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**INDIGENOUS KNOWLEDGE  
SYSTEMS AND GOOD  
GOVERNANCE IN GHANA:  
THE TRADITIONAL AKAN  
SOCIO-POLITICAL EXAMPLE**

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**INSTITUTE OF  
ECONOMIC AFFAIRS  
ACCRA, GHANA**

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## PREFACE

This paper explores the relationship between aspects of indigenous African political culture and the quest for appropriate principles and practices for Africa's political future.

Its main thesis is that some political values of traditional Akan society are relevant to our contemporary lives and should, therefore, be adapted and integrated into strategies for better governance in the modern setting. This claim rests on the premise that some features of traditional culture can play an essential role in the search for enduring and workable solutions to Africa's socio-political and economic problems.

Towards justification for this thesis, the paper examines some works which deny the relevance of traditional systems for the political future of the continent, and refutes their arguments.

The paper explores the meaning of the concept of democracy and contends that significant features of traditional political thought and practice meet its tenets.

Next, the writer scans the constitutional history of Ghana, and deploys the views of some prominent political figures, to highlight aspects of post-independence governance that conform to traditional principles.

Finally, Ajei outlines some favourable implications of adopting traditional values into national governance, and advocates a

national referendum to decide on whether, and how these traditional principles and structures should influence the unfolding of Ghana's constitutional democracy.

I am delighted to place on record, the gratitude of the Institute of Economic Affairs to the Danish Government, through the Royal Danish Embassy in Accra and DANIDA, whose generous assistance made the publication of this Occasional Paper possible.

Dr. Charles Mensa  
*President*  
Institute of Economic Affairs

Accra, 2001

## ABOUT THE AUTHOR

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*"Allow us to make use of our native institutions,  
which we understand,  
and which from experience are adapted to us"*

*Casely Hayford (1903, 128)*

*For, presumably,*

*"No people could despise its own language,  
customs and institutions and hope to avoid national death"*

*Casely-Hayford (1911, 17)*

## **INTRODUCTION**

The main thesis of this paper is that the political values of traditional Akan society are relevant to our contemporary lives, and should therefore be adapted and integrated into the modern political setting. This claim rests on the premise that traditional culture has an essential role to play in the search for enduring and workable solutions to Africa's socio-political and economic problems. There is thus a need for African scholars to sample from the universe of African cultural perspectives and expressions in their efforts to capture the meaning, function and structure of good governance. This work aims to be part of this sampling process.

This approach of sampling from traditional cultural products in the bid to fashion appropriate strategies for good governance in Ghana calls for caution. Ghana, as a nation, is composed of a multitude of traditional cultures. Therefore my singular emphasis on the relevance of Akan cultural products for policy making at the national level may appear to the guardians of multiculturalism to be a worrisome ethnocentric impulse that needs to be repudiated immediately.

I will not risk dismissing such an objection in a cavalier way.



But while rejecting the position that the traditional setting of the whole of Ghana subscribes to one homogeneous political theory and practice, I would like to point out that there are sufficient similarities in the fundamental features of the social and political structures of these traditional cultures to justify my belief that the merits of one of these cultures can be accessed, understood, assessed and embraced by the members of the others. I am in good company with regard to this belief.

In his *Ghana's Heritage of Culture* (1963), Kofi Antubam, the Ghanaian artist, inveighs against those who advocate "the existence of parochial barriers presented by the seeming non-existence of well defined characteristics of an all-African distinctive identity" (Ibid., 24). He argues strenuously for emphasis on the common aspects of African life and culture, and goes on to delineate some of these common features. Some of these are relevant to this thesis. They are: ontology and the doctrine of God, a communitarian social structure, and the tendency to find wisdom in age [i.e. experience] (Ibid., 23). Antubam then concludes:

"This means that within every African state today there should be serious researches into whatever the people themselves can salvage from their indigenous ways of life. It is a crusade for the being in existence of the African, and Ghana must play her part". (Ibid., 24)

Similarly, Max Assimeng, the Ghanaian sociologist, suggests that we may plausibly discourse on "the Ghanaian political structure purely in its traditional aspect" in spite of difficulties



that such discourse may occasion because of the encroachment of modernity on these institutions and the differences in detail. He goes on to catalogue some common patterns in the political organization of the various cultural communities in Ghana (1981, 88-91). And, like Antubam, he argues:

“Some aspects of the basic values of the traditional political order could still be our guide in the nation’s search for sane and sensible, dignified political arrangements that would answer the nation’s yearning for creativity, authenticity, workability and progress in political living.” (Ibid., 112).

It is appropriate to define, at this stage, the conceptual framework for our thoughts. We are accustomed to hearing of ‘the Nkrumaist tradition’ and ‘the Danquah/Busia tradition’ in the contemporary arena of political discourse in Ghana. This use of ‘tradition’ suggests that certain visions, values and practices, bequeathed by Nkrumah and Danquah/Busia respectively to present political organizations, are cherished by these organizations such that they hope for these bequests to remain as enduring tenets of their political future. I will use the term ‘tradition’ in another sense.

‘Traditional’ as I use it in this paper is coterminous with ‘indigenous’. Hence I will use the two terms interchangeably. Thus by politics in the traditional Akan setting, I refer to the political culture of Akan societies that predate the advent of European colonial rule and the concomitant ideals,

institutions and practices that have become its legacy.

The equation of 'traditional' with 'indigenous' may be objected to on the grounds that it is justifiable only in a narrow sense. In response to this possible objection, I declare that I presume the concept 'culture' to underlie the coterminous notions of 'traditional' and 'indigenous'. In other words, I subsume the two terms under the concept of 'culture'. And by culture I mean the total sum of norms, beliefs, knowledge, values (moral, political, social, aesthetic etc.) that accrue to a people from their interaction with the environment (physical, psychic and inter-personal) in which they live and have their being. A people employ the products of these interactions to define themselves (therefore others); position themselves in the universe; and determine what is rational behaviour and its motivations. It is this self-determination of the rational that, I think, justifies the grounding of contemporary African political discourses and practices in traditional knowledge systems. This paper, then, is concerned with the relevance of some of the structures of indigenous Akan socio-political culture to contemporary governance.

As will be seen in section (c) below, agitation for the integration of indigenous political know-how into strategies for better governance is not new in the political history of Ghana. It may be surprising, therefore, that at the beginning of the third millennium we are debating the theme as if nothing has been learnt from the history of the last century and a half. But in the light of the present challenges facing Africa, revisiting old wisdom may be a worthwhile effort.

It has been argued, and legitimately I think, that rooted as they are in Euro-American traditions, the political ideals

pursued by African countries have led to the self-destructive patterns of political existence that the continent currently experiences (Osabu-Kle, 2000). Post-colonial governments in Africa have failed to address the continent's aspirations for self-determination and development. The aspirations and social values of Africans do not tally with the daily realities of their lives. Today's Africa is full of uncertainty and despair. Harsh political, psychological, social and economic realities are daily manifesting themselves on the socio-political landscape. Many orthodoxies have come and gone in the search for a political framework that may bring enduring solutions to the African predicament, and so has much confusion. Consequently, realistic approaches to the problems have remained obscure. One such obscure but, perhaps, worthwhile approach may be the examination and judicious appropriation of the accumulated knowledge and creative capacities of traditional political culture.

There is thus a need to resuscitate the old debate: contemporary theories and practice of government in Africa leaves the continent with no anchor or organic grounding in its indigenous political know-how. Yet underlying these traditional political structures are dynamic and tested principles that represent viable philosophies of social organization, and man's place in it. Clearly, these philosophies have the capacity to contribute to discussions centred on an African political destiny. Hence a retreat into culture is necessary.

In what follows, I draw freely from the descriptions and analyses of the social and political ideas of traditional Akan thinkers and the metaphysical and value basis of these ideas by Mensah Sarbah, Casely Hayford, J. B. Danquah, K. A.



Busia, Kwasi Wiredu, Kwame Gyekye, and from my own research effort, to trace the principles of good governance in these ideas and the practices erected on them, and to point to how these may be tapped for Ghana's political development.

