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Who runs the municipality?

The intractable interest of neo-traditional actors in Ghana's local state.

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UNIVERSITÄT BAYREUTH
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Matthew Sabbi is a Fritz Thyssen Postdoctoral Fellow at the chair of Development Sociology, University of Bayreuth. He is interested in topics on local political reforms, development politics and local public policy especially in the Global South. His current research examines livelihoods and the everyday life of municipal councilors and their specific motivation for running for office in the local councils.

Who runs the municipality?

The intractable interest of neo-traditional actors in Ghana's local state

Matthew Sabbi

1 Introduction: pitfalls in the municipal reform debate[1]

> It was the chiefs who started local councils long beforelocal government (sic) took over. I feel that if chiefsare not there the local council is of no importance[2]

In July 2016, the chiefs of Kumasi Traditional Council (KTC) gave an ultimatum demanding removal of then mayor of Kumasi, Kojo Bonsu.[3] Commentary on the impasse was largely confined to existing tensions between mayoral leadership style and neo-traditional normative

[1] I am grateful for insightful comments by Dieter Neubert and Peter K. Acheampong. An earlier version of the paper was presented in November 2017 at the ASA conference in Chicago, USA. I thank Kevin Fridy and Justin Williams for a fruitful discussion.

[2] A hint from a prominent chief (Dunn / Robertson 1973: 294).

[3] See Freiku and Alhassan (2016). Some interviewees argued that the mayor was ousted for being arrogant. On-site observation shows that his attempts to exclude the chiefs cost him his job.

expectations. A change in mayoral leadership was hurriedly offered as solution to the deadlock in local governance. A careful examination reveals, however, that the chiefs were reacting to some deep-seated resentment of the local bureaucracy that has largely diminished their political influence since the colonial period. From a typical Weberian sense, one would be startled to find unelected actors with 'customary-moral legitimacy' dictate to state officials. Although different contexts generate their own experience of state and bureaucracy on a daily basis (Migdal / Schlichte: 2005), the Weberian model paradoxically remains the 'default' standard for evaluating local bureaucracies by public officials based on idealized notions of local democracy as promoted by international organizations. As an alternative, then opposition New Patriotic Party (NPP) promised to elect mayors to help address such impasse in municipalities (see NPP 2016: 141). Thus, the tension over local authority was reduced to formal and meritocratic arguments that municipal reforms would simply resolve.

Surprisingly, there is limited scholarly interest in how chieftaincy affects the everyday life of municipal councils and in the delivery of local services.[4] With the state largely absent in much of the countryside, marginal actors fill the gap in public authority (Neubert 2009). Hence, the need to analyze how that ambiguity affects everyday municipal administration as these multiple institutions compete and cooperate to deliver local policy. And among institutions that compete and cooperate with the state to administer public authority (Lund 2006: 685; Ray 1996: 185), chieftaincy stands out. Ghanaian chiefs' influence on municipalities, as regards executive power and development aspirations, remains significant (Ray 2003; Valsecchi 2008).

Yet, the chieftaincy institution has been revered and vilified in the general life of local councils.[5] Indirect rule under colonial administration and programs of successive administrations largely took away the power and authority wielded by chiefs (Arhin 1985: 108; Rathbone 2000: 11). Even then, numerous legislations targeting chiefs and their associates did not deter them from maneuvering the local political project; they still influence the councils in clandestine and overt forms. This begs the questions: what specific functions do chiefs perform in the idealized versions of modern local administration? Why do chiefs' influence on local councils persist despite the ostensible political programs that try to get them out? Can municipal councils produce public authority without chieftain support? Why do state officials persistently present the contrary by making claims of an idealized municipal bureaucracy that does not exist? Hardly have these concerns been articulated by extant explanations on the state and its lower tiers of administration. A helpful approach is to explore chiefs' quotidian construction and negotiation of their relevance in local councils even if such legitimacy is frequently questioned by the state.

Interest of elite politicians is fundamental to the present perspective and although scholars implicitly acknowledge this 'chiefs-state legitimacy' tactic inside municipal councils (see e.g. Ayee 2012; Lentz 1998; Ray 1996), they fail to coherently articulate how such interest persists in

[4] Ray (2003) discusses the topic and offers probable options to involve chiefs in municipal administration. How chiefs interact with the everyday life of municipal councils and practical outcomes remains less articulated.
[5] I use local councils to generically refer to councils designated as: District; Municipal; Urban; Town; and Area Councils set up by the different regimes to administer local government.

everyday projects of local councils. Beyond the dominant notion that sees local bureaucratic reform as a set of uncontested and uninterrupted projects and rules, one would uncover, from specific historical contexts, how actors' interests and preferences shape and entrench the very institutions they publicly claim to change. I argue that while publicly using political programs to alienate chiefs, state actors at once are interested in their own political survival. Hence, they combine a mix of subtle strategies that enhance the resolve of chiefs to hold on to their narratives of being fundamental to local councils. Yet, chieftaincy maneuvers in the headship and task of local councils gravely shape the already fraught councils in delivering local public services (Sabbi 2015). While the two institutions make different claims to legitimacy (see Ray 1996), in practice, state officials view their own claim to legitimacy as contingent on chiefs' affirmation. This eventually leads to ambivalence in proposals for reform and everyday running of the councils.

This paper explores the general ambivalence of five civilian regimes towards the chieftaincy institution namely: the colonial and four independent governments. These administrations evolved coherent political programs for the chieftaincy institution.[6] The paper draws mainly on fieldwork conducted in municipalities of Kumasi and Wa[7] in south-central and north-western Ghana respectively. Chiefs' influence in these localities vary greatly and allows us to evaluate how chiefs and their preferences affect the everyday administration of local councils. Interviews with local politicians and bureaucrats supplemented archival data from the archives department in Kumasi, Ghana[8] providing insights into local councils from colonial and immediate post-colonial eras. Accessible scholarly studies and newspaper articles related to the study augmented these strands of data. From a quotidian perspective in particular, the utterances and writings of leaders of the different administrations allow us to shed lights on how varying notions of municipal reforms vis-à-vis chieftaincy have been pursued to this day. Reflections on context and everyday courtesy accorded chiefs in these local councils highlight the ambiguity and discrepancy between talk and action on bureaucracy-oriented reforms within the councils.

2 Local councils and public authority

The idea that local political institutions enhance development compared to centrally-determined priorities dates back to the colonial period. Local councils were largely seen as the medium through which local priorities are evolved. Consequently, all post-colonial governments offered varying visions of this ideal although the most ambitious was the decentralization program in the 1980s. One central feature in these programs was the status of chiefs inside and outside of local councils. While some regimes tried to strip chiefs of their powers and get them out of politics, others broadened their powers in local political decisions. The composition of the current municipal councils must be summarized: Ghanaian municipal governments, known locally as the

[6] The military governments did not evolve any coherent local political programs.
[7] Fieldwork conducted in the municipal councils in 2013 and 2014. In 2017, seven municipalities were added from which insights are drawn.
[8] Formally, the Public Records and Archives Department (PRAAD) in Kumasi.

District Assemblies (DAs), has a mixed representation. 70% of members are directly elected on a 'no-party' platform while the national government appoints the remaining 30% and ultimately the mayor who heads the executive. Again, in large cities 30% of members on the second-tier council, Sub-Metropolitan District Councils (SMDCs) are appointed by the national government. Starting from the 1980s, chiefs hold (only) consultative and advisory roles in local councils. The puzzle, however, is that these pieces of legislation rarely restrain chiefs from dictating the course of action in local councils. This behavior of chiefs would appear to defy the conventional logic of bureaucracy and administration, at least from the Weberian perspective. However, the critique does not apply in all contexts since public authority is co-produced with actors both inside and outside of administration (Lund 2006). In fact, chiefs straddle both spheres of authority. In fact, there is a more formalized system for chiefs in Ghana compared with most African states where chiefs have either only a ceremonial role or they are outside the formal political system. State-sanctioned and recognized institutions of chieftaincy include the ministry for chieftaincy, national and regional houses of chiefs and the numerous traditional councils.

2.1 Chieftaincy and communal authority

Let me begin with a short description of what might be read as the official task for Ghanaian chiefs. In contrast to other African states, Ghanaian chiefs enjoy a privileged status in the formal political system. Chiefs are generally considered as trustees of customary law, land and property. Apart from preserving the identity, norms and values of cultural groups, their courts settle mundane disputes that are deemed fit for customary law. In particular litigations over land, customary inheritance, and marriage disputes are handled by chiefs. In terms of local public policy, which is their most potent narrative for legitimacy, chiefs are very active in communal mobilization for service delivery in a self-organized fashion. They bring together youth groups to fulfill public services that the state is unable to deliver. Chiefs often occupy their position based on claims of descent to a particular ancestor of a royal house that sets them apart from nobles and non-royals. Still, the nomenclature of Ghanaian chieftaincy is complex ranging from Paramount, Divisional, and Sub-divisional chiefs through to lower chiefs in small towns and villages (so-called *Adikro)* (Republic of Ghana 2008). This complexity prompts two issues. The first is a problem with definition; chiefs differ not only in their authority but also their personal background and the resource endowments for which they are trustees. In some quarters, chiefs with enormous natural resources and large followers are designated 'kings' while those with fewer resources become 'ordinary' chiefs. Hence, chiefs cannot be seen as a monolithic category with interest in local politics. Despite resource endowments, there is an apparent trend of chiefs' interest in municipal councils in Ghana. Therefore, the term chief is used generically to describe and analyze the interest of neo-traditional actors in municipal politics. Second, the complexity also highlights the different motives underpinning chiefs' interest in contemporary local politics. Although some chiefs engage the political arena in a passive way, others use the space to jumpstart their career in national politics (Lentz 1998: 55).

