TRADITIONAL AUTHORITY REVISITED: POPULAR PERCEPTIONS OF CHIEFS AND CHIEFTAINCY IN PERI-URBAN KUMASI, GHANA[1]

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Introduction: Maladministration of Land and Popular Perceptions of Chieftaincy

In Ghana, a large proportion of the land is so-called 'stool land', land vested in a stool[2]—a customary community—on behalf of and in trust for the subjects of a stool in accordance with customary law and usage (Constitution 1992, articles 36(8) and 267(1)). Traditional authorities are regarded as custodians of such land. In peri-urban Ghana, however, chiefs are displaying a tendency to adopt landlord-like positions with regard to customary land. They are rapidly converting farmland into residential land, displacing poor and marginalized families from their land. With their land, these families are losing their jobs and income base (Abudulai 2002: 72; Alden Wily and Hammond 2001: 44, 69-73; Berry 2002: 124; Kasanga and Woodman 2004: 204-212; Kenton 1999: 31; Maxwell, et al. 1998; Toulmin

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[2] The customary community is called a 'stool' in reference to the carved wooden stool which is believed to contain the souls of the ancestors and is a traditional symbol of chieftainship.

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and Longbottom 2001: ii-iii, 30; Ubink n.d.). These occurrences cause considerable unrest and distress in the communities. Since claims of an institution to define property are also claims to the institution's legitimacy itself (Lund 2002: 14; Shipton 2002: xi), the often criticized role of chiefs in the conversion of farmland can be expected to affect popular perceptions of chiefs and their various functions and as a consequence have a bearing on the institution of chieftaincy.

A Renewed Interest in Chieftaincy

Popular views on chiefs and chieftaincy are acutely relevant since African governments, international institutions and donor countries are displaying a renewed interest in chieftaincy. Whereas many post-independence African governments saw chiefs as impediments to modernization and nation-building and tried to curtail their role in local government and national politics (Kyed and Buur 2005: 1; Sharma 1997: 40),[3] since the 1990s a large number of African countries have enhanced or formalized the position of their chiefs (Englebert 2002; Kyed and Buur 2005: 1; Ray 2003b: 11; Sklar 1999), including Mozambique,[4] Uganda[5]

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[3] Exceptions cover Botswana, Malawi and Nigeria (Englebert 2002: 51; Kyed and Buur 2005: 1). Despite these attempts, in many countries chieftaincy survived, although sometimes merely as a folklorized apology (Englebert 2002: 58; van Binsbergen 1996; van Rouveroy van Nieuwaal 1996: 43; von Trotha 1996: 87).

[4] The socialist Frelimo government banned chiefs at independence in 1975 and set up new governance structures. Despite this, the chiefs continued to play an important role in the rural areas both during and after the war. In response, the government in 2000 decreed the chiefs a role as state assistants and community representatives. In 2002 a little over one thousand chiefs were formally recognized as rural 'community authorities' and delegated an extensive list of state administrative tasks and civic-educative functions (Buur and Kyed 2005; Briefing Team, University of Sussex n.d.; Kyed and Buur 2005).

[5] The powerful kingdom of Buganda, abolished in Uganda's 1967 Constitution after the Buganda king had been exiled in 1966, was restored to a certain extent in 1993 by President Museveni. In 1995 the constitution was redrawn to recognize the institution of traditional leaders (Englebert 2002: 53; Herbst 2000: 177; Ray 2003b: 11).

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and South Africa.[6] In Ghana the Constitution 1992 guarantees the institution of chieftaincy (article 270) and recognizes the role of chiefs in customary land management (article 267). The position of the chiefs is currently being strengthened by the Land Administration Project, a donor sponsored, long-term program which aims to enhance land management in Ghana through the strengthening of customary land secretariats (Alden Wily and Hammond 2001; Ministry of Lands and Forestry 2003; World Bank 2003b). Traditional authorities also feature high on the agenda of international organizations and fora. A case in point is the World Bank's 'Promoting Partnerships with Traditional Authorities Project' in Ghana. Under this project the World Bank provides a US$5 million grant directly to two traditional authorities in Ghana, the Asanteman Council and the Akyem Abuakwa Traditional Council, bypassing the Ghanaian government. The project aims to enhance the standards of health and education in the traditional areas, and includes goals of strengthening the capacities of traditional authorities and upgrading the financial and management capabilities of the traditional councils and their secretariats (World Bank 2003a). Many African conferences also deal elaborately with the issue of traditional authorities[7] and delegations of traditional authorities are regularly received by foreign governments or politicians on their travels abroad. (Otumfuo Osei Tutu II Education Fund n.d. lists recent visits by the Asantehene).

Some authors explain the renewed interest in chieftaincy from the functioning or malfunctioning of post-colonial states. One of these explanations is connected to notions of 'failed states', unsuccessful nation-building and internal conflicts and civil wars, and poses the idea that chiefs have filled the gap of collapsed states

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[6] Claassens (2006), Ntsebeza (2003), Ntshona and Lahiff (2003) and Oomen (1999: 73, 2000, 2002) describe a surprising continuation and even strengthening of traditional leaders' formal position in post-apartheid South Africa.

[7] See for instance the fourth African Development Forum 2004, Addis Ababa, where the *Asantehene*—the highest traditional leader or king of Ashanti, Ghana— was invited for the keynote address (Otumfuo Osei Tutu II 2004); the conference on 'Leadership dialogue with traditional authorities', Kumasi, where a speech was held by the senior vice president of the World Bank (Dañino 2005); the Commonwealth Local Government Forum on 'Traditional leadership and local government', Gaberone (Ray et al. 1997); and the conference on 'African traditional leaders. Partners in the development of Africa and the realization of the African Union', Kumasi, 2003.

(Kyed and Buur 2005: 2). Englebert (2002: 57) however shows that the African continent displays a surprising lack of resurgence of tradition in collapsed or failed states. Rather, the revival of traditional authorities takes place in countries with a functioning state apparatus, alongside the establishment of competing local institutions in the form of democratically elected councils.[8] The adoption of multi-party democracy and democratic decentralization and the trend to consider the state as just another actor in an increasingly complex and interwoven global order, seem to have opened new public spaces for traditional leaders (Englebert 2002: 59; Kyed and Buur 2005: 3; National Democratic Institute for International Affairs 1995; Oomen 2002: 8). In a comparable way, the liberalization policies of the 1990s and donor calls for structural adjustment, emphasizing a smaller state, cuts in public expenditure, a strengthening of civil society, and alternative dispute resolution, created an increased space for the involvement of traditional authorities in law enforcement, dispute resolution, service provision, and the implementation of development projects. And the enlarged distance between people and the state facilitated the resurgence of tradition as an alternative mode of identification (Dañino 2005: 1; Englebert 2002: 60; Kyed and Buur 2005: 3-4; National Democratic Institute for International Affairs 1995; Ntsebeza 2005: 21-22).[9] An enduring theme in chieftaincy literature is how chiefs have over time tried to secure and strengthen their position vis-à-vis the state, and have tried to capture

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[8] This can for instance be witnessed in South Africa (Ntsebeza 2003; Ntshona and Lahiff 2003; Oomen 2002) and Ghana (Crook 2005; Ministry of Lands and Forestry 2003).

[9] Chiefs and government elite should not be regarded as clearly separate and discernible entities. In many African countries, the distinction between traditional and state elite is fading. Both because chiefs are now often highly educated and involved in business activities, and because chiefs have in most countries become to a certain extent integrated in state bureaucracy (Bierschenk 1993: 220; Ubink n.d.; Van Rouveroy van Nieuwaal 1996: 46, 60). To explain why certain states have witnessed a resurgence of traditional authorities while other states have not Englebert adds the following factors: 1) the cultural profile of the resurgent groups; 2) the colonial culture of the state; 3) the strength of states—in the sense that strong states that are more confident in their own institutions and stability might be more likely than weak states to tolerate the rise of alternative sources of authority, at least in the cultural sphere or in areas of local land management and dispute settlement; 4) the failure of nation-building rather than state-building (Englebert 2002: 57-8).

public spaces opened up by new political constellations at the national or international level (Mamdani 1996; Oomen 2002, Rathbone 2000; Ray and Reddy 2003; van Rouveroy van Nieuwaal 1996; van Rouveroy van Nieuwaal and van Dijk 1999; Vaughan 2000).

