



**Reinventing African Chieftaincy
in the Age of AIDS, Gender,
Governance, and Development**

Edited by Donald I. Ray, Tim Quinlan,
Keshav Sharma, and Tacita A.O. Clarke

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Donald I. Ray, Tim Quinlan, Keshav Sharma,
and Tacita A.O. Clarke

Traditional leaders are reinventing themselves and their offices in terms of how they promote development for their communities, how they deal with changing gender values, how they relate to changing governance expectations, and how they respond to the HIV/AIDS crisis. The extent of this reinvention varies widely between and within Ghana, Botswana, and South Africa.

The IDRC-funded research by the Traditional Authority Applied Research Network (TAARN) found that, in Ghana, Botswana, and South Africa, traditional leaders remain, for a variety of reasons, important to the design and implementation of development regardless of whether traditional leaders have statutory jurisdiction in these matters granted by the post-colonial state. Therefore, multisectoral development strategies usually need to include traditional leaders as one of the key sectors in order to increase the likelihood of success.

Traditional leaders can be more than “gate-openers” in the orthodox sense of having to be acknowledged by a development agency seeking to work in an area and the development agency having to obey local traditional

protocols in order to work without hindrance in an area. Traditional leaders often seek to be active collaborators in development interventions.

A major reason for the continuing involvement of traditional leaders in development in Ghana, Botswana, and South Africa was that traditional leaders continued to have access, outside the state, to their own sources of political legitimacy (i.e., credibility) in their communities. Many members of these communities now expect that their traditional leaders/chiefs could or should be active in addressing their development needs under certain conditions. There is evidence of growing expectations in many communities that the traditional leader should act as or become an agency of development.

A major basis for this “development legitimacy” of traditional leaders is that they can be perceived by themselves and their communities to have a political legitimacy that is rooted in the pre-colonial period, even if their offices and/or authority have been substantially modified by the colonial and post-colonial states. The extent to which this extends to “neo-traditional” offices invented by the colonial regime is beyond the scope of our research.

Here the point is that the chiefs’ constituencies – residents in their area usually proclaiming in some way an identity and affiliation with leaders on basis of ethnicity, family ties, and social networks – see themselves as both “followers” of traditional authorities and as citizens of the state. These residents do not necessarily regard the state as the only agency that should manage development; indeed, the constituencies often expect traditional leaders to also play this role.

The political legitimacy of traditional leaders is “differently-rooted” than that of the post-colonial state. In the case of South Africa, team members argued that the nature of a chief’s authority was quite different from that of the post-colonial state. Therefore, chiefs were seen to be part of a circumscribed “parallel state” but one that was subordinate to the post-colonial state. Chiefs were seen, thus, to be “governors,” i.e., leaders who have authority who were not in opposition to the state but who complemented it. In the case of Ghana, the recognition of traditional leaders’ “differently-rooted legitimacy” and the need to mobilize it for development is even more widespread. In the case of Botswana, this is also present but it is largely framed within the incorporation of traditional leaders into the state, in large measure as “administrative chiefs,” as the Botswana team

argued so persuasively. The creation of the Houses of Chiefs in Botswana, Ghana, and South Africa is also seen as recognition by the post-colonial state of the continuing, if re-defined, legitimacy of the traditional leaders.

The “differently-rooted legitimacy” of traditional leaders is based on the concept of “divided legitimacy” in which political legitimacy is seen to be divided between the post-colonial state and the traditional authorities or traditional leaders. Because chiefs serve their community by maintaining customs, traditions, and ceremonies, they are able to act as spokespersons for their community on issues of custom and even development by cooperating with agencies of the post-colonial state and non-governmental organizations.

Divided legitimacy is derived from their constituencies regarding themselves as both citizens of the state (with attendant rights as citizens) and as followers or subjects of traditional leaders (with expectations that traditional leaders can and should act as development agents and, perhaps, also as intermediaries between the distant “state” and the people).