Overall, chiefs interested in local politics—either as a launch-pad for political advancement or terminating at the town-village level—could occupy leadership positions. What is more striking is that although their membership in local councils are based mostly on nominations instead of popular elections, neo-traditional actors permeate the top echelons of local administration. One councilor recounted at one point their "Presiding Member [PM] was a chief" although he was unpopular[9] because "he did not know the concept of the Assembly and subsequently lost re-elections after two years [to his predecessor]." (Councilor, Kumasi, 02.10.2013).[10] The chiefs themselves decide who represents their seats on the local councils. For one councilor, they

can contact the paramount chief [that] we need a chief for this session [but] it is not the council that specifically selects chiefs' representatives; that is in the domain of chiefs themselves to pick (Councilor, Wa, 31.07.2013).

Again, it should be pointed out that neo-traditional actors enjoy enviable influence within the councils. There is an oft-cited position that chiefs and their institutions have lost their relevance in contemporary political projects but that point ignores the ambiguity that shrouds the role of chiefs in local policy-making. That ambiguous role does not assuage chiefs' influence on local political decisions. One bureaucrat hinted that

> it is because [chiefs] are down there with the people and they also serve as miniature court; they handle cases [so] when you're doing any activity, e.g. Farmer's Day, you go looking for the paramount chief for the area (Senior administrator, Kumasi, 28.07.2014).

Thus, chiefs help co-provide public authority given the gap left by the state's apparent absence in communal areas. Nevertheless, the question of why chiefs' interest in local councils persist despite being a target of reforms remains. A closer look at the interests of chiefs in the councils can shed some light on legitimacy preoccupation of actors both inside and outside of local councils.

2.2 Contingent legitimacy: chieftains and the 'hypocrisy' of municipal reforms

The tactics of Ghanaian regimes to chieftaincy in local politics vis-à-vis local responses from chiefs reflect a credibility dilemma that is mutually contingent for both actors. This dilemma, with its roots in the colonial apparatus, is what I term contingent legitimacy.[11] Persistent efforts to rid chiefs from local councils have been made through local council reform. Therefore, I outline an institutional explanation for reforms and everyday resilience of chiefs and the maintenance of the status quo in Ghanaian municipalities. Sociologically, institutions are interactive meanings that emerge, not so much from availability of incentives or some legal structures, but rather from some

[9] Despite accusations of being manipulated by the executive, it was remarkable that chiefs would lead local councils.
[10] The PM chairs full meetings of the municipal council.
[11] The notion of contingent legitimacy is a useful and more open approach that helps to link local political practices as a response to the global project of modern administration, diffused from nineteenth-century Europe via colonial and immediate post-colonial eras (Kühl 2015: 262f.; Meyer 1992).

societal consensus that gives legitimacy. They are accepted, by a collective, as appropriate and deserve obedience on a quotidian basis (see Habermas 1989; Luhmann 1986; Suchman 1995). This quotidian quality of institutions makes them resilient even in the face of concerted attempts by other legitimate institutions to modify them. Chieftaincy is one channel through which we can explore processes of institutional persistence in spite of concerted reform efforts. State actors, in order to appear credible, forcefully and publicly articulate a commitment to initiate change from the perspective of a responsive, 'modern' bureaucracy that excludes any remit from actors on the margins of the state. Such attempts are instrumental for the state's desired legitimacy.

Meanwhile, there is little discussion on how influential chiefs react to such attempts in the local arena. And a caveat for the few extant studies is that there are disciplinary polemics on the subject of chieftaincy. Neubert argues that "anthropologists tend to be fascinated by these institutions and often argue in favor of them" while "political scientists are mostly more skeptical and take them as an indicator of problems of state building". The challenge with these sympathetic feelings from both camps is that it "may inhibit a more detailed risk analysis of the relationship between the state and the local institutions" (Neubert 2009: 43f.). Unsurprisingly, a section of the literature proposes inclusion of chiefs in current projects of local democracy because their social norms and sanctions inherently produced both responsiveness and accountability in local service delivery (see Blundo 2015: 145; Kelsall 2011: 234-239; Owusu-Sarpong 2003: 54).[12] Nonetheless, critics believe chiefs instrumentally use such claims to strengthen their political power and create hierarchies that defeat the notion of accountability (see e.g. Grischow 2008: 87f.). Since these attributes are among the many deficits of local democracy and service delivery in much of sub-Saharan Africa, the arguments receive much attention.

Regarding local policy, the precolonial era witnessed a sort of proto-local government arrangement in which chiefs and their institutions administered a whole gamut of executive and military portfolios including local taxation, land and royalties. This arrangement was fundamentally altered with the advent of colonial indirect rule that subsequently established native and local councils. This new arrangement ushered in an established practice that chiefs and their associates could either serve on these councils or delegate their candidates of interest. Conventionally, one may expect such institutional practices that loosely emerge to disappear especially when the conditions and incentives that established them are not tenable. However, this is often not the case even if the very reasons that established them no longer exist. Fact is, once established these interests remain linked to subsequent institutional arrangements. They may even become structures for resisting new institutions and their reform. These interests could be covert and subtle, operating from the fringes of formal institutions reflecting so-called "twilight institutions" (Lund 2006: 686). At the same time, they may be expressed overtly such as direct involvement of chiefs in local councils or the creation of parallel institutions and practices.

[12] One should bear in mind that the institution of chieftaincy itself fosters elements of corruption since positions are not fixed and chiefs at any specific instance, have more room to allocate communal resources and privileges to their preferred allies in order to curry loyalty or to diffuse dissent (see Berry 1998).

Therefore, a conventional logic that frames Ghanaian municipalities as explicitly formal bureaucratic structures based solely on state legitimacy and treats neo-traditional interest as an 'outlier', disguises the institutional remit of chieftaincy in municipal politics. Within the existing local councils, chiefs appear to offer legitimacy to municipal programs and they forcefully dictate the tone for public forums and other social events of municipal councils (see appendix). Meanwhile, chiefs are not the only actors with interest in the local political arena. There are regular politicians whose own political fortunes depend on chiefs and customary loyalty. Despite their divided legitimacy (Ray 1996), the state and chieftaincy "are in reality mutually constituting" (Lentz / Nugent 2000: 16), a practical arrangement that I refer to as 'contingent legitimacy'.[13] Despite their competing claims over the wielder of local legitimacy, the state and chieftaincy practically depend on each other to generate the necessary cultural endorsement that appeals to their constituencies regarding the delivery of public authority and local services. More significant, in the absence of well-functioning state bureaucracies in the Weberian sense, a gap in public authority is created and the state wittingly or unwittingly defers much of its functions to actors on the margins, notably chiefs. The everyday life of municipal councils entails compromises and accommodation with chieftaincy so that basic public services and order are delivered. This tacit arrangement goes beyond the confines of explicit norms to non-formal but practical mix of social and professional norms that complement, divert and subvert explicit norms (see Blundo 2015: 143; Cleaver 2015: 208).

In light of these contingent alliances, crafty comprises and accommodations, the covert political interest of chiefs is reified, leading to a major complexity for the municipal arrangements. Reforms of moribund institutions of local councils are captured by chiefs and used to preserve existing practices. With their roles ambiguously defined, chiefs and their associates conveniently influence local councils and ensure their preferred candidates take up headship positions to address their interests. Thus, analysis of specific institutional practices and their persistence must consider how such practices have historically evolved. With their wealth of influence that transcend local politics, chiefs craftily adapt to realignments in the councils.

3 Alternating resilience: chieftaincy and local legitimacy trajectories

Although there have been concerted efforts by specific regimes to rid chiefs of their political influence, their institution has undoubtedly remained resilient. The relationship between the different administrations and chieftaincy may be fruitfully appreciated when put in the proper historical contexts. That the state's own legitimacy depended on chieftaincy is illustrated by national political programs designed for local councils as shown in Table 1.

[13] Lund's (2006) concept of twilight institution refers also to the fact that chiefs gain part of their legitimacy through the state that accepts their role either formally or by informal recognition by offering some sort of respect. The concept of "contingent legitimacy" elaborates this idea further by highlighting the mutual legitimization of both the state and chieftaincy institution.

3.1 Colonial bureaucracy and the remit of chiefs

Despite their nibbling resistance to indirect rule, chiefs were the 'go-between' actors straddling the local population and the colonial administration. Local government was administered through chiefship patronage. When indirect rule assumed the narrative for local development, chiefs quickly adapted their 'go-between' role into development brokers—brokering deals with colonial officials on behalf of their subjects (Bierschenk et al. 2002: 12; Neubert 1996: 2).