Other explanations for the renewed interest in chieftaincy are rather linked to the realization of the various functions traditional authorities can perform and have been successfully performing in their areas. Prominent among these tasks are law enforcement and dispute resolution. Customary courts are said to be popular and often resorted to as they are easily accessible, cheap, fast and comprehensible (Boafo-Arthur 2001, 2003: 147; Dañino 2005; Lowy 1978; Lutz and Linder 2004: 38; National Democratic Institute for International Affairs 1995: 4-6; Ray and van Rouveroy van Nieuwaal 1996: 32; Sharma 1997: 41, 2003: 261; von Trotha 1996: 84). For instance, in 1997 customary courts in Botswana tried about 75 or 80% of the criminal and civil cases in the country (Sharma 1997: 41). Another task often mentioned is the promotion of community development programs. Traditional authorities are often seen as having the capacity to mobilize their people behind development initiatives and to be able to use the authority and respect from their people for community education and awareness creation. Combined with the intimate knowledge they possess of their areas this pleads for the inclusion of chiefs in community development processes, with the chief as a middle-man between the people and the government, bridging the often noted gap between state and society. Donors, aid agencies and governments often look upon traditional authorities as the missing link between rural citizens and the state. On the one hand they are able to implement governmental law and policy and to facilitate, explain and attain popular support for development projects in their traditional area, on the other hand they can provide information from the locality.

More generally, traditional leadership is seen as a channel that can articulate the needs and priorities of communities which it represents, and this can lead to genuine democratization and development and the assertion of local autonomy against the globalizing and modernizing power of the state. It is even claimed that reliance on chiefs in governance will reduce transaction costs and facilitate collective action (Bako-Arifari 1999: 21; Englebert 2002: 60; Hagan 2003; d'Engelbronner-Kolff, et al. 1998: XII-XIII; Keulder 1998; Kyed and Buur 2005: 4; Lutz and Linder 2004: 38-9; National Democratic Institute for International Affairs 1995: 7, 15; Omoding-Okwalinga 1984; Ray, et al. 1997; Ray and van Rouveroy van Nieuwaal 1996: 1, 7; Sharma 1997: 42, 2003: 261; Thornton 2003: 127; von Trotha 1996; Vaughan 2003: 172-4). Many African governments also try

to bridge the gap between government and civil society and strengthen the position of national government by integrating the sphere of tradition into the space of governmental power as a symbolic, legitimizing resource. Governmental leaders for instance frequently use external traditional features such as traditional regalia, titles, symbols and myths (Lentz 1998; van Rouveroy van Nieuwaal 1996: 43-4, 54; von Trotha 1996: 87-88). Traditional authorities also have a role to play in the field of natural resource management. They are thought to be able to ensure nature conservation and environmental equilibrium and to manage customary land in such a way as to ensure general and equitable access to land and to guarantee the social security function of land (Appiah-Opoku and Mulamoottil 1997; Daneel 1996; van Dijk and van Rouveroy van Nieuwaal 1999: 6; Hinz 2003: 104-6; Lutz and Linder 2004: 38-9; Sharma 1997: 42).

In all these fields, traditional leadership is also expected to protect local culture, tradition, identity and religion (Boafo-Arthur 2003: 127; Ray 2003a: 92; Thornton 2003: 127; von Trotha 1996: 86). In general, however, the more symbolic—religious, spiritual and ritual—elements of traditional authorities are rarely connected to the renewed interest in chieftaincy from African governments, donor countries and international organizations.

Investigating Popular Perceptions of Chieftaincy

Both explanations for the renewed interest in chieftaincy—the opening up of new public spaces and the successful performance of various functions—pay hardly any attention to *how the people feel* about the chiefs, their performance and the institution of chieftaincy. In fact, such data are hardly found in any research on chieftaincy. Oomen's (2002) study is a positive exception to this rule; a first approach towards such a study is also found in Crothers (2003). This lack of data does not, however, hinder some academics and policy makers from making assumptions about popular views on chieftaincy, ranging from continued uncontested allegiance to the institution of traditional leadership to a complete loss of legitimacy by the chiefs (Lutz and Linder 2004: 3; Ray 2003b: 5; cf. Oomen 2002: 182). Empirical research on people's perceptions could make a valuable contribution to a more grounded and probably more nuanced picture of the role and position of chiefs and the institution of chieftaincy, and thus serve as useful input for national and international policy makers. The present article hopes to contribute to chieftaincy literature by combining a critical discussion of chiefly rule with such empirical data on popular perceptions on chiefs and chieftaincy. It

is based on extensive qualitative and quantitative field research[10] conducted from 2002 to 2005 in nine peri-urban[11] communities around Kumasi, Ghana. It also makes use of survey data collected by Crook et al. (2005) on dispute settlement institutions in the same area. Based on these data, it will demonstrate that people's support for the institution of chieftaincy does not need to imply their satisfaction with chiefly performance. Formal recognition of chiefs by African governments and co-operation of international institutions and donor countries with chiefs should therefore be preceded by a critical assessment of chiefly rule and if necessary they should be combined with the imposition of checks and balances on the functioning of chiefs in general and with the regulation of certain fields in particular.

Kumasi is the second largest town in Ghana and the capital of the Ashanti Region. Chiefs are a prominent feature of Ghanaian society. The Constitution 1992 guarantees the "institution of chieftaincy, together with its traditional councils as established by customary law and usage" (article 270(1)). Article 270(2) stipulates that parliament cannot interfere in the recognition process of chiefs. This power lies exclusively with the Traditional Councils and Houses of Chiefs, with a final appeal to the Supreme Court (articles 273–74 of the Constitution 1992 and sections 15, 22, 23 of the Chieftaincy Act 1971, Act 370). The National and Regional Houses of Chiefs furthermore act as advisory bodies to the state, discuss traditional social practices, and give official recognition to chiefs. According to Toulmin and Longbottom (2001: 11-18) chiefs have remained of much greater importance in Ghana than elsewhere in West Africa.[12] The traditional leadership

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[10] The research combined qualitative research methods such as semi-structured interviews and participant observation with a survey among 242 villagers. To protect the identity of local informants, names of interviewees are not given. They are identified as villager, Unit Committee member, elder etc.

[11] The peri-urban area is most appropriately thought of as approximating a continuum from rural to urban. It is characterized by strong urban influences, easy access to markets, services and other inputs, ready supplies of labor but relative shortages of land and risks from pollution and urban growth (Edusah and Simon 2001; Simon, et al. 2001). Five villages were situated on or near the road from Kumasi to Accra—Jachie, Tikrom, Besease, Adadeentem, and Boankra—and four villages on the road to Obuasi—Ahenema Kokoben, Kotwi, Brofoyeduru, and Nkoransa. All villages lie within a range of ten to forty kilometres from Kumasi.

[12] This accords with Crook et al. (2005: 89) who claim that chieftaincy in Ghana is

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position in Ghana is becoming more competitive than ever before and is attracting academics, civil servants, business leaders and teachers (Brempong 2001: 59, 60; Toulmin and Longbottom 2001: 12; Otumfuo Osei Tutu II 2004; Ray 1992: 111-3). In the Ashanti Region chiefs are highly visible and organized strongly hierarchically, from the *Asantehene*, king of Asante, at the top through the paramount chief (*omanhene*), divisional chief (*ohene*) and local village chief (*odikro*) to the clan or family head (*abusua panin)*.

