



## GRASSROOTS GOVERNANCE? CHIEFS IN AFRICA AND THE AFRO-CARIBBEAN

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## WHAT ROLE FOR TRADITIONAL LEADERSHIP IN THE “PLURALISTIC STATE” IN AFRICA?<sup>1</sup>

CHAPTER 11

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CARL WRIGHT is the first Director of the Commonwealth Local Government Forum, CLGF, established in 1995 with the endorsement of Commonwealth heads of government. He has served on several UN and international commissions and expert groups, and as Commonwealth election observer in Ghana, Nigeria, and Pakistan. He was previously assistant director at the Commonwealth Secretariat (1988–95), where he had responsibility for special programs on Mozambique, Namibia, and South Africa and was secretary to the Commonwealth Expert Group on Human Resource Development for Post Apartheid South Africa. He was founding director of the Commonwealth Trade Union Council (1980–87), secretary of the Economic Committee of the International Confederation of Free Trade Union (1974–80) and member of the Private Office of the Right Honourable George Thomson at the European Commission (1973–74). He was educated at the University College London (BSc Hon) and Reading University (MA Weidenfeld scholar).



Forested hills and grassy valley of the Akyem Abuakwa kingdom near Kyebi, Eastern Region, Ghana. The image of the forest is central to the kingdom and is part of the motivation for the environmental campaigns of the king, Osagefuo \*Offori Atta (2002) (\*traditional leader title) (photo by D. Ray).

## INTRODUCTION

In September 1997, the Commonwealth Local Government Forum convened a symposium in Gaborone, Botswana to discuss traditional leadership and local government.<sup>2</sup> The symposium was in many ways the first of its kind, bringing together some fifty traditional leaders, mayors, and senior local and central government officials from twelve African countries. Equally striking were some of the conclusions, which emphasized the concept of partnership in local government by all stakeholders and foresaw an active role for traditional leadership in development and service delivery, social change and transformation, and governance, as well as with regard to its more well-known functions in areas of land and customary judicial functions.

Held against the background of growing interest throughout Africa in the role traditional leaders could play in the modern, pluralistic state, the symposium addressed questions of how the two could fit together productively. Discussions benefited from an earlier Commonwealth Local Government Forum (CLGF) research report on the subject, as well as a number of key background papers. Emphasis throughout the discussions was on practical policies and identification of best practices, with a view to seeing what tangible lessons could be learnt by all the stakeholders present; chiefs, councillors, and government officials. The symposium conclusions accordingly provide a valuable set of practical recommendations for follow-up action at local government level.

This chapter outlines what leaders – traditional and from democratic local government – agreed *should* be done. We do not seek to describe what currently obtains on the ground.

### SCOPE OF THE ISSUE

Discussion at the symposium focused on the role of traditional leaders in Africa and the identification of appropriate good practice policy. Participants were able to visit the Botswana House of Chiefs, where they were hosted by Kgosi Seepapitso IV, who discussed the role and operations of the house, and to visit the *kgotla* (traditional meeting place) at Ramotswa where the Bamalete paramount chief explained certain aspects of traditional local governance. The participants were thus able to benefit from these aspects of the Botswana experience.



The giant umbrella is the symbol of the paramount chief's legitimacy in Ghana and some other parts of Africa. The size of the umbrella reflects the importance of the chief or king. In this case, the paramount chief is Odenho\* Oduro Numapau who was also the President of Ghana's National House of Chiefs (Photo by Werner Zips, 1994) (\*traditional leader title).

It was observed that generally the people still recognize traditional leaders as their head and it would be in the interest of the people and the country to incorporate the traditional leaders into all forms of government. The point was made that while the peoples of the world were recognizing the status of traditional leaders, some African politicians were critical of the system of traditional leadership. Governments were requested to encourage those traditional leaders who were developmentally oriented to play a part in the development of society.

Divergent views were expressed on the status of traditional leaders in local or national councils. While there are Houses of Chiefs in some countries, it was suggested that there is the need for comparative studies of their roles and functions so that a best practice policy could be developed. It was further suggested that there is the need to constantly compare systems in Africa with those of the United Kingdom, Canada, and other developed countries.

On the whole, the discussions revealed a general consensus of the role of traditional leaders. It was stressed that traditional leaders and local and central governments need to develop respect and appreciation for each other, and look into the ways and means for promoting co-operation in the contemporary system of government.