Table 1. Key legislation and their object for chieftaincy and local councils. Source: Author's compilation based on Ahwoi (2010) and Thomi (1999)

Regime	Legislation	Year	Object	Implication
Colonial Administration	Municipal Councils Ordinances	1859	Coastal Municipalities create	Partly elected members with appointee chiefs
	Native Jurisdiction Ordinances	1878 / 1883	Paramount and division chiefs recognized	Chiefs make byelaws and adjudicate civil and criminal cases
	Native Administration Ordinances	1927	State councils as highest authority	Chiefs consolidate local political power
	Native Treasuries Ordinances	1936 / 1939	State Councils impose levies and keep records	Chiefs could levy and spend locally
	Native Authority Ordinance	1944	Separation: State Council (customary); Native Auth. (regime)	Native Authorities challenge chiefs' levying competence
Elect. Assembly	Local Government Ordinance	1951	Chiefs preside over local councils. New councils created	Regime recognition of chiefs in local councils
	Municipal Councils Ordinance	1953	Urban councils created. Markedly different from local councils	Led by educated urban Africans. Chiefs limited to local councils
Post-Colonial Democratic	Local Government Act	1961	Redefines membership of local councils	Restricts chiefs' influence in local councils
	Chieftaincy Act [Act 81]	1964	Redefines chieftaincy and mode of recognition	Multiple routes to chiefship. 'Compliant chiefs' on local councils
	Local Administration Act [Act 359]	1971	Redefines chieftaincy in local	Chiefs could head local councils

			councils. Half the members are Chiefs	
	Chieftaincy Act [Act 370]	1971	Redefines chieftaincy based on customary law	Primacy of chiefs in local councils. Regime funds chieftaincy
	Local Government Act [Act 462]	1993	Reforms local councils and defines new roles	Consultative and appointive roles for chiefs
	Chieftaincy Act [Act 759]	2008	Re-aligns chiefs' primacy to Constitution	Chiefs with own funds, could undermine authority of local councils

However, their specific role and relationship with the colonial administration soon became ambiguous. This was marked especially when local government became the official platform for development preferred by the colonial government.[14] Impliedly, local political leadership became formalized—a development that alarmed non-literate chiefs. They feared that leadership and decision-making roles would end up in the hands of non-royals. At the same time, indirect rule and local political programs pursued by the colonial administration created leeway for chiefs to circumvent local government arrangements. Fact is, the colonial administration vaguely pursued local government that allowed them to divide and rule the interior (Dunn / Robertson 1973: 86) without any commitment to develop robust institutions for administration. The chiefs would then manipulate the vague rules of local administration. That was marked in the Northern Territories,[15] where the colonial administration structured local councils to by-pass the almost immutable position of chiefs by promoting literate chiefs and commoners into position of authority (Grischow 2006: 170). In response, chiefs and their associates craftily devised ways to offset the new rules. They promoted educated princes while those with royal connections were elected or appointed to local councils in order to serve the chiefs' interest. Educated nobles in southern Ghana were enticed to abandon their posts and take up local government appointments in the north (Staniland 1975: 117ff.).

It should, however, be noted that attempts by the colonial administration to short-change chiefs in favor of elected representatives and educated commoners was a program that appeared feasible mainly with local councils in northern Ghana for two reasons. First, chiefs in north did not pose serious threats to the administration compared with their counterparts in the south. Second, educated commoners were the targets for jobs in those local councils so that unemployment did not become an avenue for dissent against the administration. This divide and rule tactic was apparent in a 1954 legislation that specified the membership of chiefs on local councils:

[14] Indirect rule was rationalized into a local, self-organized, development project, which required intermediaries and chiefs were ideal brokers. Later, when local government became the new agenda, the relevance of chiefs waned (see Grischow 2006: 170).

[15] Comprising today's Northern, Upper East and Upper West regions

> The principle shall be observed that one-third of the membership of local government councils shall be reserved for persons appointed by traditional councils. In the Northern Territories, departures from this ratio may be permitted by the Minister of Local Government (Asafu-Adjaye 1951. Folder No. ARG2/11/1/1).

Thus, the colonial administration sought to capitalize on the weakness of northern chiefs to further erode their authority in order to contain probable dissent from educated Africans who were looking for jobs. One may infer that the colonial administration capitalized on the presence of so-called chiefless societies, or strategically ignored elites inside such groups, and used the local councils to contain popular dissent. Even for southern chiefs, joining the councils entailed giving up their royalty, which was always an uphill task. For that reason, delegating this role to non-chiefs might have appeared reasonable. The regulation stated that:

> persons appointed by traditional authority shall not necessarily be members of the traditional body, but in the Colony and Ashanti, they shall exclude paramount chiefs … Where a chief is appointed to a local authority by a traditional council, he shall, on ceasing to be a chief, relinquish his seat upon the local authority but will be eligible for re-election (Asafu-Adjaye 1951. Folder No. ARG2/11/1/1).

With the intent to curtail southern chiefs' authority, the administration systematically and persistently pursued projects to get rid of chiefs from local councils. Most of these chiefs had to constantly strike a delicate balance between abstaining from local politics, giving up their royal privileges or delegating individuals to represent their interests. None of those possibilities could be taken lightly by the traditional authorities.

The persisting interest of chiefs in local councils stems from the strategy of the colonial administration. The inclusion of chiefs in local councils was not to develop some 'modern' form of participatory local political structure per se. Instead, their inclusion was implicitly used to quell any resistance that chiefs posed to the colonial government. Put bluntly, it was a technique for "dividing and ruling" the local people (Dunn / Robertson 1973: 86). This tactic manifested in the different legislation for municipal councils (Municipal Council Ordinance of 1953) and native ordinances for rural areas (Local Government Ordinance of 1951) particularly and (see Ahwoi 2010: 9–14). This tactic allowed the administration to manipulate, in particular, village-level councils dominated by chiefs. Despite colonial bureaucrats' privileged status, they appeared indifferent to local government since their operations were based on individual preferences[16] and focused on the maintenance of the colonial apparatus. After all, their vision of local development was not linked to any particular local political project. As Hyam (2010: 224) points out, development at the time was more or less an attempt to fight disease and build physical projects

[16] They came from elite universities with rich experience in military, surveying, road construction, law, and rudimentary medicine (Kirk-Greene 2000: 136–146) but were no specialist in the field of local administration. Rathbone's (2000: 11) designation of these actors as a bunch of "confused colonial bureaucrats" who oversaw local government is very apt.

such as roads and railways without any coherent local political program.[17] In general as Fieldhouse highlights, the colonial project was "a particular, largely unplanned and … transient phase" in the contact between the colonizers and territories that were colonized (1981: 49).

Once chiefs had adapted to tactics of the colonial administration, it was less surprising that they resented proposals for local political reforms after independence. At the time, a new political arrangement involving popular representation was mooted to replace the existing arrangement of delegation. Naturally, the chiefs took no interests at all in the promises touted by the changes. Dunn and Robertson (1973: 298) explain that the chiefs preferred appointees come to consult them and take their interest to the councils. Nonetheless, we also find that chiefs were resenting the colonial and post-colonial arrangement that created a hierarchy above them. They always wanted to run the councils and administer public order. After all, chieftaincy was largely a local representative political arrangement.

3.2 Anti-chieftaincy maneuvers of Kwame Nkrumah's administration

That the independent state of Nkrumah pursued a somewhat aggressive program of local governance that envisaged the Weberian model, at least in intent, is not surprising. Even before independence, the actions and demands of councilors were under scrutiny with an unequivocal reference to the British model. The Local Government Minister in 1952 emphatically cautioned councilors' demand for better remuneration with reference to the British model:

> I regard it as fundamental that members of local government bodies should not receive any payment, other than the repayment of out-of-pocket expenses, for their "part-time" services on the council … In Britain, the concept that local government is a proper field for voluntary service, rather than a profession … has produced a class of councillors who, by reason of looking to the ideal of service rather than of personal gain, have proved themselves to be fit and worthy representatives of the communities which they serve (Asafu-Adjaye 1952. Folder No. ARG2/11/1/5).

With Nkrumah's blatant distrust for chiefs, that caution very pointedly threatened the perquisites the latter enjoyed on the councils. His rhetoric that chiefs would one day "run away fast and leave their sandals behind them" (Nkrumah, 5 January 1950) was also systematically implemented. In fact, Nkrumah's program anticipated fewer chiefs and their influence in local councils. This objective was evident in flattery comments by one official on the exclusion of chiefs from new local councils in 1958:

> The instrument makes no provision for traditional membership on the new councils. I understand that it is Government's wish that these members be eliminated from the local councils. There are additional reasons against including such a representative

[17] The notion that modern bureaucracy is a "happy accident" of the colonial apparatus in Africa (Anyaoku 2007: 19; cf. De Jaun / Pierskalla 2017: 162) rarely holds because rigorous institutions were not pursued.

