative. We do not wish that he should ever say to us I have no time."

Indeed, the public oath sworn by the chief upon taking office includes declarations to abide by the laws, customs and institutions of the state and pronouncements such as:

“If I do not govern you as well as my ancestors did; if I do not listen to the advice of my elders; if I make war upon them; if I run away from battle; then I have violated the oath.”

There are special festivals such as “Apor” celebrated in the Brong Ahafo region of Ghana, during which the chief can be publicly criticized, even insulted, by ordinary citizens. A similar opportunity is afforded in the Ga (Ghana) traditional set-up during the annual Homowo festival.

More importantly, citizens had a constitutional right to destool their chiefs if they were found to have committed serious infractions, crimes or broken a taboo. Crimes such as murder, and theft; misdemeanours such as taking someone’s wife, or in the old days not producing a child, were automatic grounds for destoolment in the Akan political set-up. Chiefs could also jeopardize their stools if they were seen as violating their oath – not consulting on decisions, not being available to the people, being despotic, etc.

Again there are maxims that point to the limited power of the chief and the power relations between the chief and his subjects worth noting:

“If a chief reprimands you for doing something, he does so by the authority of the citizens. “There are no bad chiefs, only bad advisors.”

“It is when the state kills you that the chief kills you.”

The gold-embossed emblem on top of the staff held by the chief’s spokesman during public ceremonies depicts an egg in a hand. The maxim that complements the symbol likens power to an egg: held too firmly, the egg breaks; held too loosely, the egg falls out of the hand’s grips.

Consultation:

Consultation was a cardinal principle of African leadership as was broad based participation. The chief was bound by his oath to consult the elders on all matters and to obey their advice. Aside from the Akans, most Ghanaian ethnic groups – Ewe, Ga-Dangbe, etc. stressed that a chief had to rule with his elders and not alone and that as representatives of the people elders had to be consulted on all issues. Failure to consult could be grounds for destoolment in some areas.

The chief was also expected to confer with the queen mother who advised him on his conduct and reproached him, even publicly, if necessary.

While final decisions are the prerogative of the inner circle, there are public discussions on issues at which all adult citizens, including women, are allowed to contribute opinions.

Maxims to underscore the principle of consultation include “one head does not go into council,” “wisdom is not in the head of one person,” “two heads are better than one.”

Consensus:

Kenneth Kaunda is quoted as having remarked that “in our original societies we operated by consensus. An issue was talked out in solemn conclave until such time as agreement could be achieved.” Under the indigenous system laws are arrived at by consensus, not unilateral declarations, royal decrees or vetoes; and so the word of the chief was not automatically law. Decisions are a product of consensus of the chief and his counselors. To ensure harmony and support for decisions, consensus, rather than majority vote is considered the ideal. Thus parties representing shades of opinion were allowed to keep talking until a consensus was arrived at. It is generally believed that there was no problem that could not be resolved by dialogue and consensus. It was

reasoned that the final compromise decision would be considered a product of all the parties, with no losers, and that everyone would be reconciled to whatever decision taken. Through the pursuit of consensus the opinion of every individual is valued and seen as contributing to the final outcome. Reaching a consensus on issues is considered an important way of fostering and maintaining harmony. A chief could not reject views that had strong support. Despite the fact that he had the last word, rejecting a consensus-based decision was considered an infraction of the oath.

Transparency:

African traditional rulers may have relied on divination and mysticism, but there was also a strong element of public participation in public policy-making. The decision process in traditional governance was not only broad-based and participatory; the entire processes of governance – from the installation of a chief, to the adjudication of cases – were transparent. The traditional political set-up in Akan societies, for example, included a divisional chief who acted as a kind of auditor-general, overseeing the assets of the state. Indeed every event had a functionary that was responsible and accountable to the people.

Traditionally the chief had to declare his own property; and while on the stool he could not acquire any private property. The state took care of his needs. This was to ensure that the chief put the needs of the community before his own individual needs. It was also to prevent a conflict of interest and preempt conflicts between managing the chief's personal affairs and those of the state.