### **The Akan Political System and the Concept of Democracy**

There have been many misconceptions about the structure and functions of traditional political systems in Africa. These misconceptions have degenerated, with some scholars, into skepticism about the relevance of these traditional systems to modern political life. One such scholar is V. G Simiyu, a Kenyan historian, who denies any relevance of the traditional African political systems to the political development of the continent, on the grounds that these systems were undemocratic. According to Simiyu, social organization in the traditional African setting was non-egalitarian, and this feature of African social structures denied some citizens an "opportunity to rise in the social and political ranks". But a democratic system, he posits, should allow for equal opportunity for citizens to rise on the social ladder "on personal merit" (1987, 64-69). Thus Simiyu sees in traditional African political practice, a hierarchical system that promotes gerontocracy and stifles upward social mobility. On this premise he concludes that these systems cannot be democratic. This section of the paper will argue that such a conclusion, without qualification, cannot be justified.

Professor Mawusi Dake has expressed views on the traditional political structure in Ghana that are similar to those expressed by Simiyu. In an assessment of the extent to which democratic practice in Ghana's political future can

be “really meaningful and likely to succeed”, Dake (1996) reflects on “our traditional background” and holds that every Ghanaian and, generally, every African grows up in an environment premised on unquestionable obedience to seniority and authority.<sup>1</sup> Dake makes clear that this environment in which the African grows up has a debilitating effect on one’s political consciousness, which he thinks can be reduced to the thought that “I grow up obeying authority absolutely and, therefore, expect to be obeyed absolutely when we have authority” (Ibid., 93).

Another strand in the political consciousness of Ghanaians, we learn from Dake, is that government, to the Ghanaian, means power centred in Accra and that:

“it is considered a tribute to someone’s intelligence to steal from the national coffers, and that even if caught such a theft will not be considered a social crime but rather as a misfortune” (Ibid)

These conceptions of the function of government and its responsibilities to the governed, derive from our “traditional understanding and use of authority” (ibid). Because of this state of consciousness, we do not really know and respect what government means. But until we are able to do this, and “seek to establish democracy as a way of life for ourselves, a truthful manifestation of democracy will continue to elude

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<sup>1</sup>The stress on these words is Dake’s.



us" (Ibid., 95)

At least three propositions may be gathered from Dake's disputation, and these are:

- 1) Gerontocracy is an important feature of African social organization and decision-making processes, and therefore our traditional systems of government were intrinsically non-egalitarian and non-democratic. This conclusion derives from Dake's assertion that the African's political consciousness is premised on 'unquestionable obedience to seniority'.
- 2) Ghana at present lacks a democratic culture, and this derives from the said non-democratic past. This is legitimately inferred from Dake's contention that we are yet to "seek to establish democracy as a way of life", and that "a truthful manifestation" eludes us.
- 3) The political center and institutions of government in the traditional setting were separated from the people. To the citizens, government was a "we" and "they" affair. This conclusion is entailed by the claim that government, to the Ghanaian, means power centred in Accra.

These are quite harsh and pessimistic perspectives on the African political past, and they naturally invite comment, coming as they do from such a distinguished African scholar as Professor Dake. I would like to point out that the inference of authoritarianism from gerontocracy can be legitimately denied: it is not true that a system in which deference to elders is valued, is necessarily autocratic in outlook. But more importantly, it is unclear which political 'tradition' it is

that Dake considers to be undemocratic; nor is it clear what, to him, is democracy. The most common and time-tested definition of democracy is 'a government of the people by the people and for the people' and I wish to use this as the basis for the determination of the democratic (or non-democratic) nature of the Akan political system.

In an analysis of the definition of democracy, Gyekye (1997) contends that the phrase "of the people" means, at least, two things:

It is the people who should govern, or at least it is the people who should choose their rulers, find mechanisms to control them, and ensure that the course of government conforms to the wishes of the people.

Democracy is a form of government whose practice derives entirely from the historical and cultural experiences of a people, and is in conformity with their vision of how they want to be governed or to govern themselves.

Further, Gyekye interprets "a government by the people" as essentially one whose constitutional rules, principles and procedures are set up by the people themselves. (Ibid., 133-134). In other words, the people, in a democracy should have intellectual, ideological and emotional attachment to the structure of government: they should be subjects of a government whose roots are nourished by the goals, values, ideals, experiences and aspirations of the people. These are legitimate interpretations of the concept, and I adopt them without reserve.

Thus defined, democracy would seem to imply, among other

things, that the power vested in the essential organs of government derive from the governed. It would also imply that save for some reasonable restrictions, every adult member of a democratic state is eligible for an office in the body politic. Furthermore, it would imply that the underlying principles, institutions and practices of a democracy must derive from the consciousness of the governed and a conscious response to it by government. Also, the people's conception of human nature and of man's place in society; of their aspirations, values and ideals, and how these may be furthered, must determine the course of good democratic governance. If these are defining characteristics of democracy, then it is clear that Dake's denial of democracy as an attribute of traditional political systems cannot be upheld in the case of the Akan traditional political system. Let us now turn to some of the features that demonstrate the democratic nature of this system.

### **Some Features of the Akan Political Structure**

#### ***i) The Akan State (or Oman)***

The essential features of the Akan political structure have been sufficiently outlined by many eminent sociologists and philosophers (Sarbah, 1906; Casely-Hayford, 1903; Rattray, 1929; Danquah, 1928; Busia, 1954; Gyekye, 1997). All of these authors agree that traditional Akan social organization revolves around a well-regulated constitutional system of government of which representation of the people is the essence. Two most outstanding features of the structure of this system are the *Oman* (State) and the office of the chief (or King). Every Akan town or village is constituted of several



clans, which in turn are made up of many lineages (families). To one of these clans belong the royal lineage, from which the chief is elected. One such town or village constitutes a political unit, and a number of such units form a paramountcy (*oman*), presided over by a paramount chief (*omanhene*) or king.

The *Oman*, thus, is the centre of paramount political authority. The next in importance to the *Oman* is a division (district) of such a state. A district consists of a large town, or of a number of towns and villages whose principal town or capital is the district capital, the government of which is under a chief (*Ohene*). These districts would in their turn be constituted of towns, villages and hamlets whose organs of government would be more or less on the same lines as those of their district capitals.

The chief would have a council of elders who would mostly be the heads of the clans. In the conduct of its affairs, each lineage in a town, or each town in a district, or each district in a paramountcy, acts without interference from the larger political unit. Thus decentralization is an outstanding feature of the Akan political system. I choose to describe the organs of government at the level of chieftaincy and kingship, both of which reflect, *mutatis mutandis*, government in the smaller political units.

### ***ii) The Office of the Chief***

The ultimate political authority in an Akan town or village is vested in the chief, whose office is elective. The election of the chief is elaborately described by Busia (1968, 7-11) and

Gyekye (1997, 121-23). Upon the vacancy of the stool, a candidate is nominated by the queen mother, who is the female head of the royal lineage, for the acceptance of the town or village councilors. She has the right to nominate three candidates; failing which the right to nominate falls on the councilors. Upon acceptance of the nomination of a candidate by the councilors, the body of citizens, represented by the *Asafo* Companies<sup>2</sup> in the town, must approve the acceptance of the councilors before the chief can be enstooled. The principle underlying the ultimate election of the chief by the people is "*Odehye nsi hene*"<sup>3</sup> (Busia, *Ibid.*, 11).

After the nomination, election and acceptance, a day is appointed for the installation of the chief elect. The most significant feature of the installation process is the oath of office, which he must swear publicly before his councilors and the body of citizens. Rattray records twelve injunctions embodied in this oath, and acknowledged by the chief elect. These are as follows:

- 1) Do not go after women
- 2) Do not become a drunkard
- 3) When we give you advice, listen to it
- 4) Do not gamble
- 5) We do not want you to disclose the origin of your subjects
- 6) We do not want you to abuse us
- 7) We do not want you to be miserly

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<sup>2</sup>The body of young men who traditionally represent the military divisions of the town.

<sup>3</sup>A noble does not install a chief; it is the prerogative of the commoners to do so.