In Ghana and South Africa where traditional leaders remain in large measure outside the immediate supervision of the state, traditional leaders may use their differently rooted legitimacy to advocate for their communities’ development not only with the state but also with organizations outside the control/boundaries of the state. Examples of such organizations can be drawn from civil society both locally and internationally, or foreign governments or local businesses or multinational corporations. The TAARN South African Team argued that, given the current global climate of neo-liberalism, there were new neo-liberal ideologically sanctioned opportunities by the post-1994/post-apartheid government by which traditional leaders could pursue development not only with the state but now with business. The South African Team called this the “privatization of politics” for traditional authority. In the case of Botswana, the state is the dominant major development partner of traditional leaders: hence the use of the term “administrative chiefs.” In Ghana, chiefs were found to be playing a significant role in mobilizing development resources for their communities.

While we wait for the discovery of the medical vaccine against HIV/AIDS, we can implement the social vaccine, i.e., find ways to prevent people from becoming HIV positive and so preventing AIDS in the first place. Traditional leaders or chiefs (in particular queenmothers) can be an

effective part of this social vaccine, as it has been termed by the Ghana AIDS Commission.

Moreover we found that chiefs controlled resources that were called upon by the post-colonial state to implement its policies. Ghana's AIDS policy explicitly recognized the need to incorporate traditional leaders and implement this recognition. Other examples can be found throughout the book.

In general, a major finding was the discovery of a three-stage best practice model for measuring the depth and effectiveness of involvement of traditional leaders in promoting development, especially in fighting HIV/AIDS from the social vaccine perspective: (1) gate-opening, (2) social marketing/public education, and (3) community-capacity building. This model reflects lessons from Ghana, South Africa, and Botswana. Not only does this best practice model have implications for the carrying out of research, but it also suggests a development strategy that builds on the legitimacy of African indigeneity. Development is too important to be left to concepts of the "post-colonial state" and "civil society," both of which are imports from outside the continent. (We note that African states existed in pre-colonial times.) Development and democratization need to be reconceptualized to include both the "external" impositions and "indigenous" or traditional institutions and knowledge. Moreover, our research found that the chiefs' resources were called upon to implement the post-colonial state's policies, be they in the fight against AIDS or education.

Specifically, the analysis of traditional leaders' involvement and effectiveness in the fight against HIV/AIDS in Ghana yielded a three-stage best practice model. In the first or "gate-opening" stage, chiefs and queenmothers acted as "gate-openers" who lent their differently-rooted legitimacy for their communities to the programs of external agencies, including those of the state, but the traditional leaders did little else. In the second or "social marketing/public education" stage, the traditional leaders speak out on HIV/AIDS in order to aid in the public education of their communities: both legitimization of the program and the activity of persuading their community takes place. In the third or "community-capacity building" stage, traditional authorities are legitimizing and promoting the HIV/AIDS programs as well as building the capacity of their communities to better manage the HIV/AIDS crises as their communities

are impacted by HIV/AIDS. These latter activities of the traditional leaders can vary greatly, including, for example, everything from helping to design culturally appropriate social marketing/public education for their grassroots communities to establishing care strategies and programs for the AIDS orphans or mobilizing external resources for community needs. Independently of Ghanaian chiefs, traditional leaders in Botswana are also following this model to varying extents.

The “best practice” model actually questions the orthodox conception of traditional leaders as being only “gatekeepers” whom the post-colonial state wants neutered. The chiefs are indigenous “gate-openers” whose collaboration and participation in the design of interventions (be it for HIV or development) is a means to achieve the second and third stages of this model.

This three-stage best practice model for measuring the depth and effectiveness of involvement of traditional leaders can also be applied to all areas of development. When looking at development in an area, one can use the model to see what happened and, depending on how the results reveal the extent of involvement of traditional leaders, one can assess why a development intervention worked or did not. Use of the model is one strategy for designing development interventions in areas where there are traditional leaders, as the case of Ghana’s Wechiau Hippo Sanctuary, affiliated with the Calgary Zoo, demonstrates.