> (i) that if only 1 [one] representative is included, the councillors would be an even number making it possible for an even decision to occur and (ii) that it would be very difficult to decide how one representative would be elected by the various traditional authorities represented within the council's area (Townsend 1958. Folder No. ARG2/11/1/12).

Despite attempts to rationalize exclusion of chiefs, the intent was evidently clear that chiefs were a nuisance to formal bureaucratic and policy processes. Municipal reforms in 1961 (see Act 54) allowed Nkrumah to dissolve several councils on grounds of corruption but that was clearly a pretense to rid non-compliant chiefs of political influence. That explains why the regime's programs of "creating larger local government units" by sometimes joining old ones was "hotly contested by many chiefs who stood to lose even more authority" (Rathbone 2000: 135). Chieftaincy corruption was often invoked as a cover for the regime's fear of losing its legitimacy. With the reorganizations of the councils, Austin (1970: 260) notes that chiefs and their institutions:

> were pushed aside to make way for the new local authorities with their two-thirds elected membership. Government subsidies were still paid to the chiefs...but the substance of their power, including the levying of the local rate, passed to the new urban and local councils. The future looked still more bleak, for the views of the CPP were well known, and their refusal in 1953–4 to recommend the establishment of a second chamber confirmed the chiefs' forebodings.

Nkrumah certainly continued the colonial project of divide and rule and the ambivalence became clearer when he at once created and elevated paramount chiefs by side-stepping existing customary arrangements, and prohibiting 'troublesome' chiefs from local councils. This approach was seen as broadly enhancing the socio-economic standing of non-royal elites (Thomi 1999: 104) but it was resisted especially in parts of southern Ghana, where his Convention Peoples Party (CPP) was disparaged and hated.[18] Only an aggressive policy of destoolment and detention could subdue the chiefs. Quite surprising was the marked deviation from the norm, by promoting educated and loyal commoners onto the local councils. Nkrumah tactically used legislation to appoint his protégés and sympathizers to replace chiefs who opposed the regime. In one rare instance, Nkrumah elevated a woman as paramount chief (Figure 1 shows a pose of Nkrumah and Dwaben Serwaa, presumably the female paramount chief) because she "was also a staunch CPP supporter" which generated criticism and protesters from youths "who argued that it was 'in flagrant violation of custom'" (Rathbone 2000: 144).[19] Unsurprisingly, sympathizers and administrators managed to convince the youth to withdraw their protest. Again, Nkrumah altered extant chieftaincy arrangements in northern Ghana by elevating leaders of hitherto 'acephalous'

[18] The opposition fruitfully linked existing family and chieftaincy disputes to their political project to resist the regime (Rathbone 2000: 92–97).

[19] Presumably, this was the famous Dwaben Serwaa II. I thank Peter. K. Acheampong for drawing my attention to this event.

societies to paramount chiefs in order to sway their support and votes in his favor (Lund 2003: 593).

Figure 1: Nkrumah and his wife in a pose with Dwaben Serwaa c.a. late 1950s. © New Juaben Akwantukese 2012.

The cherry-picking tactic by Nkrumah affected the everyday life of the councils. In Ashanti where he pointedly tried to curb the power of chiefs, his officials at once sought to promote 'obedient' chiefs to top echelons of new councils. One official pointed out in 1958:

> I recommend that only Paramount Chiefs in the area of each council may be appointed presidents of the council and provision has accordingly been made in the draft Instruments (Government Agent 1958. Folder No. ARG2/11/1/4).

Particularly striking, Nkrumah's administration defined a chief as: "an individual who has been nominated, elected and installed as a chief in accordance with customary law, or as a person recognized by the minister responsible for local government" (Act 81, Art. 1: 1). Impliedly, Nkrumah could afford to appoint, recognize and depose a person without customary approval, to represent his interest especially on the councils. That may explain why he went ahead to appoint a woman as paramount chief in striking violation of customary arrangements. One could surmise that Nkrumah's interest in delegitimizing powerful chiefs cost him a great deal, as his own source of legitimacy from the state and his preferred cronies was not enough to overcome the resolve of powerful chiefs that contributed to his overthrow.

3.3 Bringing the chiefs back in? Kofi Busia's pro-chieftaincy municipal project

Perhaps due to ideological differences with Nkrumah and his own royal inclinations, Busia's administration, from 1969 to 1972, brought the chiefs back into local administration. He was largely a man of the chiefs especially in Ashanti.[20] Unlike Nkrumah and other elites who saw chiefs as anti-progressive, Busia variously asserted the democratic and resilience of chieftaincy (cf. Busia 1968: 7–13; Busia 1971: 22–26). He went further to defend chiefs and their institutions against claims that they stood in the way of political change and development:

> the fact that each lineage, village, or part of chiefdom managed as much of its own affairs as was consistent with the unity of the whole chiefdom enabled many to share in decision-making in local affairs; for the head of each unit was, like the chief at the centre, obliged to act only on the concurrence and with the advice of his own council (Busia 1971: 24).

> it is resilient, as those who have tried to suppress it have discovered. For the majority of African communities, the kinship systems represent a secure sheet anchor in a sea of bewildering social change, and they cling to it with intense loyalty (Busia 1971: 36).

Having bemoaned the shrinking influence of chiefs in local policy-making, Busia's political tradition embraced chieftaincy as crucial for local transformation. This was done largely to curry favor with chiefs, who in return, legitimized his rule. His electoral fortune in Ashanti with powerful chiefs attests to that assertion. Nevertheless, Busia's position was contradictory, having criticized the institution of chieftaincy as inherently corrupt (Busia 1968: 172, 200) all the while generating his own popular legitimacy from it. Thus, not only did Busia attack the anti-chieftaincy programs of his predecessors but also argued for preservation of chieftaincy in modern politics. Two pieces of legislation were useful for Busia's projects: the Local Administration Act 359 of 1971, and the Chieftaincy Act 370 of 1971.[21] These laws realigned chieftaincy with local administration, in contrast to Nkrumah's tactics. To be sure, Busia openly embraced a trend where local politics would mix with kinship and chiefs' loyalty, and in so doing brought his political legitimacy into the limelight (Busia 1971: 119; Danso-Boafo 1996: 27). This assertion is quite evident in Busia's address to Bolgatanga chiefs in 1969:

> I would like to assure you, the chiefs, that under the constitution of the Second Republic, my Government is committed to the maintenance of the institution of chieftaincy and will encourage our chiefs to play an increasingly important role in national development as well as in local and regional affairs (Busia 1970: 27).

Very remarkable is the fact that while Busia strongly favored chiefs in politics, they were only active in local- and village-level politics and largely cut-off from national political decisions

[20] His academic writings heralded the invaluable role of chiefs in communal politics.
[21] This piece of legislation was quite fundamental that it remained in force until it was modified in 2008.

(Knierzinger 2011: 13). Thus, although Busia held pro-chieftaincy views, this strategy largely allowed him gain local and national legitimacy while constraining chiefs and their influence to communal politics. This attempt to extend his rural political base gave impetus to the comprehensive rural-biased development projects for which he is famously remembered (see Aryeetey / Goldstein 2000: 14).

Taken together, the apparent contradictory visions of Nkrumah and Busia regarding chiefs in local politics is interesting for at least two reasons. True, they differed on the nature of local governance: centralized vis-à-vis decentralized councils with or without chiefs. Yet, not only were these competing political visions of two administrations but were strikingly similar as they sought to play and strengthen their political bases at the countryside. Neither of them was really committed to strengthening the local political system or its administration per se. Their main disagreement was over the means to get to their desired end. While Busia employed pro-chieftaincy views, Nkrumah largely undercut 'opposition' chiefs towards the same goal. These competing perspectives have shaped political projects of contemporary administrations.[22] In contrast to their proffered ideological and political projects namely African socialism versus liberal democracy (Agyeman 1988: 17)[23], chieftaincy became a disguised and well-calculated idea to extend their ethno-political bases. These tactics were "were strategic, not dogmatic; rulers responded to threats and opportunities emanating from rural society" (Boone 2003: 175). They are used to generate popular legitimacy as regimes attempt to consolidate national political power.

3.4. Chieftaincy and contemporary municipal politics

Ghana's democratic transition in 1992 held much promise and ushered in ambitious political programs. It promised to introduce modern local politics institutions that are accountable and responsive to the needs of local people. These institutions, the local councils, were to be robust and participatory for representatives and their electorates. Despite the many administrative reforms, the question and uncertainty surrounding chiefs in the councils were hardly confronted, perhaps as I argue, this was due to the mutual constitution of the state and chieftaincy for legitimacy. Therefore, the ambiguity to that question has remained resolute.

[22] Hilla Limann's short-lived administration (1979-81) followed largely the prevailing political tradition of Busia, which was pro-chieftaincy despite Limann's 'Nkrumahist' claims. His Local Government (Amendment) Act 403 of 1980 did not fundamentally alter the one designed by Busia.