However, traditional leadership has been an important topic not only in Commonwealth Africa, but in other member countries ranging from Canada to Australia. Thus, this symposium with its examination of local government and traditional leadership has significance in many parts of the world. Furthermore, the overall work of the CLGF was enhanced by the call of then President Rawlings of Ghana for the October 1997 Commonwealth Heads of Government meeting in Edinburgh to add the topic of democratic, decentralized local government good practice to their list of topics.

## SYMPOSIUM CONCLUSIONS AND RECOMMENDATIONS

The symposium considered that the role of traditional leadership should be recognized and, where appropriate, incorporated into the constitutional framework of each state. Furthermore, it confirmed that traditional leaders and local government should be active partners in development initiatives.



This sign is part of a local environmental campaign by the traditional leader of the Okyeman, i.e., the Akyem Abuakwa kingdom (photo by D. Ray).

In essence the traditional leaders and local government representatives expressed the importance of each enabling the initiatives of one another.

## DEVELOPMENT AND SERVICE DELIVERY

The participants agreed that development should be pursued through a bottom-up approach involving all stakeholders at each stage of decision-making, planning, and implementation. Each stage should also take place in appropriate open and accountable forums. In this regard, participants wished to draw attention to the need to harness knowledge indigenous to the communities to be served, so as to preserve and develop that knowledge and to apply it actively in ensuring ecological conservation and environmental equilibrium.

Making use of their different networks, the leaders decided that raising public awareness of these matters, and the promotion of civic and community education in ways accessible to all members of the community, was the responsibility of all local and community leaders.

The success of development initiatives was seen as resting on two critical factors: a keen sense of community ownership, and an adequate resource base. In light of this, the symposium recommended the promotion of fiscal decentralization, with accountability and transparency within the framework of national fiscal policies.

Participants agreed that co-operation between traditional leaders and local development agencies would enhance the potential for the effective delivery of development services to local communities. It was further agreed that to achieve the above, in those areas where people accept traditional leadership, the political legitimacy of traditional leaders should be added to those of local government.<sup>3</sup>

## PARTNERSHIP FOR SOCIAL CHANGE AND TRANSFORMATION

The symposium recognized the need that traditional leadership structures require capacity-building support – both in terms of training and infrastructural assistance – in order to be able to work constructively with local governments towards facilitating change and social transformation at the local level. The value of traditional leadership

is contained in its contribution as a unifying force and as a base for strengthening national identity and culture which, allowing for the rich diversity of our communities, should be harnessed for the education and welfare of present and future generations. It was agreed that the collaboration between traditional leaders and local governments should enhance social and cultural stability, actively promote the welfare of women and children within the community, and works towards the elimination of all practices which are abhorrent and detrimental to the health and welfare of any member of the community.

## PARTICIPATION IN GOVERNANCE

The value of traditional leaders in participating in local governance was held to be the legitimacy and continuity it can offer in its ability to mobilize the population behind development initiatives where it is effective. The symposium concurred that in order to promote just and honest government, principles of transparency and accountability must be pursued by traditional leaders and local government administrations alike. It was agreed that serving traditional leaders should be discouraged from involvement in partisan politics at any level, and recommended that there should be a time-bar between abdication and participation in partisan politics.

It was suggested that the representation of traditional leaders in local government structures should be achieved either by statutory provision or in an open and transparent way, through the appropriate and relevant houses or groupings of traditional leaders in the community involved. Alternatively, their representation might be best served through an advisory and consultative capacity on an *ex officio* basis.

It was agreed that at all levels of a state's administration – local, provincial/regional, and national – there should be an open-door relationship between government structures and institutions of traditional leadership, as well as regular exchanges between associations of local government and traditional leaders' organizations.

## LAND AND JUDICIAL FUNCTIONS

The symposium recognized the diversity of land tenure structures in Commonwealth Africa, and agreed that there was a critical need to establish transparent and account-

able systems of land management that allow for the sustainable use of land as a local and national resource, and which safeguard the rights of the communities which live and invest in any given area.

In many instances, the exercise of customary judicial functions by traditional leaders offered easy access to arbitration in a timely manner (as do other formal and informal systems of arbitration within our communities), but recognized that the extent of their jurisdiction, with rights of appeal to the regular court system at the appropriate level, should be clearly defined, and that these judicial functions must take place within the framework of national and international provisions for the protection of civil, human, and people's rights.