Several practices of the Akan chief, for example, reflected a strong emphasis on transparency. Any transaction between the Akan chief and other parties was automatically null and void in the absence of a witness. Minority opinion was entertained and even encouraged so long as they complied with traditional norms of communication (Yankah, 1997)

Accountability

On the face of it, the emphasis on gerontocracy and the hereditary basis of rule in African traditions may give the erroneous impression of non-accountability. If patrimonialism has posed a problem in modern governance, so could gerontocracy in traditional Africa, where authority seems to be vested in the aged. Here apart from old age itself constituting the basis of authority, old age was also wisdom, knowledge, and above criticism. This has posed a problem in modern democracy, where institutionalised criticism is normative, and where youths critical of authority, have sometimes been accused of insubordination. The press in Africa occasionally suffer the same fate, where face-to-face interviews with “Big Men” sometimes fail to generate critical questioning by reporters, who fear to be accused of effrontery in the face of authority. In certain places, “Big Men” are known to report errant journalists to media managers when they feel they have been treated with disrespect by probing and vociferous questioning (Bourgault 1993:83). The African journalist in seeking to expose scandal in leadership has occasionally been cautioned to respect the elderly (See Yankah 1998: 34). It may, however, be added that the concept of old age has sometimes been perverted by self-seekers, who adopt it to secure attention and special privileges.

Yet, the privileges of the aged in traditional Africa, appear to have been oversimplified. Age and leadership attracted more responsibilities than privileges. One’s responsibility was in living up to high standards in responsible behaviour expected of the aged – behaviour responsible enough to be worthy of emulation by social subordinates. This perhaps explains the indigenous processes and expressions involved in king making. In certain parts of Ghana, a preliminary practice in king making involves the candidate’s ‘arrest,’ which explains the expression, ‘kye hene’ - arrest a royal nominee, prior to confinement and installation. This involves literally taking him by surprise, seizing him for confinement, prior to official installation. It is presupposed that the chief-to-be would resist; for to be chief is to accept a

social burden. (This was confirmed in focus group discussions and interviews with chiefs.)

This is amply evinced in dramatic scenes observed at royal courts when praise appellations are being recited for kings, as they sit in state. While they look visibly elated by the high sounding eulogies based on their meritorious accomplishments, chiefs are occasionally moved to tears by panegyrics that seek to please them. The former King of Ashanti, Otumfuor Opoku Ware II, was once seen sobbing during a public appellation recital in his honour. One counsellor later explained in an interview that, the appellations the king heard were a capsule of the noble achievements of past kings. Any incumbent king listening may thus be thrown into self-reflection, and be compelled to assess himself: *Can I match the high standards set by my predecessors; have I lived up to expectation?* This indeed reflects the understanding of the highest level of political responsibility and responsiveness, which lies at the core of accountability.

It is true that gerontocracy comes with presumptions of honour, respectability and high social responsibility. However, elders and chiefs earn the continued respect of their people by conducting themselves and the affairs of state in such a manner as not to bring shame and dishonour to their offices and people. If the elder is more authoritative and respected, he is also duty bound to lead an exemplary life; for he loses respect if he defaults in responsible behaviour. Moreover, where the elder defaults in responsible social behaviour, not only are the institutional sanctions he attracts severer, any incidental public shame on him is considered self-inflicted and well deserved; for the elder is expected to have known better. An Akan proverb says, *where the forest bird may be pardoned for not knowing that rice is edible grain, bird of the grassland has no excuse*. In short, the privileges of the elderly were enjoyed only in combination with commensurate exercise of responsibility.

In Asante, as among many other ethnic groups in Africa, land was communal property. Divisional chiefs remained the custodians of land, and it was understood that they held the land in trust for the people. Chiefs and people had the right to use the land, considered to have been bequeathed to all, by the ancestors. Even despotic chiefs could not seize land and property because it was considered communal.