[23] Nkrumah's African socialism in principle aimed to integrate indigenous political institutions into existing notions of socialism. Busia's testimony at the US Senate hearing in 1962 did not only cast an image of him as liberal and western-leaning but also made a mockery of Nkrumah's African socialism ideals. Paradoxically in practice, Busia's liberalism was anchored on conservative chieftaincy privileges while Nkrumah's African socialism antagonized chieftaincy (see Is U.S. Money Aiding Another Communist State? 1962).

3.4.1 Rawlings' NDC and chieftaincy ambivalence

Rawlings' National Democratic Congress (NDC) has its ideology of social democracy linked to the political project and tradition of Nkrumah. However, it held somewhat ambivalent and covert orientation towards chiefs in local councils compared with overt pro-chieftaincy rhetoric of the New Patriotic Party (NPP). Rawlings' populist programs, prior to the 1992 democratic transition, were implicitly anti-chieftaincy, especially in politics. That became clearer when local councils in towns and villages were taken over by so-called Committee for the Defence of the Revolution (CDR) and the People's Defence Committee (PDC). Members of these committees suspiciously viewed chieftaincy as an avenue for amassing private property, particularly in the cocoa producing areas, home to the most powerful chiefs in Ghana. In the early days of his so-called revolution, as Christian Kohrs notes, Rawlings perceived non-compliant chiefs as saboteurs of his political project. And although some chiefs were coaxed to join the PDCs, that was not enough to assuage the regime's doubts of the logic of action of chiefs inside and outside of his committees:

> The reports of conflicts between chiefs and PDC's (sic) reaching us indicate that some chiefs either do not understand the PDC idea or are opposed to it (Kohrs 2001: 112).

This position was contradictory as his regime continued to enjoy the support of 'friendly' chiefs in some communal areas such as the Volta Region (Nugent 1996: 218; Ray 1996: 191). The ambivalence is quite vivid if one looks at how the legislation constituting local councils was framed in the NDC era. Indeed, the selection of non-elected members still remains the reserve of chiefs:

> any other persons not exceeding thirty percent of the total membership of the Assembly appointed by the President in consultation with the traditional authorities and any other interest groups in the district (Republic of Ghana 1993).

Thus, while one legislation (the Constitution), somehow alienated chiefs from active political functions, chiefs nonetheless were empowered by another legislation in the everyday running of the local councils to select their protégés and help assert neo-traditional interests and preference. This reminds us of the observation that the chiefs prefer to send their protégés who would consult and do what they wished on the councils (Dunn / Robertson 1973: 298). That is in addition to their active service on key committees of the councils. Rawlings' ambivalence with chiefs found expression in his apathy towards chieftaincy legislation. His administration maintained the existing legislation (Act 370) in apparent disguise of non-interference in chieftaincy affairs. Yet, the regime's cloaking was obvious in 1996 when Rawlings began contemplating constitutional changes for chiefs to enter into party politics (Lentz 1998: 52). Rawlings' contradictory position on chieftaincy emerged when he held that chiefs have to:

> retrieve and revive our simple cultural disciplines and values which have been weakened and even abandoned in the name of so-called modernism...At the same time, you must acknowledge progressive and positive ideas, be they local or foreign,

> which will promote social and economic wellbeing of our people [through chieftaincy] as custodians of our cultural heritage and trustees of those qualities (Rawlings 1993).

Despite close affinity with Nkrumah's ideology, Rawlings' chieftaincy tactics were largely ambiguous since he somehow reposed in chiefs a governance responsibility in local councils.[24]

3.4.2 The pro-chieftains return: NPP administrations and local government

When the NPP came to power in 2001, its approach to chiefs was rarely surprising given its support base in the Akan-speaking areas where chiefs wield enormous political influence. A case in point is the promise by the current Akufo-Addo administration to "strengthen the role of traditional authorities within the local government system" (NPP 2016: 142). This, bluntly put, is a continuation of old political traditions of the Dankwa-Busia-Dombo, a pro-chieftaincy political ideology,[25] and founding pillar of the NPP. Former President Kufour numerously revered Busia's writings on chieftaincy and the importance of that institution for contemporary Ghanaian politics (Knierzinger 2011: 13). He would go ahead to re-interpret the governing structure for chiefs. The Regional and National Houses of Chiefs, that keep a register, gazette chiefs and settle chieftaincy disputes, are seen by many as attempts to regulate and restrict the autonomy enjoyed by chiefs (Ray 1996: 189–192; Nugent 1998: 221–222). For Kufour however:

> the establishment of the Ministry [of Chieftaincy and Culture] should not be misconstrued as an act of interference in activities of traditional rulers…[the Ministry] was established to serve an effective link between Government and the National House of Chiefs in recognition of the important role traditional authorities played in the country's development and you the traditional authorities (Kufour 2006, 30 August 2006).

To be sure, Kufour's pro-chieftaincy strategy was much deeper and went farther than Busia's. By 2008, Kufour had sought to strengthen the role of chiefs and remove several inhibitions to their participation in national politics unlike Busia. The promulgation of the Chieftaincy Act, 2008 (Act 759) is very illustrative. After leaving office, Kufour made a clarion call for the establishment of a second chamber of parliament to be composed mainly by chiefs and other patrichal elites.[26] Considering the pro-chieftaincy views of the NPP, it is less striking that the current NPP administration has promised both continuity and break with chiefs on local councils, thus enhancing further the existing ambiguity. President Akufo-Addo reiterated his commitment to:

> work closely with chiefs across the country by consulting them in the appointment of the District Chief Executive (DCE) …'in 2018, we are going to move to fully elected

[24] This ambivalence was evident in the general life of local councils as the regime was compelled by international pressure to decentralize in return for aid (see Mohan/ Stokke 2000: 254).
[25] One should bear in mind Akkufo-Addo's royal ties and links to chieftaincy. Indeed, among his first trips as president were visits to high-ranking chiefs across the country.
[26] See Baako (2013).

> District Assembly representations including the choice of the District Chief Executive (DCE) …'But between now and then, all appointments to the District Assemblies is going to be by close consultation between my government and *you the traditional authorities'* (Nyabor 2016) (italics added by author).

That promise has to be read with care in view of previous assurances by former administrations to reform the composition of local councils. In other words, chiefs will continue to dictate the tone for local councils until the state implements such changes.

4 The gap in local authority and revival of chieftaincy legitimacy

Bearing in mind the caution on academic polemics between anthropologists and political scientists regarding marginal actors in local democracy (Neubert 2009: 43f.), the key question facing us is: in the absence of well-functioning institutions, what are the alternatives for delivering public goods? Chieftaincy is one marginal actor that fills the public authority gap. Against this backdrop, the relationship between chieftaincy and local councils could be analyzed in an impassionate way. The institution of chieftaincy has changed dramatically over time. In terms of background, most chiefs are relatively highly educated with public sector jobs while others live and work abroad, sometimes playing their role as part-time chiefs. Their associated social and economic statuses thrust them into positions of authority in local councils. Ideally, these changes in the institution of chieftaincy might imply adherence to so-called modern ideals of the nation-state including fundamental rights of citizens and respect for rule of law. However, this does not always happen as some well-educated chiefs (including lawyers, judges, and university professors) are often 'seduced' by communal sentiments—against their professional ethos and blatantly disregard the rule of law. As I discuss below, some of these chiefs have variously issued ultimatum for sacking and forced removal, denied some residents their citizenship rights as well as issued death threats to state representatives who work in municipalities where such chiefs have customary legitimacy. Regarding their functions and rights in the political system, chiefs still control much of the land and their courts are used as local and family courts. Nonetheless, with their particular role as repository of culture, chiefs' influence in development aspirations and design of specific projects has surged inside and outside of local councils within their customary jurisdiction. This is further enhanced by the 'co-optation' of chiefs to broker specific local political deals on behalf of the state (see e.g., Bogner / Neubert 2010: 54).

4.1 Chiefs and delivery of everyday local services

Local taxation remains an interesting topic for chiefs in the local councils. Chiefs administered pre-colonial taxation but their authority waned when the colonial government and their local councils blocked most of the financial channels open to chiefs. Local government officials managed revenues from land poll tax, property tax and market tolls to provide local services on behalf of the regime. In fact, the councils' main functions revolved around local taxation in order to reduce

the financial burden on the government's budget. To date, local taxation remains vital to the life of local councils to the extent that even narratives and struggles over citizenship and micro-nationalistic overtones are very much based on 'custodians' of local taxation. In some sense, the right to collect or pay local taxes is tied to one's origin, whether as native or settlers (Lentz 2006). This partly explains chiefs' persistent intrusion in decisions of their local councils. If chiefs could control the making of local executive deals, their interests are secure just as the municipal council in Kumasi where chiefs from the Kumasi Traditional Council, KTC still hold six of the 30 percent appointee mandates.

In the realization of everyday local public goods, chiefs remain the most influential. The chief of Kumasi, the Asantehene, enjoys a *primus inter pares* status with his own court and development apparatus (Ubink 2007: 145). This gives him so much clout to the extent that the local bureaucracy has to submit to his preferences. As the chair of the KTC, he was responsible for the removal of the mayor as mentioned earlier because he implicitly instructed his sub-chiefs, acting on his behalf, to reject the mayor's apology (see Figure 2).