Table 1: What are the main functions of the chief?

Main functions of chief	%
Dispute settlement	78.1
Ensuring community participation in development	59.1
Ensuring peace in the community	53.0
Looking after the physical development of the town[13]	50.0
Land management	43.8
Organizing communal labor	27.7
Celebrating traditional festivals	8.3

This article is structured around the main functions of the chief according to the 242 people surveyed in peri-urban Kumasi (Table 1). These functions are categorized under four headings: 1) land management; 2) local development projects, encompassing ensuring community participation in development, looking after the physical development of the town and organizing communal labour; 3) law and order, comprising dispute settlement and ensuring peace in the community; and 4) traditional religion. In the section on land management people's opinions on and resistance to chiefly land conversions will be presented. In the three following sections chiefly rule and popular perceptions on it will be analyzed in the fields of local development projects, law and order and traditional religion.

The functions mentioned under local development projects also fall within the realm of local government. In Ghana, District Assemblies (DAs) are the political and administrative authorities in the district: they exercise deliberative, legislative

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much stronger than in Cote d'Ivoire.

[13] Most people in the peri-urban communities studied referred to their villages as towns.

and executive functions and supervise all other administrative authorities in the district. The legislative instruments setting up each DA provide a very specific list of up to 86 particular duties. Elections to DAs have been held since 1988.[14] With regard to land management, the making of by-laws in respect of building, sanitation and the environment, the preparation and approval of planning schemes, the granting of building permits and the enforcement of regulations and sanctions for non-compliance all rest with the DA (Kasanga and Kotey 2001: 9).

Quite recently the DA structures have been supplemented by Unit Committees (UCs), which are to function as the base structure of Ghana's local government system. They perform roles such as public education, organization of communal labor, revenue generation, and registration of marriages, births and deaths. They have no official role with regard to land management. UCs consist of not more than 15 persons, of whom 10 are elected in non-partisan elections and five are government appointees. The appointments are made after consultation with traditional authorities and other interest groups. The UC's viability has been questioned on the basis of lack of financial and administrative backup (Ayee 1999; Crook 1991; National Commission for Civic Education 1998; USAID 2003: 30-1). The first UC elections were held in 1998. Villages in peri-urban Kumasi thus each have their own UC, and every one to three villages elect a representative for the DA. The relationship between the activities of chiefs and local government will be taken into account.

In a final section people's assessments of the institution of chieftaincy will be discussed and a conclusion drawn on the correlation between the performance of chiefs and popular perceptions of the institution of chieftaincy.

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[14] Through general elections 70% of the members of the DA are chosen on a non-partisan basis, but the District Chief Executive—the single most powerful local government position that dominates district level government—and the other 30% of the DA members are appointed by the President in consultation with traditional authorities and other interest groups. It is claimed that the DAs lack sufficient authority and fiscal resources to initiate and implement policies and programs. Most DAs continue to rely on the national government for revenue and have not developed any significant local sources of revenue (USAID 2003: 31). Chiefs in Ghana are not allowed to take part in active party politics or election to parliament (Constitution 1992, article 276), but they do have representatives at a number of local and national government bodies, such as the Council of State, Regional Co-ordinating Councils and certain local government agencies.

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Land Management

In peri-urban Kumasi farming is still a major occupation. In the eight villages surveyed, farming was the main occupation of 31.8% of the people, and an additional 25.6% farmed besides carrying on another occupation. The number of people still depending wholly or partly on farming varied widely between the villages, depending mainly on the distance to Kumasi. This is illustrated in Table 2, which displays four of the surveyed villages that lie quite close to each other on the road from Kumasi to Bekwai, with the nearest one approximately ten kilometers out of the city centre. This table reveals that in the village closest to Kumasi, Ahenema Kokoben, farming has lost its importance.

Table 2: Percentage of farmers compared to distance to Kumasi

Name of village	Rank in distance to Kumasi (1 = close, 4 = far)	People who farm as their main occupation (%)	People who farm besides other job (%)
Ahenema Kokoben	1	3.3	6.6
Brofoyeduru	2	23.3	26.7
Kotwi	3	23.3	40
Nkoranza	4	50	16.6

As said above, the peri-urban interface is characterized by a rapid conversion of farmland into mainly residential and some industrial or commercial land. In response to a question asked to the 171 people that were either still farming themselves, or whose family members in the village were still farming 58.5% stated that they or their farming family members had less farmland than ten years ago. In Ahenema Kokoben the population has increased from 302 in 1984 to 3400 in 2000 (GSS 2002). It is the chiefs who are the main actors in the conversion process. They claim the right to convert land which is being farmed by community members—and often has been farmed by the same family for generations—to residential land and to allocate this land to outsiders.[15] From the chiefs' perspective, it is understandable that they make an inroad into people's usufructuary rights. Since there is almost no vacant communal land left in peri-

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[15] See for an elaborate description of struggles for land in peri-urban Kumasi Ubink n.d.

urban Kumasi, it is the only way to make money from the land. But the consequences of the conversion are drastic for most people. There are clear links between land conversion and increasing insecurity and poverty: some people become wealthier but farmers and families who lose their land without appropriate compensation become poorer and in time lose the basis of their livelihood strategies. They are no longer able to grow their own food and generate some income by selling the surplus at the market. Many of the poorly educated farmers become jobless or resort to petty trading.

This description of chiefs' dealings with land and the local consequences, brings us to the question as to how people in the villages regard these actions. It has been put forward that it is generally accepted in the villages that development of residential plots is primarily the chief's concern (NRI and UST 1997: 23). Others claim the opposite, i.e. that most people in peri-urban Kumasi want to minimalize the role of the chief in land administration (van Leeuwen and van Steekelenburg 1995: 59). In the current research, the chiefs' claim that they can allocate farmland to strangers for residential purposes was accepted by 56.1% of the surveyed population (Table 3).

Table 3: Who can allocate farmland to strangers for residential development?

Name of village	Village chief (%)	Head of family (%)	Farmer (%)
Jachie	100.0	0.0	0.0
Tikrom	91.3	4.3	4.3
Ahenema Kokoben	72.7	4.5	13.6
Adadeentem	53.8	15.4	26.9
Nkoranza	47.6	28.6	14.3
Kotwi	33.3	13.3	40.0
Boankra	33.3	40.7	22.2
Brofoyeduru	20.0	15.0	50.0
Total	56.1	13.5	24.0

(**Note:** Only the three most quoted categories are represented in this table

Acceptance was high in the villages of Jachie, Tikrom and Ahenema Kokoben. One might expect that this acceptance stems from the fact that in these villages the chiefs are using the land and the revenue accruing from the conversions in the best interest of the community. The *Jachiehene*[16] for instance allowed members of the

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[16] As *ohene* is the Twi word for king or chief, the chief of Jachie is called

community to buy residential land at a very low price. And the revenue generated by leasing the remaining residential plots to outsiders was used for community development. In the first four years of his reign, the *Jachiehene* has built a library, a school and a palace, and has allocated part of his land to a Technical School in exchange for scholarships.

The same can, however, not be said for the chiefs of Tikrom and Ahenema Kokoben. In these villages chiefs had reallocated large amounts of farmland without proper compensation and hardly any revenue was utilized for community development. The high percentage of people accepting the power of the chief to reallocate their farmland in the three villages can perhaps rather be understood as an acceptance of the reality of daily life. For in all three villages the chiefs not only claimed the right to allocate their farmland to strangers, but have also effectuated this right. Although most people in these villages accepted that the chief converted farmland, there was a lot of individual and communal resistance against the way chiefs used the revenues and against non-compliance with planning schemes and environmental rules. Thus in Tikrom a long process of talks and consultations took place between chief and community. First, at a range of village meetings the people requested a substantial percentage of land revenues for community development. When this proved unsuccessful, the people tried to involve the chief of Asomenya, their place of origin, who refused to get involved. As the *Tikromhene* directly comes under the *Asantehene*, the former assemblyman (the member of the DA who represented the village) wrote a petition to the *Asantehene* in May 2002, but the case has not been called before the *Asantehene* so far. The same assemblyman has also brought in the Environmental Protection Agency (EPA) to investigate the chief's sand mining close to streams. The EPA criticized the chief's actions, but the power to prosecute lies with the DA, that did not act upon it. The assemblyman furthermore discussed the problems at a local radiostation and again appealed to the *Asantehene* for help, but this also has not had any effect.