Our findings show the importance of incorporating gender into the analysis of the activities of traditional leadership in local governance and development if traditional leadership is to continue its developmental, equity, and democratization transformation. (Of course, the same is true for the state everywhere.) In South Africa and Botswana, there is a gradual progression to formally appointing and allowing women to be chiefs. However, there has been some ambivalence and ambiguity in South Africa as to whether women should be appointed/inaugurated as full and permanent traditional leadership office-holders. In South Africa’s KwaZulu-Natal province, women chiefs have been seen as being “regents” rather than as being regular office-holders. In Botswana, a critical boundary has been crossed, in comparison to South Africa, as women have been appointed according to custom to be paramount chiefs and a sub-chiefs. Also, the woman paramount chief, *Kgosi* Mosadi Sebeko, was elected president of Botswana’s House of Chiefs. In Ghana, the significance of

utilizing gender as a tool of analysis is evident in the work of the Manya Krobo Queenmothers Association, who are actively educating women in their region on various health issues (specifically HIV/AIDS) and developing community capacity to deal with the social and economic pressures of HIV/AIDS on the orphans and other community members. The queenmothers' activities are built on their historic authority in relation to family and women issues. However, the question of admitting queenmothers as members of Ghana's National and Regional Houses of Chiefs continued to be debated. Moreover, as the study on Akan queenmothers argues, there has been a long battle to undermine the authority of queenmothers because of their gender.

As the Botswana team argues, where traditional leaders are performing functions and holding offices within the administrative and judicial institutions of the post-colonial state, there is the need for that state to provide adequate training and support personnel resources to the chiefs so that they can be more effective in administering programs such as customary law as codified by the post-colonial state or aspects of local governance.

Traditional leaders are keen to understand and utilize state law to enable them to be development agents. In South Africa and Ghana, codification of customary laws continues to pose legal and constitutional issues as such efforts are usually regarded as a political tool of the state to redefine and circumscribe the status and role of traditional leaders. Traditional leaders often meet such codification with resistance; however, when codification is implemented as in Botswana, traditional leaders find ways to work with them as state laws rarely capture the essence of traditional leaders. Traditional leaders are continuously redefining and reinventing themselves.

While some political leaders and researchers of the post-colonial state believe that traditional authority and democracy are not compatible, many others believe that these principles are compatible in reality, given certain conditions as various forms of blended governance. More to the point, many people in Africa do believe that traditional authority is part of their indigenous heritage, and they want to see it integrated with democracy in a blended governance that incorporates Africa's "traditional" or heritage political processes, structures, and values into their own desired democratic,

post-colonial political cultures In short, many ordinary Africans see traditional authority as being part of their heritage and hence part of their desired political culture of democracy. These beliefs of many citizens of Ghana, Botswana, and South Africa may be politically inconvenient for republicans in those states but our conclusion is that this matter reflects a considerable body of evidence in those countries. This is not to argue for unrestricted monarchies in which the traditional authority has unfettered power but rather for blended, constitutional forms of democratic governance. We are not arguing that the African examples should follow the development pattern of such Western and Asian constitutional democracies with monarchies as those of Canada, the United Kingdom, Bhutan, Thailand, the Netherlands, Norway, Denmark, or Sweden, but we cite these as examples of how the monarchical and democratic principles have been reconciled and implemented. The important point to recognize is that different African countries are in the process of choosing their own paths on this question. In this sense, our research confronts the “traditional-modern” dichotomy of political authority and provides insights into how authority at the local level is reconstructed and reinvented.

Overall, we found considerable evidence that many traditional leaders are very involved in promoting development in Ghana, and perhaps to lesser but still significant degrees in South Africa and Botswana. The model of the chief as agent of development with regard to education, health, and economic growth is very well-articulated in Ghana, where there are widespread popular expectations that traditional authorities should be active in promoting these aspects of development. Chiefs are widely recognized by “their people” as being, potentially, local leaders who could speak on behalf of their grassroots communities’ development wishes. Traditional leaders are expected by their communities to act as interveners with regard to those who control resources in local and central government, international and other aid agencies and others. This is not to argue that problems cannot arise with some chiefs who abuse their trust or who do nothing (as some of our studies occasionally found). However, unsubstantiated fear-mongering by some against all traditional leaders must be rebutted in light of what our studies found especially in Ghana, but also in South Africa, where the expectations of the people that chiefs should be agents of development are growing. In the case of Botswana, the thorough integration of chiefs into the administrative and judicial

apparatus of the post-colonial state has led to the creation of what might be termed the “administrative chief” who takes part in government development implementation. Overall, one way or another, our studies clearly show that the post-colonial states of Ghana, Botswana and South Africa cannot ignore traditional authorities, given their potential and actual contributions to development, without sacrificing some development capacity or some of the political culture of many of the state’s citizens.