Figure 2: A depiction of the apology from the mayor to Kumasi Chiefs. © StarrFM Online, 9 July 2016.

Thus, although their presence in local administration is viewed as adding a 'cultural character' to local councils within their precinct, chiefs influence local administration in its quotidian sense even if such roles are only implicit in legislation. Everyday political programs and procedures are frequently subsumed under the subjective logic of neo-traditional interest and preferences. For most councilors, the decision to contest for municipal elections is subject to the approval of chiefs. One female councilor assuredly "took the kola to the chiefs" because "over here, if you want to contest, you have to inform the chiefs to give their assent and support your request." (Councilor, Wa Municipal Assembly, 21.09.2017). This recognition is very significant because chiefs are active members in political mobilization for votes and going against their preferences on the council has political costs. Jonah (2003: 218f.) had elaborated how some Ghanaian chiefs influence how councilors are selected by promoting their preferred candidates to be elected unopposed via either persuading or discouraging others not to contest. Should council aspirants refuse to heed

to such advice, chiefs and their sub-chiefs would wield their influence to promote their preferred candidates and mobilize votes for them. Among feuding chieftaincies in a municipality, each chief would may present and promote several councilors on the municipal council in anticipation of tilting the political strength of the municipal council in their favor. Measured statements from two councilors were just apposite:

> when I was seeking the mandate, I first spoke to the chiefs and opinion leaders. They gave me support so I can't tell whether to contest again. The electorates will also decide (Councilor, Wa Municipal Assembly, 18.09.2017).

> I'll continue to serve on the council until a collective decision from the chiefs and opinion leaders in the area comes up that I should not go [contest] again (Councilor, Tamale Metropolitan Assembly, 16.09.2017).

On their part, bureaucrats rarely go against chiefs' interest for after all, the construction of physical projects such as school blocks and hospitals is possible only on parcels of land owned and donated by chiefs. This affects the overall attitude of officials in local councils as they give primacy to their chiefs. Some officials deftly mention the usurpation of powers of their legitimate rulers, i.e. chiefs, by the state. This behavior drastically affects the quality of municipal services delivered.

Going back to accountability, one current —though overlooked —for non-executive role of chiefs in local politics, regards private acquisition of wealth. Aside from being perceived as 'anachronistic' for modern local politics, was the additional concern that chieftaincy held features of corruption, a notion derived from its very composition.[27] The institution of chieftaincy thrives on the selection of individuals based on given criteria that are not formerly fixed, and subject to preferences of office holders and their electors. Their subjects generally saw the ever-shifting allegiance over preference and perquisites of office holders as corruption even in the colonial era (Berry 1998: 29; Busia 1968: 172–200). When chiefs felt their position and material interests were threatened, they often tried to re-centralize authority (see Grischow 2008: 88f.). Such calculative and micro-nationalistic features still persist and underpin criticisms of chieftaincy's responsiveness and accountability as advanced by sympathizers.

4.2 Chieftain intrusions in decisions of decentralized local councils

Neo-traditional actors do not only influence decision-making of local councils, but are equally vocal about central government programs for their local councils. The first of such intervention regards the siting of municipal capitals, the seat of the municipal government. Under both NPP and NDC administrations, preferences based on hierarchy of chiefs has become pronounced (Ayee

[27] Some scholars romanticize the pre-colonial chieftaincy arrangement as democratic. However, we cannot equate a representative political arrangement with a body that has an elected mandate and formally fixed positions (see Sabbi 2017: 118f.).

2012: 637). Ideally, the rationale for districts and their capitals is that these should be robust socio-economic hubs to generate own funds for local initiatives. However, chiefs make incessant demands on the regime to select specific geographical locations as administrative capitals without recourse to bureaucratic and economic viability.

Table 2. Selected chieftain intrusive actions in municipal councils affairs (source: Author's compilation based on newspaper and electronic sources. *Based on indigene-settler narratives)

Date	Subject	Chiefs' Action	District	Region	State Response
03.09.2004	Capital	Recommend	Adaklu	Volta	New municipality
14.03.2008	Capital	Reject	Gomoa East	Central	Capital maintained
09.06.2008	Mayor	Endorse	Nabdam	Upper East	Nominee confirmed
15.04.2009	Mayor	Reject	Agona West	Central	Nominee withdrawn
21.04.2009	Mayor	Reject	Kadjebi	Volta	Nominee confirmed
12.07.2013	Mayor	Reject*	Kwabere East	Ashanti	Nominee rejected
09.10.2013	Mayor	Reject	Dormaa East	Brong Ahafo	Different nominee
25.11.2013	Mayor	Reject	Kadjebi	Volta	Nominee confirmed
07.01.2016	Mayor	Reinstate	Ada West	Gt. Accra	Different nominee
25.02.2017	Mayor	Recommend	Atiwa	Eastern	Candidate ignored
27.04.2017	Mayor	Reject	Tolon	Northern	Nominee withdrawn

08.05.2017	Mayor	Endorse	Shama	Western	Nominee confirmed

Second, they influence the selection of heads of local councils (Table 2) based on their individual and collective preferences. These actions from the chiefs are sometimes far-reaching, going beyond the struggle for local political resources, to broader definitions of who can access those resources. Chiefs often endorse or reject nominees for the councils based on some micro-nationalistic descriptions and vague definitions of citizenship using 'settler-indigene' narratives. Cases from two municipal councils help us to clearly illustrate this point:

> [the councilors] were uncomfortable whether to endorse the President's nominee or not as some chiefs in the area, had expressed their disappointment with the President for nominating a *non-indigene* as political head of the [municipality] … A section of the chiefs in the area even petitioned the late President to consider revoking the nomination … in favour of an *indigene* who can better address their concerns, rather than a *settler* (Anane 2013) (italics added by author).

And in 2009 following the Ghanaian President's nomination of a candidate, who was born, has lived, and worked in a municipality, to assume local executive power, the vitriolic settler-indigene narrative assumed even greater impetus.[28] The confirmation vote had to enter a second and final phase after the chiefs asked 'native' councilors to reject the nominee or face their threats of anarchy and bloodshed. Upon confirmation of the nominee by the council, some instances of violence occurred but the chiefs were somewhat [and unwillingly after the elite body of chiefs intervened] compelled to recognize the state and its representative. As captured by local reporter:

> the omanhene [paramount chief] of Atebubu, Nana Owusu Akyeaw Brempong II has formally recognised Mr. Sanja Nanja, the Atebubu-Amantin District Chief Executive (DCE). The news of the acceptance and recognition of Mr. Sanja as the DCE of the area by Nana Brempong and his elder last Monday afternoon spread like wildfire […] [the chief] together with his elders about a year ago, kicked against the nomination of Mr. Nanja as the DCE for Atebubu-Amantin […] that he was not an indigene or native of the area […] Mr. Nanja, was born and bred in Atebubu and until his appointment as DCE, was a teacher in the district (Doudu 2010).

The nominee politically advanced when elected as parliamentarian of that constituency, thanks to support from migrants and settlers in the area. But these people with 'settler roots' were the subject of persistent verbal and violent attacks by so-called indigenes. In a contest of widening inequality and access to societal resources, the 'settler-indigene' narratives and tensions have broader implications for personal belongings, businesses and material acquisitions of 'settlers'. Land and other properties (e.g. cash crops, houses, and businesses) of both politically-active and

[28] For a detailed discussion on this topic, see Lobnibe (2017).

a-political individuals with migrant background have at times become the focus of attention, seizure, destruction, eviction and banishment by so-called indigenes, with the support and connivance of *indigene* municipal officials (Boone / Duku 2012: 679–681; Valsecchi 2008:152–155).

Startlingly, some elected officials also confront these narratives on a daily basis. A female councilor was bitter that female electorates in her ward were the "worst offenders" to remind her of being "a stranger but behaves as if she is an indigene to dictate to them in the community" (Councilor, Nkwanta South District Assembly, 12.10.2017). The chiefs' action reflects 'elites' anxiety' that patronage benefits would not trickle down to them given their preferred candidates have not been selected. In some cases, the regime was cowered into accepting such demands from chiefs. Where that is not possible, they were compensated with other development projects in their respective communities. We may infer that in spite of the changes in the make-up of chieftaincy, that emergent idea of 'modernizing' chieftaincy has hardly changed ethno-political sentiments, persuasions, and mobilization. The 'indigene-settler' narratives and persuasion are more pronounced in geo-political areas with feuding chieftaincies. In such councils, development projects are often assigned to specific localities based on calculations of which chiefs favor the incumbent administration. One councilor lamented that:

> the chieftaincy rift has entered the council such that if you come from [this place] you are always seen as an opponent. For all three councilors from [this place], it is very difficult for us to ask for a development project and succeed… Although I have the same party affiliation as the council leaders, they have stopped inviting me to meetings. They believe that I might leak information to my chiefs (Councilor, Jaman South District Assembly, 27.08.2017).[29]

These chieftaincy rifts not only bring division but also cripple the everyday function of the already fraught local councils. The case of a sub-council in the Wa Municipality illustrates how

> existing chieftaincy and land disputes permeate the work of the council such that residents of one of the feuding wards refused to pay their tolls and taxes to a council that is located in 'enemy' electoral ward (Councilor, Wa Municipal Assembly, 19.09.2017).