Inclusiveness:

Traditionally the principle of inclusiveness was manifested in the integration of outsiders such as slaves or people of minority ethnicities into the polity. The Akan state, for example, catered for diverse immigrant ethnic groups; these were allowed to install their own chiefs (e.g. *Zongohene*, or *Anlohene*). While they were not represented in the traditional council, these special chiefs were recognized as representing their people, and consulted and included in the decision-making processes. The manner in which slaves were integrated into households also suggests that the African value system did not favor segregation. It was considered bad form to refer to minority residents of the locality as “strangers” or remind people of their slave roots. The Asantes even say, “One does not reveal another’s ancestry” (for fear that it might reveal lowly social birth or immigrant status, and lead to litigation).

The value of integration is also illustrated in the traditional practice of chiefs feeling free to marry from every community within his domain. The essence was to plant a broader interest in the stool especially since the chief’s children, who by custom were not eligible to rule, were his immediate bodyguards. The maxim that the Asantehene has the ears of an elephant and the ears were the ordinary people, queens, children, etc. underscores this principle.

Fairness:

As the most powerful man in the state protocol, it is required that the chief speaks last on an issue. This is meant not to ensure that the elders’ opinions

are not prejudiced by the chief's. The chief then gets a sense of the various positions before he pronounces judgment. This is always emphasized during the confinement of the chief-to-be, prior to his official installment. The importance of appearing fair also underpins the reason that in the succession process the queen mother rarely selects her son first.

INFUSING TRADITION INTO MODERN GOVERNANCE

To what extent are some of the values, practices and institutions mentioned above appropriate and applicable to contemporary governance, democracy and political development?

There are dissenting views on the democratic credentials of traditional governance, and its potential compatibility with contemporary governance. Naturally there are indeed limitations imposed by the very complex nature of contemporary institutions that render some of the workings of indigenous values and institutions untenable. For example, sceptics point out that the complex, heterogeneous political settings of today are likely to frustrate any attempt to merge with smaller, simpler homogeneous polities of traditional Africa.

In the area of entrenched leadership in contemporary Africa, fingers have often been pointed at heredity in traditional leadership. African dictators refuse to quit simply because they confuse contemporary leadership with the hereditary status of chiefs. And why do African dictators interfere in all aspects of governance: judiciary, and legislature? The answer might be traced to the diffused differential authority of chiefs in traditional Africa (Arhin 1994). Their authority touched on all aspects of social life. They legislated, executed and adjudicated in cases arising from their own laws, rules and regulations; and rules they made (even if these were based on consultation) affected all aspects of social life, the economy, morality and religion. Summarily, they operated what Max Weber has called patrimonial structures. Since modern democracies depend on fairly autonomous and impersonal bureaucracies, it is

clear that patrimonial attitudes and structures, and personalised controls, as prevail in traditional Africa are likely to be obtrusive. It is not surprising that modern states in Africa tend to be perceived by both rulers and the ruled as personal estates: *this has traditional foundations*. The tendency is most evident in the State Owned Enterprises, which throughout Africa, are usually regarded as sites of patronage, and extended family estates, leading to inefficiency, and nil profitability.

Social Structure

Various visions for Africa's development have been proposed: using Africa's traditional institutions and structures as the foundation to build the future, and integrating certain aspects of traditional institutions of governance within structures of the modern nation state. Either of these alternatives would entail revising the very concept of development, to mean *collective well being*, instead of the euro-centric equation of development with modernisation, high GDP, etc. Putting people at the centre of development and seeking their collective well being would promote shared material and non-material well being, trust within society, citizen participation in decision making processes, and the accountability of state/government officials to the general public. The communitarian nature of the African way of life would be compatible with any concept of development that shifts emphasis from the individual to the community.