In the other villages studied, either not so much land was yet converted, or the people were themselves highly involved in land allocations. For instance in Boankra, the stool has been vacant for many years due to a chieftaincy dispute and families have been allocating their land to outsiders independently of the chief's family, and in Brofoyeduru, local farmers are converting and selling their own

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Jachiehene.

land, after which they direct the buyer to the chief who will sign the allocation papers for a moderate signing fee. Although the constitution prohibits the outright sale of stool land, which can thus officially only be leased, nearly everyone speaks of the selling of land and many people, 'sellers' as well as 'buyers', seem to regard the allocations as definitive transfers.

Considering the severe effects on their livelihoods, it is understandable that people undertook various actions to influence the way revenues are spent or even to prevent the reallocation of their farmlands altogether. All villages studied witnessed various kinds of ongoing struggles and negotiations between the land-owning chiefs and their people. Acts of resistance ranged from direct interactions with the chief - to plead, convince or strike a deal with him - to actions circumventing the chief. Examples of this last strategy are: selling your own land before the chief does it, or restraining a buyer, who purchased land from the chief, from entering the land or building on it.[17] Some struggles over land lead to violent incidents between villagers and buyers or between villagers and the chief.[18] And

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[17] Because of lack of success in negotiations with the chief, many people do not aim their anger at the selling chief, but at the buyer. Both my fieldwork and a study of pending cases at the High Court of Kumasi show that the farmer—angry that his land has been sold by the chief—often tries to restrain the buyer from entering and building on the land. For instance in Adadeentem, the former chief has sold substantial parts of the land of the community. This brought a lot of dissatisfaction amongst the people, but no concrete actions were taken against the chief. One of the villagers, however, sued the buyer of a vast tract of land in the High Court of Kumasi. Another example of the 'buyer loses out' principle is found in Besease, where the *Beseasehene* sold two plots of the land belonging to his subchief, the *Kontrehene*. On discovery of the sale, the *Kontrehene* first "caused trouble with the *Beseasehene*", but "we enstooled him, so (...) we don't want to quarrel with him. But the buyer can't come and work on it. If you come to work you will meet the *Kontre*" (Interview *Kontrehene* subchief of *Beseasehene* and one of the *Kontre* elders, 20 May and 1 July 2003).

[18] For instance, the *Beseasehene* sold land that did not belong to his family (or to the family of his *Kontrehene* subchief, as in the footnote above). When the buyer started to develop the land, the land-owning family restrained him. After the buyer applied to the chief to recover his losses, the chief "went to the land-owing family to plead, but he nearly got beaten up" (Interview elder of *Kontrehene* subchief of *Beseasehene*, 20 May 2003).

there have even been reports of large-scale violent uprisings of villagers against the chief.

An example of such violence occurred in Pekyi no 2, where the chief sold a big part of village land to the Deeper Life Christian Ministry and pocketed the money. The commoners chased both the chief and the church representatives out of the village, killing one of the latter in the action. Another well-known strategy is to install a Plot Allocation Committee (PAC), as was tried in Besease. One May afternoon, the gong-gong was beaten in Besease to announce a village meeting. Two hours later the *Beseasehene*, the UC and two dozen villagers had gathered on the crossroads in the middle of the village. One of the members of the UC addressed the meeting. He explained that they had called this meeting to install a PAC, that would from that moment on sign all land allocation notes and secure a certain percentage of the revenue for community development. He claimed that the chief had sold a lot of land in his two years reign and whereas "we use the money for development of the town, he uses it to buy a big cloth". When the chief responded by denying any land allocations, the villagers reacted incredulous and astonished. While the sun went down, more and more people kept flocking towards the meeting place and the tension rose. After some time of uncoordinated discussion, the chairman of the UC intervened. The people silenced to hear his soft voice stating that approximately twenty plots had been sold in the last two years, but the chief had allowed the UC to sign the papers of only five of these plots. The chief was now openly irritated and again denied these facts, which elicited vehement reactions of the gathered crowd. Many villagers, men and women. young and old, were by now shouting outright and swearing at the chief. After some more time of heated debate, the chairman again calmed the people and announced that the chief had agreed to install a PAC. They proceeded to appoint the committee members. The chief selected two of his confidants, the UC brought forward two representatives and the villagers appointed two leaders of the commoners.[19]

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[19] The other three landowning chiefs of Besease were not present at this meeting, because at a previous meeting a fight had nearly broken out between them and the *Beseasehene*, who is trying to gain control over the land of the other chiefs. Another explanation for the tense relationship between these chiefs lies in the fact that the paramount chief of the area, the *Ejisumanhene,* has destooled (removed from office) the three chiefs, who have not accepted that and have brought a case against the *Ejisumanhene* to the *Asantehene*.

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The example above shows that tempers can rise high when land is concerned and that the traditional respect of the people for the chief can suffer from his maladministration of land. According to the assemblyman of Esereso "now that the chief does not supply the families with land they can speak disrespectfully of him in the village" (Interview, 10 April 2003). Along the same lines, the *Kontrehene* subchief of the *Beseasehene* states that because of the maladministration of land by the *Beseasehene* "no one recognizes him as the chief. No one goes to him for dispute settlement" (Interview, 1 July 2003). As said before, this poses the question to what extent and how the chiefs' dealings with land affect people's views on other tasks and activities of chiefs and their attitude towards chiefs and chieftaincy in general. This same issue has been raised in other countries. Claassens (2006: 26), analyzing local land administration in South Africa, states that "(s)elling land undermines the legitimacy and support base of traditional leaders among community members". And Fisiy (1992) says of Cameroon: "The rampant alienation of land by sale, especially to strangers (Fulani graziers), is seen as egoistic and potentially ruinous to the institution." We will now consider this question for peri-urban Kumasi.

Local Development Projects

Some of the other tasks of chiefs mentioned in the survey are looking after the physical development of the town (50%), ensuring community participation in development (59.1%) and organizing communal labor (27.7%). We analyze these three tasks together under the heading of 'organizing local development projects'. When such projects are initiated in villages the chief is often in some way or other involved. He might be asked to supply land for the project, to deploy his public function for fundraising activities at the local level, to mobilize his people for communal labor or education campaigns and to function as a guest of honor at opening ceremonies. Because of his function as representative of the people, the chief is often regarded as the focal point for government, NGOs, developers, and investors.[20]

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[20] Many localities are additionally installing so-called 'development chiefs' (*Nkosuohene*)—outsiders that are honoured with a traditional title after they have brought, or with the expectation that they will in future bring, development funds to the area (cf. Brempong 2001: 59).

Besides chiefs, local government representatives are often also involved. This poses some questions with regard to the relationship between these actors. Two main themes in the literature on this issue are the co-optation of local government by traditional elites (see for instance Abudulai 2002; Moore 1973) and the tensions between local government and traditional authorities (Ntsebeza 2003; Ntshona and Lahiff 2003; Vaughan 2003: 146, 170). Although it sometimes happens that local government representatives are allied to the chief—for instance in Nkoranza the assemblyman was also the *Ankobeahene* subchief and in Jachie he was the chief's maternal nephew—in peri-urban Kumasi local government is largely unconnected[21] to the traditional elite and this elite does not seem to make much effort to change that. The lack of interest by the traditional elite in co-opting local government can be understood from the fact that the positions of UC and DA member do not offer much opportunity for personal gain. They receive hardly any remuneration and their jobs can be strenuous and frustrating because of high expectations and demands for development projects from the locality, with a lack of funds to meet these demands. This analysis is supported by the rapid turnover of representatives: most of them hold their positions for only one or two terms.