- 8) We do not want one who disregards advice
- 9) We do not want you to treat us as fools
- 10) We do not want autocratic ways
- 11) We do not want bullying
- 12) We do not want beating (Rattray, 1929, 82)

These injunctions clearly define the extent of the chief's authority and the nature of the relationship he is expected to maintain with his subjects. In other words, it is that section of Akan law and custom that defines the functions of the office of the chief.

Both Sarbah (1897) and Danquah (1928, 115) maintain that flouting some of these injunctions constitutes sufficient cause for removal from office. Gyekye points out the political significance of the phrase "we do not want". This, according to him, shows that the people are in effect, telling the chief how he should govern them..... The declarations are in one sense an unambiguous assertion of the people's right to participate in the running of the affairs of their community or state, in governing themselves; they are, in another sense, an indication of the confidence the people have in insisting on the exercise of a political power that will reflect their wishes. They are, in yet another sense, an indicator also of the people's intention to make the chief aware that he will need to depend on his people for a satisfactory and peaceful rule: this acknowledges the uncertainties surrounding the exercise of political power (1997, 122).

The requirements of the injunction could be reduced to the following prescriptions that highlight the ideals, values and

aspirations of the people:

- 1 and 2 assert respectively: profligacy offends our values, and a leader whose reflective ability is dulled by intoxicants does not meet our ideals of leadership.
- 4: This injunction says that we do not want a leader who will dissipate the wealth of the state.
- 3, 8, 9 and 10: These are restatements of the principle of the sovereign will of the people. They all say that the chief cannot act without the concurrence of his councilors who are representatives of the people, and that any such act is liable to be set aside.
- 8 and 6, and again 9 and 10: These state that government is expected to distribute equitably the wealth of the community, and to create an environment conducive to individual enterprise.
- 5: This prohibits action that would create discord among the citizenry.

All the above prescriptions would seem to suggest that the chief does not acquire an indefeasible right to office once installed. It is the right of his electors to unseat him for any reasonable cause, and the prohibitions of the oath constitute, variously, this cause.

Another illustration of the democratic nature of Akan political authority may be drawn from Akyem Abuakwa, where the king holds power for one year at a time, subject to renewal

by those empowered to enstool or destool him. This constitutional provision is observed during the *Odwira*.<sup>4</sup> During this festival, one day is set apart for the king to play the role of a commoner and a member of the *Amantoomiensa*<sup>5</sup>. On this occasion the king parades through the streets in the company of the *Amantoomiensa*, with a drum slung over his shoulder as one of the drummers. To destool him, the *Amantoo* only have to remove his sandals and pat him on the head with them. As he joins this group from his palace, the drums caution him:

Abirem Akempepra ako agyina  
Yebaa no sen ni?  
Daasebre, go mu brebre  
go mu brebre<sup>6</sup>

He goes, in this fashion, with the *Amantoo* from one end of a street to the other. A tentative clue that his reign has been renewed will be that he is carried shoulder-high back onto the street. But, as has been pointed out by Twum-Barima, he is still not quite safe even at this point "because the carriers can stumble and fall with him" (1985, 48). Indeed this must be a point of anxiety for the chief because, under Akan law and custom, a chief is effectively removed from office once any part of his bare body touches the ground. Even if he makes it back to his palace shoulder-high, this is still not sufficient to mandate another year of his rule because he

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<sup>4</sup>Annual purification festival marking the end of year and the beginning of the next.

<sup>5</sup>The company of "The Three Communities", made up of seven towns. This group forms the king's bodyguard, and it is the recognized guardian of the paramount stool.

<sup>6</sup>"The people of Akyem Abuakwa have been in consultation. What resolutions emerged from that? It is: royal, be cautious, be cautious"



will find the gates shut. This refusal of his admission to the palace, according to Twum Barima, is to:

“emphasize to him the fact that the palace is not his but theirs in the same way as the Stool itself, the symbol of power and authority in the State, is theirs and not his” (ibid).

For a long time he pleads with them for entry. Then they allow him to enter, and this is the effective admission that he has been given a lease of another year of reign.

The principles elaborated in the process of selection and installation of a political leader, and the annual assessments of the *Amantoomiensa*, may be said to demonstrate the principle of accountability of government. The oath of office, with its explicit prohibitions and implicit understanding between prospective ruler and his/her subjects that violation of these terms and conditions may give rise to proceedings for destoolment, constitutes a contract of the office of the chief.

Another expression of the principle of accountability is located in the symbol crowning the staff of an Akan chief's spokesman. On some of these staffs are to be found the palm of a hand holding an egg. According to Gyekye, this symbol likens the possession of political power to holding an egg: if you hold it too firmly it breaks, and if you do not hold it firmly enough, it drops out of your hand. (Gyekye, 1992, 251). Thus political power is to be exercised firmly but judiciously. In other words, the authority of the chief over his people is derived from the sovereign will of the people. This feature of the Akan political system alone gives it a legitimate claim to democracy.

**iii) The Paramount Chief's or King's (or State) Council**

The paramount chief's or king's council performs the highest legislative, executive and judicial function in the state. Every legislative, administrative and judicial body in the state is subsidiary to the king's council. The membership of this governing council comprises the paramount chief who presides over meetings, the district chiefs who are ex-officio members, and "those intelligent men who by reason of their experience in matters political and judicial", are held to be capable of contributing meaningfully to public deliberations of the community. (Casely Hayford, 1911, 72).

The people thus exercise in council, their right to perform these three functions of government through their councilors. The chief, though presiding in council, seldom initiates a law. (Ibid., 42). The people through their councilors do this. Hence in announcing a law or an injunction promulgated in council, the chief's spokesman utters the following words: "the chief and his councilors and elders say I must inform you that .....". The gong-beater who announces the same to the public at large will utter these same words. For his rule to be successful therefore, a chief needs to be able to cooperate effectively with the people, and the effectiveness of this cooperation will depend on his ability to inspire the sympathy and loyalty of the people. This, in turn, will depend on the extent to which he is able to meet their aspirations.

We can gather from the foregoing that a government which failed to allow the people an effective voice in their own affairs, would be considered by the Akan to be structurally defective



and, therefore, deplorable. They would then assert their constitutional right to divest themselves of such a government, a right which Akan political history amply demonstrates. Thus in the nineteenth century, seven Ashanti chiefs were unseated for breaching various provisions of their oaths of office (Busia, 1968, 22). Similarly, three Ashanti Kings in the same period — Osei Kwame in 1799, Karikari in 1874 and Osei Bonsu in 1883 — were removed. (Ayittey, 1991, 137). These destoolments were the reaction to radical reforms introduced by Osei Kwadwo in 1764, and by Osei Kwame and Osei Bonsu. An important result of these reforms was that the Asantehene increased his own power at the expense of hereditary chiefs. (Stride and Ifeka, 1971, 268). They were reforms aimed at increasing administrative efficiency by imposing on the provincial administration officials appointed by the Asantehene. Adu Boahen suggests that these revolts against the Ashanti kings came about because these administrative changes did not prove effective (1986, 61), but they may also be legitimately seen as revolts against the concentration of power at the political center. Hence one can plausibly talk about the sovereignty of the people.

### **Akan Socio-Political Philosophy: Some Central Tenets**

In the last section we accounted for some important structures through which government operates in the traditional Akan setting. These structures derive from various political and social philosophical principles. I intend in this chapter to examine a few of these principles.

At least five important tenets of Akan socio-political theory may be delineated. These are:

- 1) The participation of the people at all levels of decision-making: accountability of government to the people
- 2) Consensus as the guiding principle and method of decision-making
- 3) The rule of law
- 4) Communitarian social organization: this is an important requirement for the success of (1) and (2)
- 5) Humanism, which may be considered to be the causal ancestor of all the foregoing factors.

I consider (1) and (3) to have been sufficiently elaborated on in my deliberations so far; so I will pay attention, in this section, to (2), (4) and (5).