Consequently, their respective councilors appeared helpless as the council could hardly convene to implement development and taxation programs. These rifts also stoke up ethnic sentiments in local councils with multi-ethnic composition and competing chieftaincy claims.[30]

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[29] The council was elevated to municipal status in March 2018, there was agitation from one chieftaincy faction for the area represented by this councilor to be named the 'authentic' municipal capital. By 15 October 2018, this underlying tension together with other land disputes had escalated into a full-blown conflict.

[30] In September 2018, similar observations were made in an adjourning council, the Wa East District, which has three dominant ethnic groups: Sissala, Waala, and the Chakali. Comments by councilors revealed inherent animosity by some

Beyond their influence in the selection of leaders for local councils, chiefs would cajole or even insist that council representatives 'listen' to them and 'do' their wishes. Any attempt to thwart such demands is labelled as 'disobedience' or 'disrespectful' and attracts the chiefs' wrath. Indeed, the removal of the mayor of Kumasi in 2016 was based on the mayor's attempt to curb chiefs' influence and interest in the realization of development projects. As one report pointed out:

> the mayor of the KMA had to finally succumb to the immense pressure by the Kumasi Traditional Council (KTC) as he tendered in his resignation letter … His resignation was triggered by enormous pressure by the Kumasi chiefs, who had done everything possible, including a ritual sacrifice of sheep, to see [the mayor] whom they accused of gross insubordination – out of office. The chiefs, at a crunch meeting … preferred six charges against Mr. Kojo Bonsu [the mayor], with the main charge being that he had continually displayed acts of disrespect towards the chiefs (Awuah 2016).

The mayor fell out of favor for questioning extortions by one chief from the KTC who served on a municipal committee for market renovation (Freiku / Alhassan 2016). Implicit in the chiefs' reaction is the belief that they own the councils. Reacting to a resettlement impasse between marketeers and the municipal council, one lead chief was unambiguous that "Kumasi belongs to the [Asantehene] and now the government has brought the council but the city's 'owner' cannot be ignored." (*Manwerehene* Baffour Brentuo Hyiaman, Kumasi, 01.11.2017). Impliedly, chiefs should not only be accommodated on municipal councils but councilors must also learn to succumb to chiefs' preferences. Additionally, chiefs sometimes create parallel institutions in the communities where they exercise chieftaincy responsibilities:

> I have five elected unit committee members for the electoral area but they do not get any incentive, therefore, they are dormant. The chiefs are also a hindrance to all this; when I assumed office, I took them [unit committee members] to the chiefs but they said they [also] have their own Committee Members. What I had to do was to ask them to bring their committee workers to join the [elected] unit committee members so they could work together … because of that, the unit committee is not active (Councilor, Kumasi, 02.08.2013).

The chiefs' behavior suggests a clash of local institutions with competing claims to authority and the legitimate trustees of communities in the electoral wards. It is of course not problematic if chiefs use their clout to support local initiative via development committees. However, for most councilors, it is inconceivable that initiatives by neo-traditional authority would antagonize the task of representatives who hold elected mandate. That does not only complicate but also demotivate them from serving the common good. It is even more problematic when, in a decentralized political system, positions are defined on micro-nationalistic markers of indigene versus settler. While this makes nonsense of the local political project, the very design of the

Waala councilors towards the sitting of the capital at Funsi. Some Sissala and Chakali councilors on their part felt Waala councilors and bureaucrats were intentionally undermining the functioning of the local council.

structure that allows for unelected positions on the councils enhances the practice even more. It appears chiefs are still wailing from the loss of much of their influence in local councils.

4.3 Chiefs and practical delivery of local services: the 'new' brokers of development deals

Chiefs' role in communal politics should not be narrowly interpreted as always obstructive to the task of local councils. In fact, there are several instances when chiefs and their associates lead local development initiatives, shaming the councils to work. When chiefs, especially appointee 'developmental chiefs', put up projects such as libraries, primary schools, hospitals and police cells, etc. that the state has been unable to provide, they do not only challenge but also humiliate the state to come to terms with its claim of unrivalled authority and depth over its territory. The point raised by a bureaucrat on the quotidian realization of local projects is illustrative:

> We told the mayor that we need one building for a clinic and they used their [District Assembly] Common Fund to support it. They built a clinic at Breman [in Kumasi] and the chiefs and opinion leaders are interested in its operation. Sometimes they do communal labor, sometimes they provide chairs for visiting nurses during immunization. So the chiefs are playing a role like other stakeholders (Senior Health Administrator, Kumasi, 14.06.2016).

With their revered status as development brokers, chiefs would appoint in their community, honorary chiefship or so-called development chiefs, *Nkosuohene*.[31] These may be outstanding expatriates who come with foreign currency and donations. Appointee chiefs contribute variously to the provision of basic amenities and events for the local councils. They set up NGOs, build libraries and schools, and set up scholarship schemes (Bob-Miller 2009: 543–546; Knierzinger 2011: 24ff.; McCaskie 2009: 53ff.). However, some successful local businessmen and professionals are also awarded such positions. Chiefs enjoy preeminence in the social capital argument, which sees them as critical trustees for local social transformation (Grischow 2008: 87). Leading local self-initiative such as the numerous education funds, chiefs enjoy praise for their evident brokerage potential. The Asantehene's Education Fund, for example, has attracted support from local and international donors. Despite the management challenges of this project, the initiative has been emulated in other traditional authorities (Otumfuo 2009). Critics point out problems of accountability when unscrupulous individuals appropriate project resources to themselves and their cronies (see Bob-Miller 2009: 553ff.; The Chronicle 26 June 2004). The consensus, however, is that these initiatives foster development that may otherwise not happen.

Neo-traditional festivals and durbars of specific traditional councils are occasions not only to celebrate their achievements but also for fundraising. They offer the platform for local people to push the state to make promises that are very often unfulfilled. At the same time, numerous expats and international actors that are invited to these occasions come with much needed foreign

[31] Most pre-colonial polities had youth groups with their leaders so-called *mmrantehene,* who led communal policing and provided public services. These groups became less prominent after independence (see Manoukian 1964).

currency, donations and networks. Significantly, affluent citizens living abroad (e.g., development chiefs) who are able to galvanize development assistance would use festivals as the occasion to glory and shame the state for its service as well its neglect of public service delivery. The case of Cephas Bansah, a development chief, and the German association *Gemeinde Heiligkreuzsteinach* in Heidelberg clearly illustrates the public humiliation of the state at both the local and national levels. At a durbar to publicize a jointly-constructed female jail for the municipality of Hohoe in Eastern Ghana, the chief and his sponsors went on to attack the state for paying lip services of maintaining law and order while neglecting human rights claims and entitlements of inmates. Though a police station is supposed to be the safest place, female detainees were subjected to sexual offences under the watch of police officers.[32] This neglect by the state gave impetus for the chiefs, as the real representatives of their communities, to globetrot for funds to build the separate female jail and present at a grand durbar with state officials unabashedly in attendance.

Most important for chiefs, these durbars and festivals are used to coax international development actors to continue to repose a belief in them as community trustees; as real representatives of local people and their development (see Grischow 2008: 83).[33] Through this, they claim a direct representation of their people, something state and its local representatives lack or willingly ignore. Therefore, chiefs successfully glory in their efforts to secure development interventions where the state fails. In effect, these initiatives fill a void in municipalities where the state is largely absent. At such durbars, chiefs would symbolically summon state authorities to 'submit' and legitimize traditional authority as seen in Figure 3, where chiefs sit while state elite and politicians stand up to greet the chiefs.[34] And to illustrate the point when well-educated chiefs become 'seduced' by communal sentiments, the same paramount chief (seated in state in figure 3) had in 2014 threatened the immediate removal of a local hospital administrator or the chief and his elders would not to be responsible for any mishap to that administrator (see Bokpe 2014).

[32] See Besonderes Präsent: DAS schenkte afrikanischer König seinem Volk (Rothfels 2018).
[33] The *Asantehene* in 2004 used his personal networks within the World Bank to secure a 30 million USD grant for traditional authorities to support water and sanitation projects (Valsecchi 2008: 146).
[34] Note that as a symbol of authority and sign of respect, chiefs sit in state and the president rather stands up and greets them in turns

Figure 3 A Ghanaian President honouring Chiefs at a traditional festival. © John Mahama, 20.12.2014.