In peri-urban Kumasi the relationships between chiefs and local government representatives are highly varied, ranging from co-operation to high-rising tensions. In the villages where chiefs use a substantial part of the revenue from land conversions or from other sources for projects in the village, such as electrification, building of schools, libraries, KVIPs (Kumasi Ventilated Improved Pit Latrines), sanitation projects, local government representatives often take an active role in supporting such projects; they organize and oversee communal labor, help with local fundraising etc. However, in other villages, where little of the local revenue is used for development purposes, tensions between chiefs and representatives of local government can rise high. The latter often play an important role in challenging maladministration by chiefs. According to the planning officer of Ejisu-Juaben DA, many conflicts in villages are between UCs and chiefs (Interview, 2 April 2003). The example of Tikrom, discussed above, is a case in kind.

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[21] One factor explaining why local government and traditional elite are largely unconnected is that the UCs find their origin in revolutionary people's committees (first called Workers' and People's Defence Committees, later replaced by Committees for the Defence of the Revolution), that were set up to "tame the rapacity and irresponsibility of successive political, military and bureaucratic elites", including traditional elites (Crook 1991: 98).

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The involvement of chiefs in formal occasions such as opening ceremonies and their speeches at such happenings are often chronicled in local and national newspapers. Both Ray and Eizlini (2004)[22] and Owusu-Sarpong (2003: 41, 43) conclude from such newspaper reports not only that there is a vivid interest in Ghana in traditional matters, but also that local government representatives and traditional rulers work hand-in-hand for the benefit of the people. The latter, however, is a debatable conclusion, as the following case shows. In Besease, the UC and assembly member organized an Easter Convention, to raise funds for building a library in the village. Every villager was obliged to pay a fixed amount, and many people originating in Besease but now residing elsewhere had also come and brought their donations. It was a true village festival, with most adults of the village present, the churches involved, a number of chiefs[23] and subchiefs of Besease present, and the local member of parliament and the District Chief Executive invited as special guests. The *Beseasehene*, however, was absent, as was the *Beseasehemaa* (queenmother). They sent a letter to the assemblyman, which was read out loud at the convention, that explained their absence with reference to a dispute with the village over a piece of land. A few months later, the library was built, the book cases piled high with secondhand books, and flowers planted in front of the building. Time for an official opening. Again a big ceremony was organized, with students from the three local schools performing pedagogically sound plays, reciting sweet poems and singing many-voiced songs. All Besease chiefs and subchiefs joined in full regalia, each with their *Okyeame* and their *Kyiniyehene*—their spokesman and umbrella-bearer. The *Beseasehene* was also present this time and gave a speech, in which he, the chief of Besease, emphasized the importance of education and reading in general for his people. It is not difficult to imagine newspaper headlines such as: "*Beseasehene* stresses importance of education during opening of new library" or "*Beseasehene* advises parents to avoid engaging children in economic activities at the expense of their education". It is from similar rhetoric that Ray and Eizlini conclude that "chiefs

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[22] This paper forms part of a study on "Re-inventing African chieftaincy in the age of HIV/AIDS, gender and development: Volume I Overview" which has not been published yet.

[23] Besease houses four subchiefs of the paramount chief in Ejisu. These chiefs all originate from Besease and take part in village meetings in Besease. Only one of these chiefs is the *Beseasehene*, the chief of Besease, dealing with all general matters of the village.

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are actively involved in supporting the education system in Ghana" (Ray and Eizlini 2004: 14). The Besease case, however, shows that a representational role for the chief in an opening ceremony does not necessarily mean an active involvement or financial input at any stage in the project. It does not even signify a cordial relationship between chief and local government representatives.

A disturbed relationship between chief and local government representatives can have various consequences. For instance in Tikrom, despite harsh confrontations between local government representatives and the chief, the UC has been unsuccessful in obtaining for community development any part of the money from land conversions. This has disillusioned UC members, who have also been unable to obtain revenue for development projects from other sources. Combined with the chief's unwillingness to co-operate with the UC, this has undermined the UC's functioning. As a result the UC hardly exists, only a few of the initial members being still active in the village. In Besease on the other hand, the lack of development by the chief has stimulated the local government representatives to take the initiative in development projects, as in the case of the library, or in solving other local problems. A parent in the village explains: "Once I went to talk to the *Beseasehene* about one of the school buildings. But he said that he did not have any children at that school so it was not his problem." The parent then turned to the UC (Interview villager Besease, 26 August 2003). Oomen (2002: 200) shows that one of the reasons why people support traditional leadership is because of a lack of alternatives. This argument can also be turned around: where the chief no longer functions, many people turn to local government. According to a subchief, "If the chief has squandered money and refuses to account to the people, if he is rude or not paying what is due to the town, the UC will run the town" (Interview *Kontrehene* of *Ejisumanhene*, Besease 27 May 2003). It should be mentioned however that two years after the successful library project, the UC members of Besease were so disillusioned that the Plot Allocation Committee had still not started functioning and they therefore were still not receiving any part of the revenue from land conversions in the town, that no new projects were initiated, and even communal labor was no longer carried out.

All this leads us to ask how the people in peri-urban Kumasi feel about these issues. Whom do they regard as the most appropriate actors for various tasks? Do they take an active interest in issues of local government? And how do they assess the performance of the various actors? Table 4 shows whom the surveyed people consider the most appropriate actors to perform certain tasks. For all five tasks in Table 4 the chief is only considered the third or fourth most appropriate actor. It is

striking that for three of the main tasks of the chief mentioned in Table 1—ensuring community participation (59.1%), physical development of the town (50.0%) and organization of communal labor (27.7%)—both the UC and the local assembly member are considered more appropriate actors than the chief. "Communal labor in Besease used to be arranged by the chief", says the queenmother of Besease, "but because of the dissatisfaction with the chief's land administration, nowadays when the gonggong is beaten, they use the names of the UC and the assemblyman, not the chief" (Interview Besease, 29 May 2003). These data qualify Brempong's (2001: 109) statement that "in spite of local agencies ... traditional rulers are regarded and are expected to act as development agents." The current research shows that people do consider development a task of the chief, but at the same time do not regard him as the actor with primary responsibility for it.

Table 4: Which actor(s) should perform certain tasks?

Tasks	UC	Assembly member	DA	Chief	Central govt
Ensuring community participation	59.1 (1)	36.0 (2)	1.2 (4)	15.7 (3)	0.4 (5)
Physical development of the town	24.8 (2)	58.3 (1)	5.0 (5)	16.9 (3)	16.9 (3)
Organization of communal labor	87.6 (1)	18.6 (2)	0.4 (5)	7.0 (3)	0.8 (4)
Check concurrence with building regulations and planning schemes	33.9 (1)	25.2 (3)	31.4 (2)	7.0 (4)	1.7 (5)
Promotion of economic development	27.3 (2)	43.0 (1)	12.4 (4)	20.7 (3)	9.9 (5)

Many villagers take an active interest in local government. 81% of the surveyed people said they had voted in the last elections for the DA and the UC (compared to 89.3% in the last national elections). 85.5% of the surveyed people knew their assembly member and 94.2% knew at least some of the UC members.[24] 90.5% of

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[24] Throughout the villages 52.5% of the people said they knew all members of the UC in their village; 21.5% said they knew many of them; 20.2% said they knew some of them; 5.4% said they knew none (0.4% invalid).

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the people felt that they had a say in community affairs. In the survey, people were also asked to score the performance of their chief, assembly member and UC on a 5-scale (1 = very bad, 5 = very good): see Table 5.