Indeed the core values of African society, including the extended family system, shared concern for the vulnerable, etc. have sustained Africa through decades of crisis, and could serve as the cultural foundation for future development. Some critics have perceived the extended family system as a burden on the more ambitious and hard-working individuals who are pressured to support their un-achieving relatives. But Africa's social structures such as families, lineages, clans or even ethnicities, remain strong social units, and compensate for the absence of organised social welfare schemes. If such structures are carefully managed they could play a key role

in seeking the collective well being, as these have done for south east Asians and Indians. Scholars point to families, and lineages as playing a decisive role in capital accumulation in India and the newly industrialised countries of South East Asia. They point to family based enterprises as the engine of growth in Japan, Hong Kong, Taiwan and Korea (So 1990; Agovi 1990). In Ghana, remittances to families and relatives by Ghanaians abroad constitute a significant percentage of foreign exchange inflows. Africa's social structure, if combined with modern ideas of market and regulated economies, can thus be exploited for capital formation. In a survey of sources of investment finance for small industries in Bendel State Nigeria, it was found that 84 percent of investment finance came from personal savings, relatives and friends (Segynola 1990: 262). This shows the critical role social bonds play in access to investment capital and capital accumulation.

In the words of Adedeji, "Self reliance can only be fostered in an environment that promotes the democratisation of the development process, i.e. the active participation of the people in the development process" (1982:297).

Furthermore, due to the communitarian character of African society, it serves the purpose of democracy, if political power is decentralised and attention paid to the formation of town and district councils. That will ensure the participation of the local people in the decision making process, as is currently happening in Ghana. Such local assemblies, if open to all, will foster indigenous ideas of free expression, popular will, consensus and consultation, and help integrate in the modern system the traditional intolerance of misrule and abuse of power. It helps facilitate communication between representatives and constituents as prevailed in traditional society, and alerts the governing executive to seething concerns and discontent, for which remedies may be sought to avert crisis and instability. The colonial system created a distance between the ruler and ruled and had no such early warning mechanism.

Consensual Democracy

Instead of stressing western style representative democracy, one could also opt for *consensual democracy*, which was indigenous to many centralised and non-centralised African societies. By the former, we refer to traditional societies with a centralised authority exercised through the machinery of government headed by a chief or king, such as the Ashanti of Ghana, the Zulu of South Africa, the Bemba of Zambia, and Banyankole of Uganda. The non-centralised states, referred to variously as acephalous or 'anarchistic,' were without any central governments or chiefs prior to colonial rule, and are exemplified by the Nuer of Sudan, Igbo of Nigeria, and the Tallensi of Northern Ghana.

It is easier to appreciate the necessity for consensus building in the case of acephalous societies, if for instance, the exercise of authority rested on moral prestige. Majoritarian democracy would be less relevant here; the emphasis was on consensus building. Among the Nuer of Sudan,

There was no man designated as chief and endowed with the right of command; hence the authorities had to pick for the office of headman or chief, individuals who appeared to them to hold the position of leadership; as far as possible they tried to make nominations that would be acceptable to the people, and by 1942, the process of choice was being described as election. (Mair 1974:124)

The Igbo as well were ruled by diffused authority without formalised, permanent and hereditary leadership positions. As is commonly said, the Igbo have no king.” The Chieftaincy institution did not exist among the Igbo in pre-colonial times; it is a product of modernity. Chiefs as rulers were created during the colonial period by the British, without taking into account details of the pre-colonial political structures. The institution flourished remarkably during the 1970s, when it was adapted to the contemporary socio-political setting and it became partly commodified.

The prototypical Igbo political organisation in the pre-colonial period may not have been explicitly consensual, but was an exercise in direct democracy at the village level (Harneit-Sievers 1998). Inner structures of various communities were however not necessarily egalitarian. There were slaves as well as leaders; and there were lineage headships, influential age groups, and powerful titled and secret societies. But political power was not limited to men. There were also female assemblies and leaders, and female titles in some places (Okonjo 1976). The Igbos practised what has been described as a ‘dual sex political system,’ an all-inclusive feature of governance that commends itself to contemporary practice insofar as it seeks to create gender equity in the assignment of roles.