These African states have set up several strategies for attempting to incorporate (and often control) traditional leaders (who have their own sources of legitimacy) into state structures and objectives. All three African states established Houses of Chiefs/Traditional Leaders as a strategy that is designed to define the terms and institutional processes for incorporating traditional authorities into the governance process for social policy decisions and implementation processes. This would channel the political legitimacy and influence and authority of the chiefs into an auxiliary, subordinate position that would encourage the traditional leaders to believe that the post-colonial state was responding to the wishes of the chiefs’ communities, inasmuch as the traditional leaders represent their local communities, which is often the case in Ghana, Botswana, and South Africa. (The individual case studies demonstrate the veracity and range of this claim.)

In the case of Ghana, traditional authorities are very frequently to be seen speaking out on behalf of their communities on health, education, and land, and sometimes acting as a social safety net of last resort, engaging in conflict management and economic development. Chiefs use the National and Regional Houses of Chiefs and the Traditional Councils of the local paramount chief, as well as the media and *durbars* (joint meetings of the local traditional leaders and representative of the post-colonial states) in order to publicly state their communities’ needs and thus try to make the post-colonial state more responsive, more effective, and more equitable in the allocation of scarce resources to those who feel that they have been marginalized. To a lesser extent, traditional leaders in South Africa and Botswana also use their offices to articulate the needs of their communities and themselves to those in the state and elsewhere that control policies and resources.

In this sense, traditional leaders in Ghana, South Africa, and Botswana can act as a check or balance to those who control the post-colonial

state on behalf of grassroots constituencies who often seem to be overlooked by such ruling coalitions of the post-colonial state as the Durban case illustrates. The problem is in part rooted in the problems that even multi-party electoral democracies have in being responsive to the ordinary voter between elections. This ongoing problem has been identified in many representative democracies, including Canada. Ironically, then, in certain cases, the non-elected indigenous “traditional” authorities can act as a small but balancing check on the post-colonial state in Africa, rather perhaps as the constitutional monarchy does in Canada. This point needs much greater examination. Of course, it is important to note that this is made possible because the citizens recognize the differently rooted legitimacies of both the state and the traditional leaders and on occasion have shown these governance preferences in anecdotal and polling formats in a number of the studies and elsewhere that reveal a desire for a political culture of blended governance, even in some cases as to which aspects of their lives should be dealt with by the post-colonial state and which should be governed by the traditional authorities.

Beyond the House of Chiefs system in Ghana, South Africa, and Botswana, other forms of traditional leadership participation in the post-colonial state itself vary considerably. In Botswana, chiefs are forbidden to run for elected office and can be removed from office by the state; yet they are integrated into the grassroots levels of local government and judicial administration. In Ghana, chiefs are forbidden to run for Parliament or to be leading members of political parties, but they cannot be removed from office by the president or Parliament (except by traditional impeachment or other mechanisms). They are appointed to many national, regional, and local oversight committees of the security, health, and education institutions but only in the most limited numbers to legislative local government structures. In South Africa, chiefs are free to run for, or be appointed to, Parliament, but the terms under which they can participate, on the basis of being chiefs as legislative or executive members of local government structures, have been greatly reduced and remain very much debated. In the restructuring of local government and municipal authority by the state, our research in Ghana, South Africa, and Botswana concluded that, although there was some consultation, there was little consideration of the concerns of traditional authorities by government. Chiefs are seeking to gain autonomous local governance authority, e.g., the Bafokeng Royal

Authority in South Africa. Our research suggests that if traditional leaders are able to demonstrate their attempts to improve the lives of local people or rather their ability to take on the task of development, they are able to gain popular support. Traditional authority remains an important forum for communication for many people in rural areas, whether this takes place through the *Kgotla* in Botswana or South Africa or through beating the gong-gong to assemble people in Ghana.

The general results found in South Africa, Botswana, and Ghana illustrated the continuing relevance of traditional leadership. Many citizens regard the institution of chieftaincy as legitimate. People do not make “either/or” choices over which form of authority – state or traditional – should prevail in promoting development. People expect chiefs as well as government officials to be development agents. The assertion that traditional authority has popular support does not indicate an exclusion of modern democratic government from the post-colonial state. Both have their own sources of legitimacy. True good governance and development will have to have both.