#### ***i. Communitarianism***

Communitarianism is a theory of social organization that has been formulated variously by its many adherents. In the Western philosophical tradition, Aristotle's dictum that *man is by nature a member of the polis* (Aristotle, 1955) may be taken to be the precursor of communitarian social theory. Aristotle meant by this that partaking in a human community is necessary – not optional – for a human being. In other words if X is a human being, then X by necessity must belong to a human community. Some leading contemporary exponents of the communitarian theoretical tradition in the English-speaking West are Michael Sandel and Joseph Raz,

both British philosophers, and the American philosophers Alasdair McIntyre and Charles Taylor.

Underlying all these formulations is the idea that the individual person is an integral strand in the social fabric, and therefore social organization should give weight to the claims of society in its relationship with the individual. Akan communitarianism also holds that the individual is, by nature, an integral and inalienable part of the social structure. (Gyekye, 1997, 36-61). This view is expressed by the maxim: "*yewo nnipa a yewo no to kuro mu*"<sup>7</sup>. This maxim captures the Aristotelian view that the individual's participation in society cannot be optional, the underlying point being that the need for a community is an essential attribute of a human being.

As a natural part of the community, an individual has a natural relativity to other members in the community. As such, one must pay regard to the role that one's life may play in the welfare and interests of others. The argument underlying Akan communitarianism is this: as an integral member of a community, one cannot opt out of the membership of human community; one's conduct must contribute to the common good because it is from the pool of this common good that one's own good can be extracted or pursued. Thus the Akan will say of an individual whose conduct does not display compassion, generosity, respect or concern for others; one whose behaviour, generally, is not conducive to the welfare of others, that:

"*onye nnipa*"<sup>8</sup>

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<sup>7</sup>A human being is born into a human community.

<sup>8</sup>He/she is not a person. This does not mean that such a person loses his/her right as a human being, or that he/she loses her citizenship. But he/she ceases to be a person worthy of respect and adoration because he/she ceases to be a morally worthy person (Gyekye, 1997)



Some authors have conceived this emphasis on common goods and shared ends as implying that the individual is wholly engulfed by social relationships. Mbiti, for instance, thinks that the African conception of the relationship between the individual and the community can be reduced to the proposition "I am because we are; and since we are, therefore I am" (Mbiti, 1970, 141). Gyekye strenuously rejects such a position, considering it as overstated and misleading. In his view, this erroneous interpretation of traditional African social theory provided the ideological basis for post-colonial African leaders who advocated 'African Socialism', arguing that socialism was foreshadowed by the traditional African doctrine of communitarianism<sup>9</sup>.

Thus Nkrumah, in his *Consciencism*, wrote: "if one seeks the socio-political ancestor of socialism, one must go to communalism" (1964, 73). Among the African leaders who advocated African Socialism were Kwame Nkrumah of Ghana, Sekou Toure of Guinea, Julius Nyerere of Tanzania, Kenneth Kaunda of Zambia, and Ahmed Ben Bella of Algeria. All of these leaders served as the first post-independence Heads of State in their respective countries. This ideology extolled the supremacy of the state as a vehicle for socio-economic development. With the benefit of hindsight, this doctrine proves to be a variant of Marxism – a one-party system of government with state ownership and control of the central sectors of the economy.

I think Gyekye is right in rejecting the idea that African Socialism is founded on traditional African socio-political

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<sup>9</sup>The official doctrine of African Socialism is embodied in the Arusha Declaration of 1967



theory. It is highly doubtful that this brand of socialism can properly be attributed to the traditional Akan. Marxist ideology advocates the system of public ownership of the means of production and distribution of social and economic goods. Yet the agitation against the Lands Bill of 1857, effected on the platform of traditional Akan Law and Custom<sup>10</sup>, rejected such a Marxist conception of the ownership of the means of production. In fact the principles of acquisition and distribution of economic goods, in Akan law and custom, renders the Marxist doctrine inoperative because the family, and not the individual, was the unit for the ownership of land in the Akan Constitutional schema. And there was no social differentiation, in Akan society, in apportioning this important means to the production of the material base of livelihood: every able adult member was entitled to land. Thus the acquisitive and distributive mechanisms were against social differentiation; hence the Marxist dialectic becomes irrelevant in the Akan setting.<sup>11</sup>

Besides this, many maxims record the autonomy of the individual from the social web. Thus the *Adinkra*<sup>12</sup> symbol of the Siamese crocodiles,<sup>13</sup> expresses the idea that although individuals must pursue the collective good of society, yet in seeking the means to pursue this end, the human being is essentially an autonomous agent. In other words, society should provide the basis for everyone to participate equally

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<sup>10</sup>Sarbah (1897), Adu Boahen (1986), Casely Hayford (1911)

<sup>11</sup>This was pointed out to me by Ambassador Sekyi in a conversation I had with him on Dec. 2nd, 2000. Let this be my expression of gratitude to him.

<sup>12</sup>An Akan visual art form

<sup>13</sup>The two-headed crocodile with one body. The two heads fight over which one should masticate the food before them, although it is destined for the same stomach

in the quest for means to fulfill the common good. Again, there are the proverbs : "*obra ne wo ara wabo*,"<sup>14</sup> and "*wankasa nam ho a wowe dompe*."<sup>15</sup> These proverbs express the idea that the individual is responsible for the pursuit of his/her own life; that individual effort is a necessary condition for realizing one's aspirations and potential.

Thus Akan communitarianism does not reject individual values because it acknowledges the autonomous nature of the individual. The individual is recognized as having a free will that enables him/her to initiate free action<sup>16</sup> in pursuit of his/her goals and in fashioning his/her own destiny. The minimum demand on the individual seems to be that in pursuing his/her interests, he/she should desist from harming the interests of others. But he/she should, preferably in the pursuit of these interests, promote the public good as well. Gyekye calls this social-theoretical position moderate communitarianism, and defines this as a model that as well as emphasizing the claims of society, "acknowledges the intrinsic worth and dignity of the individual human person and recognizes individuality, individual responsibility and effort" (1997, 40)

### ***ii. Akan Humanism and Consensual Democracy***

Wiredu has suggested, correctly I think, that humanism is a foundational principle in Akan socio-political thought

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<sup>14</sup>Life is as you make it

<sup>15</sup>If you do not contest for meat (while sharing a meal with others), you are left with bones.

<sup>16</sup>An action based on a reason that he/she accepts as valid or worthwhile

(Wiredu, 1992). That humanism constitutes a foundation of Akan political thought is evidenced by the guidance that the following maxim provides in formal political and legal deliberations: “*onipa na ohia; mefere sika a sika ngye so, mefre ntama a ntama ngye so; onipa na ohia*”.<sup>17</sup> Wiredu provides two complementary interpretations of this proverb. According to him this maxim means that

- i. all values derive from human interests; and
- ii. human fellowship is the most important of human needs. (Wiredu, 1992, 194).

The principle of the political sovereignty of the people may be deemed to take its rise from Akan humanism. The sovereignty principle states that political power rests ultimately in the hands of the populace. This means that the stakeholders in the political process have a fundamental right to be represented both in the composition of the council and in the content of the decisions of that council, though these rights may be given up for the purpose of reaching a consensus.

Because of its participatory nature, its communitarian social structure, and its humanistic outlook, Akan politics considered consensus in decision-making as a vital ideal. Sharp disagreement and division along ideological lines existed during deliberations in council, but the desire to reach consensus and reconciliation was paramount. Consensus did not imply a complete identity of views as has

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<sup>17</sup>It is the human being that counts; when I call on money, it does not respond; when I call on my clothes they do not respond; it is the human being that counts.



been held by some commentators on African traditional thought<sup>18</sup>. But through dialogue, the minority suspended its disagreement to make concerted action possible. The dissenting party satisfied itself that sufficient account had been taken of their points of view. The whole council then aimed at the restoration of goodwill through reconciliation and accommodation. This was deemed necessary because coexistence in society was not considered as being optional, and although the immediate interests of members of society might be polarized, there was a strong tendency to believe that these interests were ultimately reconcilable. Hence "government becomes a kind of coalition – a coalition not, as in the common acceptation, of parties, but of citizens" (Wiredu, 1997, 310)

Wiredu points out that political power in the Akan traditional setting is set up for participation — not for appropriation — and the underlying philosophy is one of cooperation — not confrontation. (1997, 308). Due to this virtue, he describes the Akan political system as a substantial (consensual) democracy, and distinguishes this from formal democracy,

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<sup>18</sup>Pauline Hountondji, for instance, talks about "the myth of unanimity" and "the myth of consensus" (Hountondji, 1983, 51-55). What Hountondji means by this is that the idea of consensus is an imaginary construct, that has no basis whatsoever in truth because such an idea would imply a monolithic conception of a subject to which all thinkers in a given society give unanimous assent. Robin Horton also deliberates on grounds similar to Hountondji's when he writes that "to me, the most important thing about the traditional cultures is that in each, there is a single, over-arching world view which prevails without competition; which has, as it were, a monopoly of people's cognitive preoccupation" (Horton, 1971, 153). Gyekye has strenuously rejected these views on African philosophy. Against Hountondji's and Horton's unanimist views, he argues that consensus logically presupposes dissent. (1992, 248).