The centralised states, such as the Ashanti and Zulu, operated consensual democracy, which is more difficult to attain than majority decisions operating in post colonial democracies. In cases of dispute settlement, continuous

dialogue smoothes the edges of conflict to produce compromises that are agreeable to all, including the minority.

As Wiredu points out, it is easier to secure majority agreement than to achieve consensus. To the Ashanti for example,

Majority opinion is not in itself a good enough basis for decision making, for it deprives the minority of the right to have their will reflected in the given decision. It deprives the minority of the right of representation in the decision in question. (Wiredu 1997: 307)

Current forms of democracy are based on majority principles. The party that wins the greatest proportion of votes is invested with political power; largely the winner takes all. Indeed parties are formed with the sole aim of gaining power to implement their policies. The consensual system was not party-based. No group is formed for the purpose of gaining power; and no group is considered ever out of power. The system was set up for participation in power, not its appropriation. The underlying philosophy unlike in modern democracies was one of co-operation, not confrontation.

Between consensual and majoritarian democracies, Wiredu would adopt the consensual approach to decision making in contemporary Africa, which is expected to forestall the several conflicts that have bedevilled Africa; for here the principle of all inclusiveness leaves no one outside the decision making process.

In an immediate rejoinder to Wiredu, Eze discounts as democracy, the Ashanti's consensual approach to decision making. To Eze, democracy by its very nature involves plurality, competing interests, debates and the refrain from the use of force.

Whether the Ashanti mode of decision making was democratic or not, appears to be a moot point. What is most important is the system's all inclusiveness, and the promise it holds for political stability.

Non-party Apparatus

Unfortunately, the non-party political apparatus, as obtains in traditional Africa has often been used in Africa as a pretext for self-perpetuation by African dictators, seeking to avoid or eliminate political opposition that would otherwise expose executive graft, corruption and inefficiency. In 1978 Ghana's military head of state, General Acheampong sought to introduce a non-party Union Government, to avert the tension, acrimony and confrontation inherent in multiparty party democracy. This ambition eventually led to his overthrow; for a national referendum organised to decide on Acheampong's proposal was rigged, leading to civil unrest. To many, the non-party political experiment was only a ploy to entrench Acheampong in power, and it is just as well that it failed. Similar suspicions clouded Jerry Rawlings' attempt to introduce a grassroots democratic system of government in the late eighties and early nineties. This was to be founded on non-partisan district, regional and national assemblies. Local and global pressure on Rawlings to restore multiparty governance led to a nation wide debate, which rejected a non-party political apparatus.

Chieftaincy and Modern Governance

Classical modernisation theories assumed in the 1950s and 1960s that the principles of modern bureaucratic office would become more important than traditional leaders. Similarly, underdevelopment theory hardly envisaged the continued relevance of an institution rooted in a pre-capitalist setting. A highly literate citizenry in Africa, an increasingly travelled and sophisticated elite, and an increasingly urbanised people, it was believed, would have no room for a quaint institution manned by people whose main qualification for office was circumstances of birth. The processes by which chiefs rule, the rituals and mystique that legitimized their authority, were considered incompatible with

rapid transformation. Indeed chieftaincy was seen a major aspect of the problem than part of the solution (Rathbone 2000:3/4). There were a few though who believed more in the possibility of mutation than the institution's outright extinction (Apter 1955).

Not only has chieftaincy survived within modern governance; it still constitutes the basis of governance in one African country: Swaziland, the only country in southern Africa where there is no multiparty politics. Swaziland is ruled by King Mswati II on the basis of a 1972 royal decree, that suspended the constitution. Currently, all members of parliament are elected on non-party polls, and cabinet is handpicked. Local chiefs are responsible for all local government functions, including crime, taxes and land allocation. Time will tell how far this will survive in the 21st century; for democratic reforms have been agitated by militant workers since the early nineties.