Co-production of local authority is vividly observed in communal surveillance and security projects. In local councils, one observes that chiefs play leading roles in voluntary self-organizing to provide communal self-defence and security in responds to rising levels of crime. Neighborhood self-organized security arrangements bring safety by fighting criminal activities. But to gain the necessarily trust in such voluntary arrangements, one must rely on inter-personal relations where chiefs and their traditional councils are frontrunners in selecting young men to help fight crime. The local state mainly provides formal recognition and some remuneration to such arrangements. Thus, despite the challenges posed by their interest and intervention, chiefs remain invaluable to the success of development projects in their councils. I must however point out the ambivalence inherent in this peculiar position of chiefs in relation to the functions of municipal councils. Certainly, their gesture points directly at the role of the "good paternalist patriarch"[35] someone who openly supports a local council chosen, to a large extent, in a democratic election. But their action on another level should be understood if we analyze the structure of the chieftaincy institution, its accountability and the political control it offers citizens. The critical question that we may ask is: what happens when the chief is not the good patriarch?

[35] This concept is understood to denote a person in position of authority who can once be very generous and supportive but also ruthless based on specific circumstance and interests.

This question becomes more apparent when we consider the role of chiefs as custodians of land particularly in Ghana. Customary land ownership, so-called 'stool land', accounts for over 80% of landholding in Ghana and inhibits the state's ability to implement land reforms (see Narh et al. 2016). Therefore, most municipal governments depend on allocations made by chiefs and royal houses. Since land remains central to the chieftaincy institutions, land ownership and access to land constitute a potential area of conflict not only among feuding chieftaincies but also between neo-traditional actors and municipalities where tensions arise between government rights and chiefly claims.

5 Conclusion: local council as arena for preserving chieftain interest

The discussion on ambivalence on the part of state actors and their local political programs help us to broach the topic of the persistence of neo-traditional interests in local councils. That chieftaincy is a 'necessary' institution for any political arrangement in post-colonial Ghana (Valsecchi 2008) appears taken-for-granted by actors both inside and outside of state bureaucracy. This persistence thrives on the ambivalence with which such actors approach the difficult topic of modern local administration that must at once be a merit-based democratic structure and still legitimized by neo-traditional norms. Most people embrace popular democracy in local councils but will at once posit that the office of chiefs predate the councils. The only difference in opinion is how specifically chiefs should be engaged in the local democracy project.

In addition, political elites and bureaucrats do not doubt the relevance of chieftaincy in matters of local administration. They would quickly point out chiefs as key people to consult in local decision making sometimes without recourse to whether or not it is officially permissible. Thus, the ambivalence with chieftaincy emanates from the fact that it provides legitimacy to state actors while at once distorting that legitimacy in its quotidian sense. As noted, the different administrations made frenetic and varying efforts to reform local councils, including the role of chiefs. However, the more state actors found their own legitimacy questioned, the more ambiguous their political programs proceeded. That in effect rendered ambivalent their intent to rid the chiefs of influence in local councils. Since these attempts have been subjected to selective preferences of state officials, they have deepened the ambiguity even further. Now, it appears clear that for local councils and their projects to be meaningful, there is the need to strike a delicate compromise between neo-traditional institutions and their state counterparts. As such, persistent rhetoric and evaluations of local councils, following the typical Weberian model that excludes chiefs' influence are just as ambiguous as the legitimacy they engender.

Local political reforms via legislation, overt rhetoric and political programs against so-called 'meddling' of chiefs in local councils have primarily been contingent on legitimacy – some sought loyal local chiefs and defended their own royal ties. While the colonial strategy was viewed with disdain, tactics of post-colonial administrations have been nothing more than enhancing regime legitimacy. Thus, a 'genuine' attempt to strengthen the local political system and define clearly the role of chiefs in the councils is still missing. In particular, the different administrations cautious of

their own survival have approached the role of chiefs in the councils with varying degrees of ambiguity. This ambivalence has, in effect, enhanced the resolve of chiefs in the daily running of local councils. Thus, reformists who see local institutional changes as a quick fix to mark the end of chieftain interest in municipal councils would be disappointed. Their concerted efforts appear rather to enhance such interest. Yet, considering the everyday relevance of chiefs in those councils, the counterfactual question of whether the formal inclusion or exclusion of chiefs will change Ghanaian municipalities' delivery of local services, still remains. A clear formal arrangement that clarifies the relationship between both institutions of chieftaincy and local councils in case of conflict will, which is still missing, might be of considerable importance to reformers. One could perhaps argue that Sierra Leone has been smart in assigning formal and executive roles to chiefs in their local councils where chiefs chair local development committees. Despite some inherent tussles with elected councilors, this bold public policy has nonetheless removed any ambiguity regarding the wielders of executive power within the electoral wards (Edwards et al. 2015: 50).

For the everyday practical arrangements, the role of chiefs on the councils should be clearly delineated such that a distinction is made between everyday running of the councils and when chiefs could be consulted or intervene in decisions of the councils. Alternatively, chiefs should be allowed to contest and represent unique wards on the councils. With elected mandate, their ambiguous roles may disappear. Additionally, a reduction in central governments influence in local councils will be helpful. If, for instance, the heads of local councils are elected instead of central government appointment, that mandate could help offset the pressures for their removal by chiefs. Indeed, any calls for such removal might invoke legislative provisions and perhaps a call for early elections. This might not only appear tedious but most likely lead chiefs to soften their stance on personality preferences. Further, election of mayors and heads of municipalities will help forestall attempts by chiefs to massage micro-nationalistic narratives for headship of local councils – preferring an indigene to other candidates who have different ethnic inclinations. Of course, the changes suggested above do not hold the 'magic bullet' against the challenges of local councils especially as the current government seeks even closer integration of chiefs in municipal councils. One could point to the Akufo-Addo administration's local political program of regional realignment that was mooted only after meeting with chiefs from those regions. In spite of the current local democracy project, that famous statement by a chief, quoted in the introductory statement (Dunn / Robertson 1973: 294), still applies. For chiefs, the local councils constitute a local political privilege and it would appear that chiefs would run the show in local councils for the foreseeable future!

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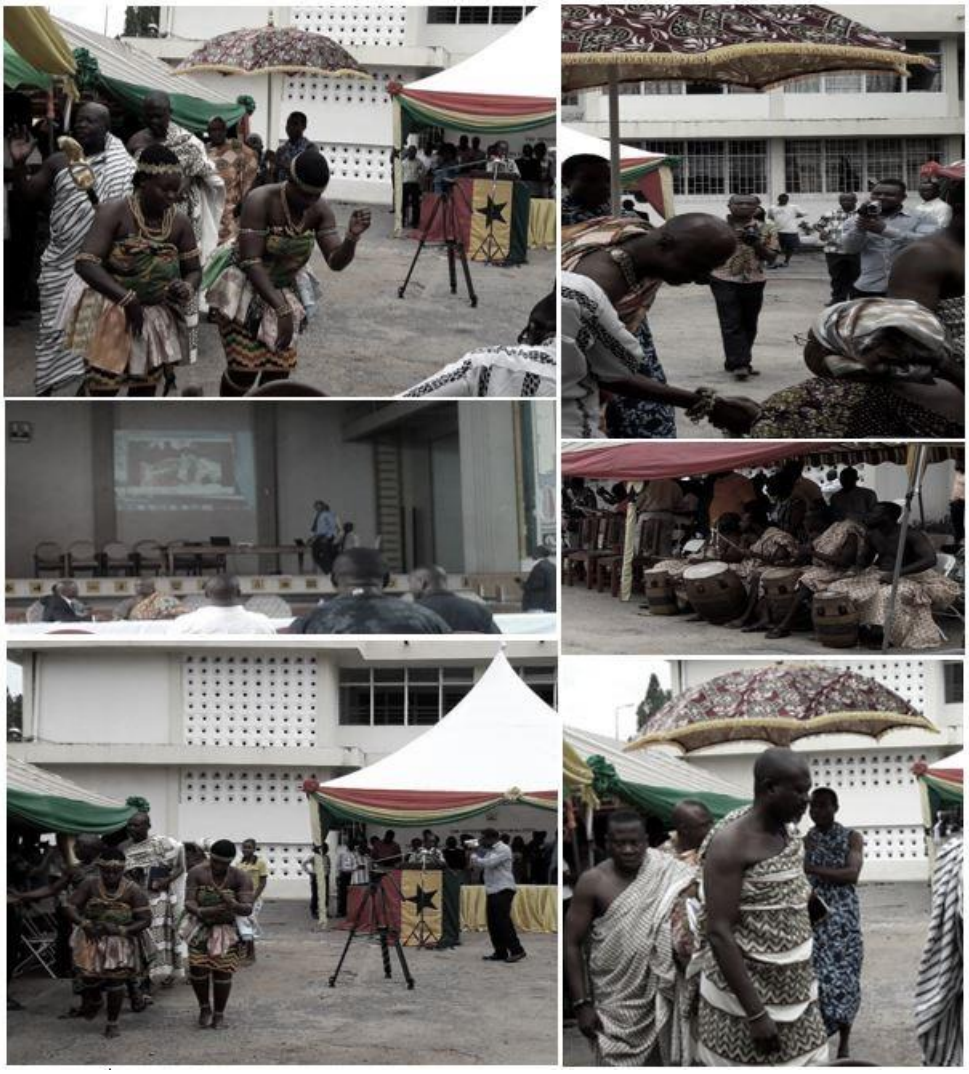
7 Appendix

Figure 4 Collage: Ghanaian chiefs arriving at municipal council events © Author



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