Substantive (or consensual) democracy, a product of Akan humanism, is important because it is a prerequisite for the self-realization of the individual in the social context. The right to participation — the right to be represented in the content of decision-making at all levels of government — is a fundamental political right of every Akan in his/her community. It is an ontological right embedded in the being of that person in relation to his/her community. We will see, in section (d) below, that this humanistic essence of Akan political culture derives from metaphysical considerations.

Consensual democracy is expressed by many maxims. A person who emerges from a political deliberation grumbling over a decision reached there is reminded outright that “*mekoo bi, manka bi, ye mmusu*”.<sup>19</sup> In other words, one is endowed with the fundamental right to participate in deliberations, but once you forfeit this right, you must accept whatever comes out of such deliberations. Another maxim is “*ti koro nko agyina*”.<sup>20</sup> This expresses the view that on matters of public policy, consultation is the better mode of deliberation. Consultation is preferable, presumably because “*nyansa nni onipa baako ti mu*”<sup>21</sup>; hence consultation is needed if wise counsel is to prevail. And wisdom, it is presupposed, is required in matters affecting the whole community.

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<sup>19</sup> 'I was there but I didn't express my views' is an abomination

<sup>20</sup> 'One head does not go into council'

<sup>21</sup> 'Wisdom is not the monopoly of any one person'

Gyekye advances three reasons why the choice and practice of consensus building in political decision-making is recommendable. In his view

- 1) other individuals may be equally wise and capable of producing equally good, if not better, ideas and arguments
- 2) one should not, or cannot, regard one's own stand as final or unassailable or beyond criticism, but must expect it to be evaluated by others
- 3) in consequence of (2), one should be prepared to modify or even abandon one's earlier position should it be judged unacceptable or unreasonable by others. (Gyekye, 1992, 249-250).

It would seem that the Akan political system understood the need for, and accepted criticism and compromise. It enjoined rulers to eschew dogmatism and intolerance. I believe that the adoption of such an attitude in the conduct of national affairs would be most beneficial in the political context of contemporary Ghana.

### **The Metaphysical and Value Basis of Akan Political Theory and Practice**

All known social organizations, with their attendant socio-political structures, are partly rooted in specific human conceptions and beliefs about the universe and the place of human beings in it; and of human aspirations and responses to their environment. Ernest Gellner, the American philosopher of culture, asserts that to understand social institutions is to understand the workings of these concepts



and beliefs. (Gellner, 1979, 18). These concepts and beliefs, which have received reflective attention, constitute central tenets in the metaphysics, epistemology and value theory upheld in a culture. I would like to suggest that every social organization, if it is to meet the aspirations of its members, must have an organic grounding in these philosophies, for these philosophies define the people's understanding of what is real, knowable and practicable. They define the consciousness of a people; and a successful social organization is one that succeeds in consciously utilizing, in a positive fashion, the consciousness of its members. Therefore I intend, in this section of the paper, to undertake an inquiry into the metaphysical and value presuppositions of the Akan people in order to ascertain how these presuppositions help in explaining their socio-political culture.

The fundamental structure of Akan cosmology is fairly well documented (Rattray, 1923; Danquah, 1944; Busia 1954; Minkus, 1979; Gyekye, 1987 etc.). The predominant interpretation of this view of the universe by the above-mentioned philosophers and anthropologists, and by sages in the traditional setting as well, reveals the following three essential features.

- 1) Existence comprises visible and invisible realms.
- 2) The universe contains a hierarchy of beings, all of whom derive from *Onyame* (The Supreme Being). Next to *Onyame*, in descending order, come the *abosom* (deities), the *nsamanfo* (ancestral spirits), human beings, and physical (both animate and inanimate) objects.

- 3) The beings in (2) above are all endowed with varying degrees of force or power.

I have argued elsewhere<sup>22</sup> for the position that this force or power is sunsum, and I have been following Gyekye in this regard. Gyekye argues that

In this [Akan] metaphysic all created things, that is, natural objects, have or contain sunsum. Every deity (obosom) is a sunsum but not vice versa. Sunsum, then, on my interpretation, appears to be a generic concept, it appears to be a universal spirit, manifesting itself differently in the various beings and objects in the natural world "(Gyekye, 1987, 72-73).

Many Akan sages confirm these views on Akan cosmology. Thus asked to comment on the concept of *sunsum*, Nana Ofofu, a retired fetish priest resident at Amoakrom answers:

"Sunsum is everywhere, in everything. We have believed in its existence throughout our history, and our belief has been justified by our practices and our experiences. God created them both (ie. the sunsum in, and external to, man) so why are you surprised that there is a channel for their interaction? Herbs are abosom. I mean by this that God has blessed herbs such that they may be

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<sup>22</sup> In my M. Phil Thesis: *The Paranormal: An Inquiry into some Features of Akan Metaphysics and Epistemology*, submitted to the Philosophy Department, University of Ghana

useful to other beings in creation. If they weren't deities they will not have the tumi<sup>23</sup> to heal."

Asked to elaborate on tumi, he answered:

"Tumi is the content of sunsum. Tumi is the power which God gave to sunsum. So if your sunsum constantly meets bad sunsum, your tumi becomes low or bad. We can also acquire more tumi by relying on good external tumi. When we meet our obligations to them we activate their powers and they protect us and thereby increase our tumi. The channel of all these is the sunsum. So tumi is power endowed to a person either by God or by a good deity" (Ofosu, Amoakrom, 14/8/99).

Nana Ofosu's views largely coincide with Gyekye's discussion of *sunsum*. Both of them assert that *sunsum* is a force present in nature of which one cannot expect to have immediate sensory experience. Its presence pervades all space and time, and it is a force of which every being is composed. But according to Nana Ofosu, the vitality of this force depends on the level of its *tumi*, and in order for beings to be active or conscious, this energy of their being has to interact with the energy of something else in the universe.

It is interesting to note that the Akan word for libation is '*mpaebo*', a compound word derived from '*pae*' and '*bo*'. *Pae* has two meanings: it may mean to open, as in '*dua no mu apae*' (the wood is split/open), or it may mean to shout/call

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<sup>23</sup> Power or force



as in '*pae me din*' (call my name). 'Bo' on the other hand means either to beat or to sound. Thus '*mpaebo*' can be interpreted as 'to sound a call', veritably to the *sunsum* external to you. You set your energy into vibration by the call so that it may reach the other energies. Experience in this world, then, has to do with this interaction of *sunsum*. On the theory of being under contemplation, the level of consciousness of a being depends on the strength of the *tumi* in the *sunsum* of that being. The *sunsum* possessed by the different categories of being contains different levels of *tumi*; and these levels of potency of *sunsum* determine different levels of awareness or consciousness of reality. *Sunsum*, then, is a resource in the universe which can be appropriated for good or ill, depending on the level of the knowledge of the appropriator, and his/her approach.

Due to this belief in the existence of *sunsum*, and further that this power derives from God, it is legitimate to argue that the Akan thinker conceives of Being or Nature as One. This divine energy that is made manifest in the perceivable and imperceptible world, constitutes the different modes in which God expresses Himself. So therefore, in this ontology, human beings, like all other categories of being, are just part of this Being (God or Nature).