The contrastive perspectives on chieftaincy can be resolved if one considers the adaptation of the institution to contemporary socio-political settings. First, the hereditary institution has evolved in places and become compatible with modern capitalist settings, shedding off their pristine traditional garb. In parts of Africa, chieftaincy titles have been created for opulent and influential members of society, who have exploited the position both for local development and self aggrandisement – sometimes the enhancement of personal business interests (Harnett-Sievers 1998; Fisiy). Indeed, among the Akan new titles created include the office of development chief – *nkosuohene*, a new portfolio directly in charge of developmental projects. Such a functionary is expected to spearhead local initiative in the provision of social amenities. More significantly, their creation by incumbent traditional rulers is often a strategy to co-opt rival or adversarial power blocs.

In Nigeria, it gained prominence from the 1970s, and became the ultimate ambition of modern politicians, and elite. In Ghana, royal titles have been conferred on tourists and expatriates, sometimes in appreciation of their

continued interest in the locality, and other times as an invitation to initiate local projects. Significantly, such titles and positions are not permanently integrated into official royal bureaucracies. They are transient, non-hereditary, and cannot be transferred to a next of kin.

The relevance of natural rulers (as distinct from the non-traditional) in contemporary governance may be traced to their integration in colonial governance during the period of indirect rule. So crucial were they in local government, that even in localities without central governments, such as among the Igbos, the British created Warrant chiefs, who were in charge of 'native' courts. Such chiefs, installed without much recourse to pre-colonial local structures, had no legitimacy beyond their having been installed by the colonial state. No wonder they did not last beyond 1929, having been chased away during a famous Women's War.

In several other places, chiefly powers conferred by the colonial administration were progressively whittled by nationalist governments sometimes arbitrarily, other times through legislative instruments. The attempt to contain chiefs was somehow an act of revenge for the marginalisation of the elite during colonial rule when chiefs mounted the centre stage. Largely, though the exercise sought to curb any rival sources of power which could threaten the hegemony of the new political force. This is summed up in the Cameroonian proverb, "Two cocks do not crow in the same compound."

In the Nkrumah era, it went beyond the whittling of power to the crushing of Ghanaian chiefs suspected of opposition sympathies (Rathbone 2000). Prior to Ghana's independence in 1957, Kwame Nkrumah's CPP ensured that chiefs had lost most of their local government and judicial functions, as well as their control of revenue sources. They were however left with a residual role in the Regional House of Chiefs.

In the South West Province of Cameroon, various decrees and legislative instruments in the 1970s, sought to reduce chiefly powers by bringing traditional rulers under the control of Senior Divisional Officers.

Even so it is within the institution of House of Chiefs that traditional rulers have been more formally incorporated into the modern structures of governance.

Chiefs and Constitutions

Since independence, all Ghanaian constitutions have guaranteed the institution of chieftaincy, giving it various degrees of power, but generally making traditional rulers partners in development. The 1959 constitution was written and promulgated in the context of a fierce struggle between traditional rulers and Nkrumah's CPP, and subsequently whittled the power of chiefs, depriving them of judicial duties, and giving Government the power to accord or withhold recognition. The Constitution established regional houses of chiefs, but restricted their powers to local custom and matters referred to them by traditional councils and Government. This went through further amendment, which made it unnecessary for Government to have to consult regional houses of chiefs, even if the legislation dealt with chieftaincy itself. The politics of the times turned chiefs into puppets, without moral legitimacy.

The 1969 Constitution established a National House of Chiefs, with membership drawn from the regional houses of chiefs. The national body had an appellate jurisdiction in chieftaincy disputes brought up from regional houses.

It is, however, the more recent Fourth Republican Constitution that restores the dignity of chieftaincy, and makes traditional rulers more respectable partners in development in Ghana. The current Constitution denies Parliament the power to enact any law that accords or withholds recognition of a chief.

Neither can Parliament enact any law that detracts or derogates from the honour and dignity of chieftaincy (Article 270).

The desire that Ghana's fourth attempt at a Republican government take account of traditional cultural elements of governance was debated during the process of democratization but was never fully realised except perhaps through the establishment of the Council of State which included on its membership a sizeable number of traditional rulers. The 25-member Council of State is supposed to act as an advisory body to the President and to moderate the partisan and populist impulses of government.