Table 5: Performance Assessments: Chief, UC and DA member

Village	Chief	UC	DA member
Jachie	4.72	4.07***	3.65***
Nkoranza	4.17	3.54*	3.93
Kotwi	4.04	3.58	3.09*
Brofoyeduru	3.54	4.12*	1.96***
Adadeentem	2.97	4.00**	2.15
Tikrom	2.62	2.92	2.00*
Ahenema Kokoben	2.59	2.83	2.50
Boankra	No chief	3.56	3.50
All villages	3.52	3.57	2.85*

* Difference with assessment performance chief is significant at the 0.05 level.
** Difference with assessment performance chief is significant at the 0.01 level.
*** Difference with assessment performance chief is significant at the 0.001 level.

The assembly members score significantly lower (2.85) than both the chiefs (3.52) and UCs (3.57). This reflects the difficulty of their jobs. Despite the lack of remuneration assembly members are expected to serve not only in their own village but in one or two other villages as well. In these villages people often complain that the assembly member never visits them, or even that they don't know him/her, and that these members only care about their own villages. In the four survey villages (N=120) where the assembly member lived in the village, 98.35% of the people knew their assembly member, compared to 72.93% in the four villages where the assembly member did not live (N=122). In the first set of villages the performance of the assembly members is assessed with an average of 3.37, whereas in the latter villages they score only 2.27. Furthermore the assembly members are mainly judged on their success in obtaining development projects from the DA, which itself is low on funds. The higher score of UCs might imply that the UCs have lost the bad image resulting from their history as revolutionary councils.[25]

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[25] This does not correspond with Crook et al.'s opinion that the Unit Committees

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The average score for chiefs is 3.52, which signifies something in between average and good. In three villages the chiefs score under average, in four villages above. There is a strong correlation between their score and their 'style' of land management and its effects in the locality. In Ahenema Kokoben (2.59) and Tikrom (2.62) the chief has sold much land, with little revenue for the community. In Adadeentmen (2.97) the former chief sold a large tract of land very much against the wishes of the people, which sharply contrasts with the new chief who has not sold any land yet, but has already started building a primary school from his own money.[26] In Brofoyeduru (3.54) it is mainly the people who are profiting from the land conversions by selling their own land, a process which is being condoned by the chief. In Kotwi (4.04) many farmers had already sold their land to commercial farmers in the last decade. The current conversion of these lands therefore does not take away local people's livelihoods. Nkoranza (4.17) still has more than sufficient agricultural land, as a result of which the people hardly feel the effect of land sales by the chief. The *Jachiehene* (4.72) has converted much farmland into residential land, but he shared both the land and the profits with the community.

Despite this strong correlation, chiefs do not receive very bad assessments even when in interviews people expressed outright criticism of the way they managed the land. It has also been suggested that the traditional respect for chieftaincy makes it difficult to grade chiefs with an unsatisfactory mark. This argument seems to be brought down, however, by the fact that during interviews and participant observations severe criticism of the chiefs was freely and frequently voiced. Should the relatively favorable assessment of chiefs then be attributed to their performance in other fields? We have now discussed four of the main tasks of the chief mentioned in Table 1. With regard to land administration, many villagers do not consider the chiefs to play a very positive role. With regard to physical development of the town, organizing communal labor and ensuring community participation, we have seen that for these tasks, local government is now preferred over chiefly rule. The next sections will therefore discuss the last three tasks

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have failed (Crook et al. 2005: 5).

[26] Although the people of Adadeentem have elected this chief, the *Ejisumanhene*, the paramount chief of the area, is unwilling to enstool him. The *Ejisumanhene* preferred another chief-elect with whom he had been cooperating to alienate village land, for their mutual financial benefit.

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mentioned: dispute settlement, ensuring peace in the community and celebrating traditional festivals.

Law and Order: Dispute Settlement and Ensuring Peace

Dispute settlement ranks first as the main task of the chief (78.1%), and is closely connected to the third ranking ensuring peace in the community (53%) (Table 1).[27] When asked the hypothetical question, whether they would go to the chief if they had a land problem, 76.4% of the surveyed people answered in the affirmative. In-depth interviews, however, showed that in cases where the chief is one of the parties to the conflict - as is often the case when farmland is converted to residential land - people do not consider the chief's court an acceptable forum for settlement of the dispute.

Of the people surveyed 10.4% had at some date taken a dispute to the chief;[28] 25.6% had been witnesses in such a case. These figures are difficult to read without knowledge of how many people were involved in disputes, and how many went to other dispute settlers. Crook et al. seem to be the only researchers providing empirical data on such questions regarding use of various dispute settlement systems in Ghana (Crook, et al. 2005). In a survey, they asked 677 people who they would most trust to settle any problem they might have concerning their land. The people most frequently mentioned as 'trusted a lot' were, firstly, village chiefs (62.1%), second family heads (61.4%) and third court judges (35.4%), with UC chairmen coming a close fourth (34.2%). In peri-urban Kumasi, the UC chairmen ranked third (37.8%), paramount chiefs fourth (28.4%) and court judges fifth (20.9%). The general trust rankings showed very little difference in levels of trust between men and women, between various age groups or between people with different levels of education. Only the origin of respondents produced some interesting differences: migrants from a different district or region showed much less propensity to trust a paramount chief and were

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[27] Chiefs' courts are not accorded judicial functions by the state, and they are regarded as mere dispute settlement institutions. Chiefs are also not incorporated into state courts. These courts, however, do frequently apply customary law, which is one of the sources of law in Ghana.

[28] Of the 25 disputes, 13 (52%) concerned land.

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more likely to trust a judge (Crook et al. 2005: 73-77).[29]

A widely shared belief is put into words by Boafo-Arthur when he states that "there are many instances, at the rural level, where societal conflicts are referred, first and foremost, to the traditional ruler for arbitration. In most cases, it is where the parties are not satisfied by the judgment of the traditional arbitration system that the case is taken to court" (Boafo-Arthur 2001: 10; cf. Schott 1980: 125-6). Crook et al., however, come to a different conclusion. They show that, out of 153 respondents that said they had personally experienced a land dispute, only 26.1% had turned in the first instance to the chief, while 73.9% had initially taken other roads to settle the issue: they turned to their family or to a court, used arbitration by respected persons, or had the issue sorted out through negotiation with the other party (Crook et al. 2005: 72). A division of respondents according to origin demonstrated that non-locals were only half as likely as locals to have used a chief's court (16.3% and 31.1% respectively: Crook et al. 2005: 78). Additionally, they demonstrate that out of 168 land case litigants in Kumasi High Court, 52.2% went straight to court, without first employing any other dispute settlement mechanism (Crook et al. 2005: 30; cf. Crook 2004).

It is clear from the data from Crook et al. and from the current research that chiefs remain an important source of dispute settlement at the local level and enjoy high levels of trust in that area, albeit more among locals than among migrants. The position of Ashanti chiefs in dispute settlement has even been somewhat enhanced by—and the role of state courts has equally suffered from—an appeal by the *Asantehene* at his inaugural meeting with the Kumasi Traditional Council in 1999 to the chiefs to withdraw cases pending in the state courts and in the Houses of Chiefs and bring them to his court for settlement. Since this appeal—which was followed by quite some people, although numerous cases were also *not* withdrawn from state courts—over 500 land, chieftaincy, criminal and civil cases have been settled in the *Asantehene's* traditional court (Boafo-Arthur 2003: 147; Otumfuo Osei Tutu II 2004).[30] Crook et al., however, also demonstrate an ambiguity.

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[29] In my own survey, the origin of respondents did not produce significant differences on the issues represented in this article.

[30] Although this was an understandable and sensible appeal considering the enormous backlogs in state courts, the move was also a highly political one in which the *Asantehene* reclaimed the traditional *trias politica* of legislator, administrator and judge.