This is the basis of his communitarian bias. God or Nature/Being is understood as being a Whole, or that which makes everything connected into a Whole: I am composed of *sunsum*, and so is that man, and both of our *sunsum* derive from one source: God or Nature. What this notion of Being as One means, I think, is that not only does the existence of natural entities comprise merely patterns of interactions within a

whole, but also that social entities exist under the same cosmic arrangement. In other words, each unit of society is naturally endowed with the power to interact with, and influence, every other entity and, as such, is a key to the determination of the society's destiny.

In a decisive way, the concept of God in every culture is indicative of the social values and ideals upheld in that culture. For the Akan, man partakes of the nature of God,<sup>24</sup> and goodness or benevolence is an ideal reflected in God. Hence the Akan doctrine of God or, rather, their conceptualizations of the relationship between God and man, underlie their communitarian and humanistic tendencies.

From the many canons and postulates of the Akan doctrine of God, I would like to discuss three that have immediate relevance to our understanding of their theory of man and his/her place in society. The first is their reference to God as *Odomankoma*, which is said to be a contraction of the words *adom-a-nenko-ma*<sup>25</sup>. This description evinces the benevolence of God. It is also linked with the belief that He is the source of being. Danquah defines *odomankoma* as "the infinitely manifold God, incessant, perpetual, interminable, the absolute container and content of reality". (Danquah, 1944, 59 – 77). God, in other words, is in all as all are in God. He is, at once, a transcendent being with no spatial or temporal limitations, as well as immanent,

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<sup>24</sup>Most authors on the subject agree that the *okra* of a person, which constitutes the principle of the person's life and defines his/her essence as a human being, is a spark of God's divinity. This would suggest that man partakes of the nature of God.

<sup>25</sup>The grace that He alone gives

manifested in objects and events that are susceptible to the limitations of the coordinates of space and time. Wiredu captures succinctly this conception of the spatio-temporal existence of God. He writes: "For conceptual reasons, this being [God] cannot be said to be a spiritual or supernatural being" (1996, 56). The immanence of God is also evidenced by his personification by the Akans. Thus they refer to him as *Onyankopon Kwame*, 'Kwame' being the name of a male born on a Saturday.

The second conception of God that I wish to highlight is the reference to Him as Onyame. Nana Addo Birikorang, the *Apesemakahene*<sup>26</sup> of Akropong and founder of the Akropong Cultural Center (interview, 14/8/2000) interprets this as '*nea onya ma me*<sup>27</sup>', signifying, once more, God's benevolence. Casely-Hayford, on the other hand, interprets it as *nea oye me*<sup>28</sup> (1911, 8).

In the light of the Akan metaphysics of the person<sup>29</sup>, I find Casely-Hayford's interpretation plausible. According to him, this conception of God links the intelligent part of man with God, the great intelligence (Ibid., 7), and because of this, "one great divinity runs through humanity" (Ibid., 10). The *Adinkra* symbol '*Onyame bewu na mawu*<sup>30</sup>' also expresses this same idea of Man's affinity with God.

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<sup>26</sup>This is best rendered as the 'Solicitor and Advocate' of the Paramount Chief of the Akwapim Traditional area

<sup>27</sup>He who begets for me

<sup>28</sup>He who is me

<sup>29</sup>As stated in footnote 24, the principle of a person's life and the defining characteristic of his/her essence, is a spark of God's divinity.

<sup>30</sup>If God should die, I will die. That is, until God dies I will not die.



We can thus plausibly argue that the creative principle of the universe is the most benevolent principle in it, and this principle is in communion with man. I would like to suggest that this divine principle in man, in the context of his social life, is his capacity to do good. The good, then, becomes the principle that ought to guide man's creation of society, and be the end of his efforts in it. It is the ideal which man ought to pursue in society because it is that "which will ultimately bring him into complete harmony with the Divine Mind, and this is the end which the practice of true patriotism is intended to promote" (Casely-Hayford, 1923, 153). God is the ultimate good and man, as a spark of God's being, is good. In life, one ought to aim at reflecting this good which is the essence of one's being. This is a philosophical device fashioned to regulate human behaviour in Akan society such that human well-being remains the paramount aim of conduct in society. It is the basis of Akan humanism.

It may be argued that this conception of God as both transcendental and immanent does not accord with the principle of identity,<sup>31</sup> and is therefore not rational and should be rejected. Admittedly, a thing cannot be itself and something else according to the principle of identity. But it is fairly well documented that this principle is not the only test of rationality. (Kosko, 1994). I maintain here that the Akan thinker does not have to subscribe fully to the principle of identity in order for his thought to be rational.

It seems to me that because of the multiplicity of beings in his universe, the Akan thinker has a strong tendency to

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<sup>31</sup>The most fundamental principle of Western Formal Logic.

view the universe from a holistic perspective. Thus although traditional Akan thought may allow the spirit/body or the individual/society distinction, yet in his thinking about entities supposedly made up of these two elements, the Akan thinker does not see these two elements as belonging to two separate spheres. For he sees these spheres as aspects of a complex whole inhabited by beings who, in themselves, share characteristics of both of these spheres of existence. I believe that this position can be maintained in the face of inconsistencies that may arise on the level of logical analysis. The reason for my belief, as said, is that consistency in terms of conformity to the law of identity, is not the only test of rationality.

The Akan view of the universe may not subscribe fully to this law of formal logic, but coherent modes of thought, which subscribe to other notions of consistency, cannot be denied legitimacy merely because they are at variance with the law of identity. Subscription to the law of identity is not the only means to consistency in discourse. In fact some philosophical doctrines, legitimized with time, have been expounded beyond the identity principle. Existentialism is one such doctrine.<sup>32</sup>

The Akan view of the universe therefore affords us a picture of society as an aggregate of components that interact in both determinate and indeterminate patterns. It furnishes us with a language for describing or reasoning about society.

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<sup>32</sup>Although both components of the human being, Sartre's "in-itself" subscribe to two notions of rationality, for whereas the "in-itself" conforms to the law of identity, the "for-itself" doesn't.



which, as well as acknowledging the importance of logic, recognizes the limitations imposed by it. It is a language that transcends the limitations imposed by formal logic in order to articulate insights into the complexity of society and man's place in it. It is the traditional Akan thinker's language.

### **Indigenous Knowledge Systems in the Constitutional History of Ghana**

In order to appreciate properly the role of indigenous law and custom in the administration of this country, it is necessary to trace, in outline, constitutional developments since the Bond of 1844,<sup>33</sup> which is the instrument that effectively ushered in colonial administration in Ghana.

The Legislative Council was the key institution of the British Colonial System, and an understanding of the degree of self-government possessed by each colony at any time is best reflected in the constitution of its council. The seed for the Legislative Council of the Gold Coast was sown in 1852, when a council of Chiefs under the presidency of Major Stephen John Hill, was constituted for the purpose of passing the Poll Tax Ordinance and, perhaps also, for the object of courting the consent of chiefs in future legislative measures.

In 1874 a differently constituted Legislative Council was inaugurated with the "Official Majority System" and the policy

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<sup>33</sup> Signed on March 6th, 1844. Under the Governorship of H.W. Hill, nine Fanti Chiefs, in this document, ceded "power and jurisdiction" over the "divers countries and places adjacent to Her Majesty's forts and settlements" to the British



of nominating of Africans to the Council was introduced. This system of nomination continued until the Gold Coast Colony (Legislative Council) Order-in-Council of 1925 introduced a new constitution as a result of demands made by the National Congress of British West Africa. This constitution provided for 15 official members, 9 African unofficial members elected by the people, and 5 unofficial members representing various interests. The 1925 Constitution was superseded by that of 1946, which provided for an African-elected majority, the first of its kind in Sub-Saharan Africa. The 1946 Constitution was the product of the deliberations of the Watson Commission, which reputedly relied heavily on an outline constitution produced by J.B Danquah in twelve hours ( Twum-Barima, 1985, 47). Danquah's outline constitution, it is said, was based on Akyem Abuakwa Customary Law (Ibid., 52).