The use of a house of chiefs as a formal body through which governments could deal with chiefs, is also evident in Nigeria where in the mid 50s regional houses of chiefs were instituted in the three regions of Nigeria.

Even though the Constitution debar chiefs from active participation in politics, it allows them to be appointed to serve in public institutions with non-partisan character. Ghana is not the only country to have debarred chiefs from becoming members of parliament. Under the Botswana Constitution, chiefs may not serve as members of parliament or as ministers, out of concerns that they wield too much influence. No such constitutional restriction obtains in South Africa. Botswana, like Ghana, however has local administrative offices in which chiefs can participate in certain aspects of local government. In Ghana, chiefs may serve on the institutions of local governments, made non-partisan by the 1992 Constitution. The District Assembly may have 30% of its membership appointed by the *President in consultation with traditional authorities* and other interest groups in the district. Apart from consultation, chiefs have formed a good percentage of presidential nominees on assemblies, enabling them to be heard in matters of development related to their districts and areas of dominion.

Considering the central role chiefs play in national and local development, the Rawlings government appointed a Presidential Advisor on Chieftaincy Affairs, who advised on matters of tradition and state protocol.

Apart from being catalysts in development on the local front, chiefs in Ghana have been instrumental in mobilising public opinion to fight against the HIV/AIDS pandemic, and spearheading campaigns against deforestation and other environmental malpractices. It is not unusual to see on national television chiefs and queen mothers educating their subjects on the dreaded disease. Social activism of this nature are uniquely suited to traditional rulers (including queen mothers) due to the land and marital cases over which they adjudicate. In the case of deforestation, the chief's ritual links with mother Earth, makes him the most credible personage to caution against her defilement. Traditional respect for the environment was possible through taboos and fines imposed by chiefs on subjects who were seen as denigrating the land.

It is for some of these reasons that Canadian professor, Don Ray, currently leading a research project on traditional rulers in Ghana, thinks the integration of chieftaincy into modern governance in Africa should provide useful lessons for Canada.

I hope that in the case of Canada, we can learn from Africa—especially this concept of a National House of Chiefs. I would like to bring Canadian First Nation leaders together with the leaders and chiefs of Ghana, Botswana and South Africa to explore how the African Houses of chiefs operate, and whether similar institutions might be useful to the First Nations. It might be interesting to have a Third House of Parliament in Canada—A House of First Nations—and maybe provincial equivalents. We hope to suggest this possibility; and then it is up to the first nations to decide.

Ray's proposal of a second chamber in Canada had been proposed for Ghana's Independence Constitution, but rejected by Kwame Nkrumah's CPP, for fear of unduly bloating the very chiefly powers Nkrumah sought to whittle. Even outside the carefully laid out provisions in the Constitution, the impact of chiefs on Ghana's development is tremendous. It has been argued that 36000 towns and villages in Ghana are being governed directly by chiefs and that only 12000 are directly served by central government.

Culture and State Symbolism

It is significant that the state apparatus of most nation states in Africa, includes various cultural motifs and symbolism that capture national ideals and virtues. These may depict various fauna and objects, whose features and traits best exemplify a desired quality. Even though maxims and visual symbolism in themselves do not ensure praxis, they are mementoes of cultural ideals that have shaped national fortunes. The state staff used in Ghana's parliament to announce the Speaker and his entourage, demonstrates Ghana's commitment to pristine cultural values at the founding of the nation state. The eagle symbolism portrays the features of grace, vigilance, and farsightedness for which the bird is known, and thus advocates same for the Speaker and the legislature.

Similarly, one could advocate a careful adoption of cultural symbolism within the state apparatus to reinforce good governance and democracy. The relevant motifs may be based on already existing maxims and cultural symbols that have guided good governance in traditional Africa. We have in mind visual symbols of a hand holding an egg; two heads; and the beaks of two birds touching at the tip. The relevant messages: *Good governance is like holding a fragile egg; two heads are better than one; and when two mouths meet, crisis is averted;* are constant reminders of fundamental ingredients of good governance – judicious exercise of power, consultation, and consensus building.