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Whereas village chiefs are still cited by the general population as most trusted persons for resolving a dispute, actual personal experiences of dealings with a dispute showed a rather more varied picture. Chiefs accounted for only a minority of dispute settlement institutions resorted to, others being family heads, respected persons and opinion leaders including elected local government representatives (Crook et al. 2005: 89). Furthermore, Crook et al. confirm the finding from our qualitative research that the continuing conflict in peri-urban areas over the role which chiefs play in the appropriation of village lands for sale as urban plots, is an important difficulty surrounding the chiefs' role. In such circumstances, Crook et al. conclude, the chief may be regarded as having too much personal interest to be trusted as an impartial judge of a local land case (Crook et al. 2005: 74-5).

Traditional Religion

In the literature, the person and function of the chief are very much connected to traditional religion (Busia 1951; Hagan 2003; Rattray 1969; Ray 2003b). Busia wrote in 1951 that ancestor-worship was the basis of the chief's authority as well as the sanction for morality in the community. The belief that the ancestors were the custodians of the laws and customs and that they punished those who infringed them with sickness or misfortune acted as a check on commoners and chiefs alike (Busia 1951: 24, 136; Fortes 1962: 78. Cf Nukunya 1992: 128). According to Ray,

> the basis of the respect accorded to the chief is not only that the
> chief derives his power from the people, but also that the stools,
> skins and other symbols of office have a spiritual significance –
> the chief deriving his power from the ancestors and mediating
> between the people and the ancestors (Ray 2003b: 7).

In Daneel's analysis it is due to the religious base of chiefly authority that chiefs are able to mobilize people to protect the environment (Daneel 1996: 348).

Of the people surveyed only 0.8% claimed traditional religion as their faith, with 45.6% orthodox Christians, 37.8% charismatic Christians and 6.6% Muslims (see Table 7). Despite the variety of 'new' religions, some researchers claim that the chief's role is "well-defined and is embedded in local cosmological views, norms and values *which are respected by everyone in the particular society*" (emphasis added, Ray and van Rouveroy van Nieuwaal 1996: 25). Others assume that in a

society in which political and religious office are combined in the chief, new religions are regarded as a challenge to traditional leadership. These researchers look more critically at the effects of changing religions and worldviews on chiefly rule. Asiama for instance thinks that

> the effect of education and European acculturation, coupled with the departure of a majority of the people from the traditional African religion built on ancestral worship, have made people believe less in the divinity of the chiefs and the strength of their connections with the departed ancestors (Asiama 2003: 13).

According to Hagan divergent faiths and world views not consonant with traditional beliefs will lead either to the secularization of the institution or to the narrowing of faith allegiance to the stool (Hagan 2003: 7). Historical evidence shows that in many places and for many years people have been using conversion to free themselves of service to their chiefs, justifying their behavior by claiming that they do not want to take part in "fetish observances" (Brempong 2001: 58; Busia 1951: 134; Hagan 2003: 7)

Table 7: Religion of interviewees

Religion	%
Christian, orthodox	45.6
Christian, charismatic	37.8
Muslim	6.6
Traditional religion	0.8
Other religion	0.4
No religion	8.7

Only 8.3% of the people surveyed mentioned the celebration of traditional festivals as main task of the chief (Table 1). Some Christian charismatic churches agitate against such traditional religious practices. The pastor of the 'Assemblies of God' in Besease explains his church's stance towards chieftaincy and traditional religion thus:

> We teach that pouring libation and praying to dead people is against the law of God. We preach against it in church. Chiefs and heads of families (*abusua panin*) who are born again refuse to pour libation. They let one of their elders do it for them. That

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is accepted by the church. The church does not agree with the celebration of *Akwasidae*. But we can't say they should abolish it, everyone has its freedom of worship. We just don't want anything to do with that, but we don't fight against it. We teach our members not to get involved. But some of the members are not properly committed, these might still pour libation. Chieftaincy is still important for the people. Even in the bible there are kings. They are very important to the nation, if there is no chief, people will behave unruly. If there is a chief, people will fear for punishment. We therefore do not preach against chieftaincy as a function. Although the chief has a role to play in dispute settlement, we teach the people not to go to non-Christians. We will settle all issues in the church amicably. In that sense, the church takes over part of the role of the chief (Interview, 12 September 2003.).[31]

The orthodox churches, on the other hand, see no harm in traditional practices such as pouring libation and celebrating *Akwasidae*. Many Christians condone or partake in them.[32] According to one elder, "Almost anybody will pour libation, to remember the ancestors. To know they are remembered, you mention their names" (Interview elder of the *Kontrehene* of *Ejisumanhene*, Besease, 7 May 2003). Some people, however, refuse to actively partake in traditional religious practices. A chief recollects: "when my father and mother opted to be catholics, they cherished the church so much that anything relating to custom was taboo for them" (Interview *Kontrehene* of *Ejisumanhene*, Besease, 27 May 2003) This has also led certain people to decline an offer to become chief, because of the inherent necessity to pour libation and 'feed the stools' (Personal communication,

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[31] Crook et al.'s research shows that for land disputes, church leaders only rank 16th (3.4%) on the list of most trusted dispute settlers (Crook et al. 2005: 73).

[32] Religion being such an important sphere of life in the villages, some of the religious leaders take an active role in the personal affairs of their followers. This was mainly confined to counseling and dispute settling in the field of family matters and witchcraft. I did not encounter in the case study villages instances in which they took an active role in opposing the chief when his rule brought hardship to the people. Even in Besease, where the assembly member was also a minister in one of the twenty-three local churches, this merely resulted in regular get-togethers of all religious leaders to pray for the welfare of the village.

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researcher Institute for Land Management and Development, Kumasi, 15 April 2003). Some years back, a chief declared in a radio interview that he no longer believed in the sacred rituals of the stool room. He refused to pour libation to the ancestors, which he considered to be demonic. Because of these statements, the chief was destooled before the *Asantehene*, the late Opoku Ware II (Hagan 2003: 7). Celebration of the traditional festival of *Akwasidae* has changed a lot over the last decades. "*Akwasidae* used to be celebrated by the whole town in the open, first in Ejisu and then in Besease," a Besease chief narrates. "Libation would be poured, a sheep or goat killed, and no one would go to the farm that day. Now it is a closed ceremony, with only the chief and the linguist present. This year one *Akwasidae* was not celebrated because it fell on Easter Sunday" (Interview *Kontrehene* of *Ejisumanhene*, Besease, 27 May 2003). The fetish priest used to dance and drum on festive days. But since the priest died, they have been unable to find a new one. "Christianity has made the shrine so low", explained one of the villagers (Personal communication villager Besease, 12 May 2003). At the same time, when asked whether they would mind if the celebration of the traditional festival of *Akwasidae* were to be cancelled 54.5% of the people - and 60.6% of the people that originated from the survey villages - said yes.[33] Two villagers' views on traditional religion are worth quoting: "People think that pouring libation is praying, but they don't pray to the real god," says a female charismatic Christian from Besease. "They call on god with alcohol, but the real god does not like alcohol. These are evil spirits." With regard to *Akwasidae* she says: "If it were a public ceremony I would not go because it is not the calling of the supreme God. It is fetish. But it should not be cancelled. We met our parents and grandparents doing that" (Interview villager Besease, 27 August 2003). A woman from a different charismatic church in Besease says: "Everyone goes to church, so only the chief and the houses who have stools pour libation. I go to the Baptist church, my mother to the Bethany church. These churches preach against such practices. But *Akwasidae* should not be taken out. It is custom (*amanne*). It should be there for the ones who want it." (Interview villager Besease, 26 August 2003)

These data again do not present an unambiguous picture. Only 0.8% of the surveyed people claimed traditional religion as their faith. We may conclude, in line with Hagan (2003: 7), that this trend most likely leads to the narrowing of faith allegiance to the stool. It might also have its effect on other functions of the

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[33] In answer to this question 57.3% of the charismatic Christians said yes, 51.6% of the orthodox Christians, 31.3 of the Muslims and 66.7% of people with 'no religion'.

chief, such as dispute settlement. It can not be interpreted, however, as a rejection of all aspects of traditional religion. Many Christians and Muslims still condone or adhere to facets of traditional religion and ancestor worship. And while only a small minority (8.3%) of the people mention the celebration of traditional festivals as a main task of the chief, a majority attaches importance to their continuation.