The call for government to take into cognizance indigenous knowledge systems in determining the nature of good governance is not new. From the period of non-participation of Africans in the colonial administration (1844 –1873) to the period of the exercise of the franchise (1925-46), the nationalist intellectuals who agitated for constitutional reforms did not merely struggle for indigenous participation in the colonial administration, but they also sought to affirm the relevance of traditional legal and political thought and practice in shaping the socio-political destiny of African peoples.<sup>34</sup> Many of these intellectuals were eager to stress their allegiance to, and harmony with, their native

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<sup>34</sup>This is made abundantly clear in the various speeches of J.E. Casely-Hayford published in M.J. Sampson's *West African Leadership* (1949) .

communities. They also sought to show that their demands were sufficiently based on indigenous political wisdom.

Thus in a speech delivered at a meeting between the delegates of the League of Nations Union and those of the National Congress of British West Africa in 1920, Casely-Hayford stated categorically:

Another suggestion that I desire to bring home to your minds this afternoon is that though we here happen to be dressed in your way, and happen to speak your language, it is not true or accurate to say that we are divorced from the institutions and customs of our people. An absolutely reverse statement should be made. (Sampson, 1949, 41).

And again:

I and my friends have identical interests with the people, i.e. in our system no individuals can come on the top and try to get political power into their hands with the object of exploiting the masses. We cannot do that in our system; educated or uneducated, we sink or swim with our people (Ibid., 42).

In another speech (1920)<sup>35</sup> he maintained:

The time will never come when it will be possible to dissociate the educated African from his

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<sup>35</sup>Inaugural speech of the British W.A. Conference, held in Accra on 11 March 1920

uneducated brother. We made this [formed the National Congress of British West Africa] quite deliberately, and we made it with the approval of our people.

The emphasis of these intellectuals on traditional knowledge and practices as a worthwhile basis for good governance, is exemplified in many cases.

Casely-Hayford stated that:

To put it shortly, before the British came into relations with our people, we were a developed people having our own institutions, having our own ideas of government, and the only thing we secured from the connection was the Pax Britannica (Ibid.).

As already indicated, the African Members of the Legislative Council successfully petitioned against the Lands Bill of 1897. Their petition was based on the argument that the principle of the Bill was at variance with the provisions regulating land ownership in Native Law.<sup>36</sup> All these would seem to suggest that in agitating for an effective voice in the administration of the Gold Coast, the nationalists claimed their right to represent the people in their quest for good governance on the basis of their indigenous laws and customs.

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<sup>36</sup>See Government Gazette, August 13, 1897, pp 296-312



## **Public Policy Implications of Applying Traditional Akan Political Ideas**

### ***i) Union Government***

We have seen Wiredu (1997) point out that we can legitimately claim that government in the traditional Akan setting, is a coalition of citizens but not of parties seeking to promote their own interests. In post-independence Ghanaian politics, the conceptual equivalent of this traditional idea is the idea of a “Union Government” or “an all-inclusive government”.

The call for the formation of a Union Government saturates Ghana’s post-independence politics. I have indicated that Nkrumah justified his one-party rule on the grounds that ‘African Socialism’ stemmed from indigenous thought. And by incorporating the trade unions, farmers associations, cooperatives, women’s and youth organizations as “integral wings” of the CPP, Nkrumah sought to encompass in the CPP all stakeholders in Ghana. However, Nkrumah could not plausibly rely on traditional thought and practice as the justification of his politics, because never in the traditional setting was political authority imposed on the people. Although its architects may hide their dictatorial intent, a one-party government presupposes that there is no divergence of political opinions in the state, and this presupposition underlies dictatorship. The Akan political system never made this presupposition. Besides, Nkrumah’s Preventive Detention Act (1963) could not be reconciled with the idea of the sovereignty of the people, an idea which the Akans tenaciously hold on to.

In 1976 General Akyeampong, then Chairman of the Supreme Military Council (SMC), the highest legislative and executive body in Ghana at the time, reintroduced the idea of a Union Government (Unigov). It would be a government “other than the party system of government that brings in its trail division, hatred, sectional and tribal strife.”<sup>37</sup> In further elaboration of this idea in an interview broadcast on the BBC,<sup>38</sup> Akyeampong said that

“It [Union Government] means a government of national unity, a government of the people, for the people, by the people; not a party government. A party government is really not representative of the people.”

Akyeampong provided reasons for rejecting party politics in the same interview:

“ We do not want any party system because not everybody wants to belong to a party. You may have some citizens who have got brilliant ideas about how to run the country but they are just not willing to join a party” (cf. Oquaye, 1980, 68-69)

In furtherance of these ideas, he went on to form a number of government-sponsored groups across the country to publicize Unigov, and appointed a committee to collate ideas on it, and to report on the means of establishing it. The

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<sup>37</sup>See his speech delivered at the inauguration of the reconstituted National Committee of the Charter of Redemption, 12th October, 1976

<sup>38</sup>14th January 1977

committee recommended a referendum, which was held on March 30, 1978, amid charges of fraud in its conduct, and supposedly adopted the idea of Unigov.

There was much opposition against Unigov. Existing organizations such as The Christian Council, The Ghana Bar Association and The Association of Professional Bodies, among others, united against the implementation of the idea.

New associations such as The People's Movement for Freedom and Justice, and The Front for Prevention of Dictatorship, were also formed in opposition to the idea. In his *Politics in Ghana 1972-1979*, Mike Oquaye lists the major arguments raised against Unigov (1980, 77). These arguments can be reduced to four principal contentions. These are:

- 1) The Supreme Military Council (SMC) government was imposed on Ghanaians. Therefore, anything it does cannot be by the will of the people and must therefore be rejected.
- 2) Unigov was introduced in order to counter demands on the SMC to hand over power to a civilian government.
- 3) The idea of non-partisan politics amounts to an infringement of the concept of democracy
- 4) The official outcome of the referendum was a fraud.

These were legitimate contentions, but it must be realized that they do not reject the idea of a union government as such; but only the presuppositions and circumstances surrounding Akyeampong's version of it. I will argue shortly that these premises and circumstances are not necessary



for the institution of a union government, and that in their absence such a government could be a viable instrument for good governance in Ghana. In this regard, the claim in (3) above will be given special consideration below, since it is the most relevant in the present context.

The Provisional National Defense Council (PNDC) came to power on December 31, 1981 with a view of itself as a government of the people. Peoples Defense Committees (PDCs) were formed, and so were Workers Defense Committees (WDCs), all designed to place government in the hands of "the people". But "the people", in the eyes of the PNDC, seemed to be only "the poor" for the PNDC orchestrated a systematic campaign of attacks against "the rich" who were "enemies of the people". By this definition, most professionals in Ghana became "the enemies of the people". As if to correct this parochial and misconceived notion of the people of Ghana, the Association of Recognized Professional Bodies (ARPB), demanded in 1982 that the PNDC hand over power to a government of national unity. (Okudzeto, 1995, 119).

Finally, the current president of Ghana, Mr. J. A. Kuffuor, has promised Ghanaians an "all-inclusive" government. This promise was made at various rallies to canvass for votes in the run-off presidential election, and in various advertisements published in the newspapers of Ghana.

An important reason why a union government may be pertinent for contemporary Ghana is because it can provide an effective platform for the resolution of conflicting party political interests, and promote a more peaceful and harmonious political atmosphere than has been achieved in the post-independence political history of Ghana.

Numerous instances of inter-party conflict may be cited to depict the post-independence political scene. The Convention People's Party (CPP) and the National Liberation Movement/United Party (NLM/UP), seemed to have irreconcilable ideological and policy differences (Austin, 1964), and these differences arguably contributed to Nkrumah's institution of the one-party state in 1964. Mention can also be made of the inter-party conflict involving the Progress Party (PP) and the National Alliance of Liberals (NAL) in the 1970's. (Ibid.)