Chiefs and Contemporary Crises

The process of consolidating Ghana's democracy in the past ten years, gives clues of the potential benefits derivable from a judicious blending of culture and modern governance. The peaceful outcome of Ghana's 1991/2 transition to constitutional democracy which had foreshadowed tension and crisis, is partly attributable to key traditional rulers, who used traditional statecraft, dialogue, and consensus building to defuse tension in highly volatile situations.

The pivotal institutions of transition were mostly manned by dignified chiefs. The Chairman of the Consultative Assembly that deliberated on the draft constitution was a traditional ruler; so was the Chairman of the business committee of the Assembly that negotiated the delicate indemnity clauses behind the scenes. In Ashanti, the hot bed of anti-Rawlings advocacy, it took the traditional diplomacy of King Opoku Ware II to defuse mounting tension, that had threatened to degenerate into an inter-ethnic crisis. In the aftermath of it all, it was the Governmental Advisor on Chieftaincy Affairs who, through careful negotiation with chiefs, helped to ensure that the outcome of the elections was peaceful in that area.

Significantly, soon after JJ Rawlings assumed office as a constitutional head of state, it was with traditional rulers in the Brong Ahafo Region he sought immediate counselling. One chief took the opportunity to urge on the new President, a traditional principle crucial in situations where confrontation and adversarial politics have preceded a coronation: *all inclusiveness*. The counsellor used the analogy of the mother hen that mobilises all its young ones under its wings, for the sake of good governance.

The role of traditional rulers in steering Ghana's democracy out of crisis was facilitated by their combination of traditional skills in conflict resolution with rich knowledge and experience in the governance of modern democratic

institutions – a clear demonstration that traditional and modern principles of democracy can be successfully blended to achieve good governance in the contemporary nation state.

Conclusion

Traditional values and institutions have proved highly resilient in spite of the onslaught of colonial and post-colonial impositions. Modernity has not succeeded in submerging the institution of chieftaincy and traditional rule in societies in West, East, Central and South Africa. Clearly, the undergirding values of chieftaincy have not only survived, but have occasionally helped to consolidate and shape the fortunes of modern democratic systems. Thus, even modern African liberal democratic constitutions have made provisions for non-elective second chambers; modern elected presidents have adopted some of the trappings of traditional rulers in the area of mass communication and oath taking.

Sometimes, the resilience of tradition and its ability to triumph over the corruptive influences of modernity, have been underrated. Nearly three years ago, when the Ashanti Golden stool fell vacant, the ruling Government woefully failed in an attempt, to force on the electoral college, a candidate with mediocre social credentials. The elaborate processes of electing a king in Ashanti, however, frustrated any attempt to introduce negative elements from the modern state apparatus, which would give mediocrity an edge. Today, Ashanti has a new king of vision and leadership skills, who has spearheaded a drive for modern education; instituted a commission to propose revisions in Ashanti outmoded laws and customs; and is a leading campaigner on HIV/AIDS.

A critical evaluation of traditional African values and governance has shown that aspects of chieftaincy and traditional governance, coupled with some principal indigenous values are very much in accord with the basic tenets of modern democratic governance. Traditional political systems are often all-

inclusive and accommodate civil society. In addition the chief, though largely hereditary, is not autocratic. The chief occupant of a chieftaincy stool regards himself as having a binding social contract with his subjects and legitimacy of the chief is secured by both sacred oaths and performance.

The structure of governance in the chieftaincy institution itself contains large elements of checks and balances on arbitrary use of monarchical power. Traditional values of consensus building, consensual and consultative rule, communality, inclusiveness, humanism, transparency and accountability resonate as cardinal tenets of modern good governance. The only difference may be that the socio-political contexts in which these values were nurtured in Africa have grown in complexity and heterogeneity with the modern nation state.

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