Perceptions of Chiefs and Chieftaincy

In this article, we have discussed chiefly rule and popular perceptions in four fields, structured around the seven main functions of the chief as listed by the people (Table 1). We started with a description of dealings with land in peri-urban Kumasi and saw that many people are highly critical with regard to this aspect of chiefly rule. We furthermore saw that in the field of local development projects the chief was regarded as only the third or fourth most appropriate actor, behind the UC and the local assembly member. The field of law and order showed a stronger but ambiguous role for chiefs. Whereas village chiefs are considered as most trusted persons for resolving a dispute, chiefs accounted for only a minority of dispute settlement institutions resorted to and the continuing conflict over the role which chiefs play in the appropriation of village lands for sale as urban plots sometimes affects their ability to judge local land cases. With regard to the field of traditional religion the data showed that most people surveyed were Christians and Muslims. Although this most likely leads to the narrowing of faith allegiance to the stool, we saw that it does not imply a total rejection of all aspects of traditional religion, and the role of chiefs in its performance.

The survey data showed that the assessment of village chiefs is correlated to their 'style' of land management. But despite very negative judgments on chiefly performance in that area, chiefs' overall performance assessments are not overly negative, ranging from a bit under average to good.[34] We have posed the question whether this could be attributed to the performance of chiefs in other fields. If that were so, however, variation in chiefly performance in these other fields would influence their assessment, which does not square with the clear correlation

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[34] In another survey in peri-urban Kumasi in which the extent of villagers' satisfaction with their chief was measured, 28% of the people reported to be very satisfied; 50% satisfied; 4% not satisfied; 10% absolutely not satisfied; and 8% did not know or did not answer (Hueber and de Veer 1993: 43).

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between style of land management and performance assessment that we found for peri-urban Kumasi. For an answer to this question of relative positive assessments of chiefly functioning we should therefore look to another direction, for which we need to make a distinction between the person of the chief and the institution of chieftaincy.

Table 8: Performance assessments village chief, *Asantehene* and chieftaincy

Village	Chief	*Asantehene*	Chieftaincy
Jachie	4.72	4.81	3.72
Nkoranza	4.17	4.82	3.33
Kotwi	4.04	4.93	3.80
Brofoyeduru	3.54	4.88	3.45
Adadeentem	2.97	4.93	3.57
Tikrom	2.62	4.66	3.30
Ahenema Kokoben	2.59	4.69	3.22
Boankra	No chief	4.93	3.56
All villages	**3.52**	**4.81**	**3.49**

In Table 8 the assessment of village chiefs is compared to the assessment of the *Asantehene* and of the institution of chieftaincy. These data display firstly that the assessment of chieftaincy shows a low correlation[35] to the assessment of the village chief and, secondly, that the assessment of chieftaincy does not differ significantly per village. This clearly shows that people's opinions about chieftaincy hardly depend on the performance of current village chiefs or, to put it differently, that the way a chief governs barely reflects on the institution. A distinction between the institution of chieftaincy and its incumbent has also been described in political oratory among the Barolong boo Ratshidi on the South Africa-Botswana borderland (Comaroff 1975)[36] and for Sesotho culture in South Africa (Oomen 2002: 205). Unlike the data presented here, Oomen's information led to the conclusion that this 'delinking' of chieftaincy from individual chiefs in local political debate did not take place in people's assessments of chiefs and chieftaincy. Quite the reverse, she shows a clear causal relationship between the

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[35] The correlation is 0.357, significant at the 0.01 level.

[36] Comaroff describes that the people use a formal code to praise the qualities of the institution of chieftaincy in contrast with an evaluative code—which can be highly critical—when they speak about a particular chief.

way people feel about their chief and their opinions on chieftaincy. As said, in peri-urban Kumasi this causal relationship is missing: the way people feel about their chief seems *not* to influence their opinion on the institution of chieftaincy. Perhaps we could even turn the argument around and suggest that respect for the institution of chieftaincy carries weight in and contributes to the assessment of individual chiefs, which could explain the fact that individual chiefs are assessed rather better than was to be expected on the basis of their land practices.

This dissimilarity between the Ashantis and the Sotho matches with the fact that the institution of chieftaincy is highly debated in contemporary South Africa, whereas it is almost a fact of nature in Ashanti. In peri-urban Kumasi dissatisfaction with local land administration and anger towards a particular chief hardly seem to lead to discussions of the desirability of the institution of chieftaincy. For the majority, chieftaincy is a fact. According to a youngster: "The youth don't respect the chief as they used to. When they have a dispute they would sooner go to the police or to court than to the chief. But chieftaincy has to be there. It is not old fashioned." (Interview youngster Besease, 15 June 2003) It is almost unthinkable for a village not to have a chief. Without a chief there is no village, for who will represent the community at traditional and cultural festivals and ceremonies? "Chieftaincy is the culture of the people," explains the District Chief Executive. "They feel an emptiness if there is no chief. They think leadership is lacking, authority is no longer there. Especially on festive occasions, people want to belong to a chief." (Interview District Chief Executive, Ejisu, 9 September 2003)

Table 8 also shows a significant difference between the assessment of the village chiefs and of the *Asantehene*.[37] The assessment of the *Asantehene* is strikingly high in all villages. This is understandable, since it is felt that the prestige of the *Asantehene* reflects on the status of Asante and the Ashantis. This has its bearing on the same issue of representation. For you need a village chief to communicate with higher chiefs and with the *Asantehene*, who is highly revered and whose position is unquestionable.

Respect for the institution of chieftaincy, however, should not be confused with respect for the person on the stool. As we have seen from the villagers in Besease swearing and shouting at the chief during the village meeting to install a Plot Allocation Committee, the latter does not always prevail. In general, it was quite

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[37] Significant at the 0.001 level

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common during the fieldwork to hear villagers talk in derogatory terms of their chiefs.

Conclusions

In the introduction, we demonstrated that in the literature the resurgence of chieftaincy is often explained by either pointing to how international trends of multi-party democracy, decentralization, liberalization policies and structural adjustment have opened up new public spaces for traditional leaders, on which they have aptly and skillfully capitalized, or by pointing to the functions performed—successfully in the authors' opinion—by chiefs. Both explanations pay hardly any attention to *how people feel* about chiefs, the way they rule and the institution of chieftaincy. Chieftaincy literature in general hardly provides any data on people's perceptions. This is reflected in the fact that national and international policies on chieftaincy often do not seem to take into account people's perceptions. The cases in peri-urban Kumasi show that the support for chieftaincy is not based on high satisfaction with the way chiefs perform their tasks. Reasons are rather found in the realms of culture and identity, as the quotes above make clear (cf. Oomen 2002: 223). This is an important lesson for African governments and international policy makers, since it demonstrates that people's support for the institution of chieftaincy does not necessarily go hand in hand with satisfaction with chiefly performance. People can simultaneously support the institution of chieftaincy and be highly critical of the performance of certain chiefs or certain tasks. Whereas governments' moves towards more formal recognition of chieftaincy are sensible in countries where chieftaincy is regarded as a naturalness by most people, this should not lead to uncritical acceptance of the way chiefs perform all their functions. Policy makers should critically assess chiefly rule—and popular perceptions of it—in various fields taking into account the performance of other actors in these fields, including local government representatives. Based on such assessments, governments should determine the desirability to recognize, formalize or enhance, in a ceremonial or more material form, the various functions of the chiefs. And if necessary they should place checks and balances on the functioning of chiefs in general and regulate or control certain fields in particular.

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