## FOLLOW-UP ACTION

The symposium agreed that each participant should carry the conclusions/recommendations of this symposium back to their member states, disseminate them within the appropriate institutions, monitor progress towards their implementation, and continue the exchange and dialogue begun at this symposium.

The Board of the CLGF was requested to consider the agreed conclusions of the symposium and bring them to the attention of the Edinburgh Commonwealth Heads of Government Meeting, and that the Commonwealth Secretariat and CLGF take note of the symposium's conclusions in the development of capacity-building programs for the promotion of good local governance in Commonwealth Africa.

The symposium supported the creation of a traditional leaders applied research network – the TAARN proposed by Prof. Donald Ray – as a resource to facilitate the exchange of experience and build sub-regional, African, and other Commonwealth links of association between traditional leaders and other local government practitioners, and furthermore, that this should relate closely to the planned CLGF Local Government Information Centre in Harare. In this regard, it considered that there should be further examination of the mechanisms and institutions by which traditional leaders and states' government can interact.

## COMMONWEALTH EXPERIENCE IN DECENTRALIZED GOVERNANCE

The paper by Dr. Victor Ayeni (MTSD, Commonwealth Secretariat) focused on the decentralized governance experiences of Commonwealth African countries. There are lessons that can be drawn for present and future decentralization as a process of redistribution of power from the centre to the periphery. Four types of decentralization can be identified; namely, political, economic, administrative, and fiscal.

The focus in this presentation was on political decentralization. When African countries became independent they introduced very centralized systems of government, in some cases in concert with military rule. By the 1980s, there was a shift in the role of the state as the type of governance was reviewed. In addition, there were several push factors that contributed towards a shift between decentralization and good governance which were beyond the Commonwealth African network; namely, international trends and developments and globalization. However, the Harare Declaration, the work of the Commonwealth Secretariat, and the establishment of CLGF assisted most Commonwealth African countries in this regard.

After discussing the main features of this trend, which included the reduction of the state sector, decentralization of government, increased citizen participation, the demise of apartheid, and the beginning of a reappraisal of traditional leaders, a variety of strategies for implementing political decentralization, including traditional leaders, were considered.

## CONCLUSION

Traditional leaders and traditional institutions vary in nature within countries and from country to country. Developing and responding to the social, economic, and legal/constitutional environment in which they exist, each seeks to have impact on their community and, where possible, in national politics.

The point at which democratic local government and traditional leadership meet is best tailored by the development needs of local community. It is unlikely that democratic local leaders and traditional leaders could each rally strong popular support for opposing propositions, and *both* claim they have a legitimate majority.

The conflict is much more likely to arise where a development plan serving an area larger than the immediate locality is being imposed from above, and local leaders are seeking to implement it without sufficient consultation.

Local communities and local governments need to work closely with one another in order to forge a strong working relationship. Traditional leaders, in many communities throughout Commonwealth Africa, voice the concerns of a significant proportion of the citizenry. As such, consultation with them, and where appropriate the formal incorporation of traditional leadership into the structures of government, is worthy of greater consideration and discussion.

## NOTES

1. Special thanks are due to the Botswana Association of Local Authorities, Gaborone City Council and Mayor Bagwasi, the Ministry of Local Government, Lands and Housing, and to the House of Chiefs, especially Kgosi Seepapitso IV, for hosting the symposium upon which this article draws heavily. Also the CLGF would like to thank the sponsors – the Commonwealth Secretariat, the Municipal Development Programme and the Federation of Canadian Municipalities – for enabling it to take place. Warm appreciation is also recorded for the able work of the key resource persons, Professor Don Ray, who edited the report in collaboration with Professor K. Sharma, and Mr. I. May-Parker.
2. Report edited by Donald. I. Ray, in collaboration with K. Sharma and I. I. May-Parker, *Symposium on Traditional Leadership and Local Government*, London: CLGF, 1997.
3. See the 1995 Harare Commonwealth Roundtable on Democratisation and Decentralisation for Senior Policy Makers in Local Government, co-organized by the CLGF, IULA-AS and the FCM, as well as the 1997 Ray paper contained in the *Symposium on Traditional Leadership and Local Government* report.