In the first and second Parliaments of Ghana's Fourth Republic, there was constant inter-party conflict between the ruling National Democratic Congress (NDC) and the opposition parties, especially the New Patriotic Party (NPP), over alleged flaws in the electoral system. Although attempts were made by the parties to reconcile their differences at inter-party consultative meetings, these attempts failed (see Boafo-Arthur, 1995, 222-224). It is true that the Inter-Party Advisory Committee (IPAC) initiated by the National Electoral Commission (NEC) identified major issues for electoral reform and advised the NEC accordingly. Among the major points of disagreement among the parties was the type of identification to be used at the polling stations on election day. This issue, resolved only by a decision of the Supreme Court barely a week before polling day, showed that the efforts of IPAC were inadequate to resolve the issues.

A proportional representation of political parties in Parliament, and inclusion of opposition party members in the executive arm of government which, to me, is in harmony with the idea of a Union Government, would provide a platform for better inter-party dialogue, and help in developing



institutional structures capable of reconciling inter-party differences. A government less prone to conflict with its opponents, is likely to have a better focus on the business of government. For these reasons, I consider the idea of Unigov pertinent to good governance.

Unigov is pertinent for other reasons. A survey of the state of governance in Ghana in 1999, published by the I. E. A. reveals, among others, that two-thirds of Ghanaians consider the political arena in Ghana to be biased in that the parties do not have equal access to the state-owned media to propagate their ideas and inform the electorate of their programs. (I. E. A., 1999, 26-27).

Regarding the ruling National Democratic Congress' abuse of the present multi-party democratic system in Ghana, Professor George Hagan, the flag bearer of the Convention People's Party (CPP) in the most recent elections, holds the view that the sort of discrimination against parties in opposition to government, described in the I. E. A. survey, is the root of violence, and disdain for government by Ghanaians. Hagan considered that Ghana is now subject "to a regime of party capitalism and monopoly almost as a direct consequence of democratic elections" (Hagan, 1995, 90). I would like to quote Hagan extensively in his furtherance of this view:

Constrained to find the resources to fund and fuel the activities of their parties and thus ensure electoral success, parties in power have used their incumbency to their advantage by the use of certain strategies. To get party members to establish or



expand industries and enterprises, and plough profits into party activities is a familiar strategy. So is the practice of farming out lucrative government contracts to selected contractors for the payment of a percentage of the contract value and profit margin into the party chest. In the African condition, this 'privilege' of incumbency creates an obscene proliferation of bucket and spade contractors who become mere party fronts and conduits for fleecing the state. Another crude and grossly discriminatory practice which restrictions on employment tend to promote is the demand that jobseekers should carry party cards, thus enabling many party officials and cadres to be put on government payrolls. Relatively new among these devices is the strategy of creating NGOs whose activities would receive funding for mobilizing sections of the community, to ensure they give their allegiance to the party in power. And crowning it all is the use of the banking system both to support party investments and operatives, and kill off the enterprises of persons known to have opposition sympathies, by starving them of credit. (ibid., 90-91)

These methods, employed to stifle opposition to the ruling party, undermine the efficient management of the country's economy, abuse the people's right to the freedom of political association, and undermine the concept of democracy in general. The traditional Akan political ideal of government being "a coalition of citizens instead of parties" is well suited to discourage these discriminatory practices.

The 1992 Constitution provides ample room for a president that takes an “all-inclusive government’ seriously. The provisions for the appointment of a Council of State in Article 89; for the appointment of Ministers of State and their Deputies in Article 78 (1) and (2); and for the appointment of Commissioners, Chairmen and other high-ranking public servants in Article 70, are highly conducive to the furtherance of Unigov. In these, President Kufuor has a wonderful opportunity to demonstrate the sincerity of his campaign promise. Employing Article 78 (1) to appoint one or two traditional rulers as Ministers of State would be a daring constitutional experiment, and encourage its political practice.<sup>39</sup> A commitment to Unigov would be a commitment to the traditional Akan view of government as “a coalition of citizens” striving to promote the common good. It is likely that such a commitment would promote consensus as a method of political decision-making, which is not so under the present system of majority rule.

***ii) Participation of Traditional Rulers in Active Politics***

In February of 1996, the Gazette published a Bill in which the government proposed certain amendments to the Constitution. The subject of one of the proposed amendments was the participation of Chiefs in politics. The reason for this amendment, as stated in the memorandum, is worth quoting in full:

“This clause repeals partially the prohibition on the participation of chiefs in party politics. The

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<sup>39</sup>This suggestion is dependent on my proposal to abolish article 94(3) (c) (see page 49 below)

government is of the view that the extent of the exclusion as it now exists under Article 276 of the constitution is unduly wide, bearing in mind the fact that a chief is not a full-time public officer whose active participation in politics in any form could compromise his duties to the government of the day”

In an analysis of the proposed amendments, B. J da Rocha strenuously rejected the reasons stated in the memorandum. According to him:

“The important issue is that active participation by a chief in politics in any form will certainly compromise his duties to the stool he occupies, and the persons who owe allegiance to the stool and to whom he had sworn the customary oath on his enstoolment. The subjects of a stool cannot in a multiparty democracy all belong to the same party. If the occupant of the stool becomes an active politician he cannot belong to all the parties. If he chooses one of them he is creating division among his people” (da Rocha, 1996, 3)

da Rocha concluded his argument thus :

“Active politics can only mean partisan politics as a member of a political party” (ibid).

The reasons for da Rocha’s rejection of the involvement of chiefs in partisan politics are laudable, but this rejection is



partly premised on his identification of political activism with partisan politics generally. I disagree with this latter view.

Party politics does not exhaust the concept of active politics. If it did, we would be hard put to talk meaningfully about politics in the traditional setting of Africa. Participation in the public life of a community, in the institutions and practices by which a community defines its identity, is political activity. I will not do Mr. da Rocha the discourtesy of suggesting that in his view, chiefs in politics cannot but enslave themselves to party ideology. Nevertheless, I would like to emphasize the point that some members of the governing councils of the traditional Akan states were nominated to council by virtue of their expertise, but not because they had any defined partisan sympathies. The traditional ruler in a multiparty democracy may or may not sympathize with the ideas of one party or the other. But he need not belong to any party in the furtherance of his primary objective, which, as Da Rocha states, is to serve the interests of the community as a whole. The chief may possess qualities that may be tapped for the benefit of his subjects and the nation as a whole, and he need not be compelled into partisanship and, consequently, be made to submit his traditional office before his qualities are acknowledged and exploited for the benefit of the country. If, in a ministerial position, for instance, he/she feels compelled in furtherance of the ruling party's agenda to implement policies that may be inimical to the maintenance of unity among his people, he should resign that office. My position here is that the restrictive interpretation of "active politics" as "party politics" is unnecessary and unproductive for the political future of Ghana.

Certain provisions of the Constitution would seem to support the call for the inclusion of chiefs in the main organs of government in Ghana. First, article 39 (1) of the constitution states that “ the state shall take steps to *encourage the integration of appropriate customary values into the fabric of national life* through formal and informal education, and the *conscious introduction of cultural dimensions to relevant aspects of national planning*”. Clause (2) of the same article states that “the state shall ensure that *appropriate customary and cultural values are adapted and developed as an integral part of the growing needs of the society as a whole...*”<sup>40</sup> These provisions fit in with the main thesis of this paper, which is that the political values of traditional Akan society are relevant to our contemporary lives, and should therefore be adapted and integrated into the modern political setting. Chiefs are in the vanguard of these political values. Therefore bringing chiefs into the modern political setting will constitute that “conscious introduction of cultural dimensions to relevant aspects of national planning.”

Secondly, article 255 (1) (c) provides for the membership of chiefs in the Regional Coordinating Councils (RCCs). According to this provision, two chiefs from the Regional House of Chiefs must be members of these councils. But since the composition of the Regional House of Chiefs may be determined by Parliament ( see article 274 (2)), it makes sense for chiefs to partake in that determination. Therefore the argument could be made that article 255 (1) in conjunction with 274 (2) makes plausible the proposition that chiefs should occupy some seats in Parliament.

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<sup>40</sup>All emphasis mine

Again, the Preamble to the Constitution states that the people of Ghana declare and affirm their commitment to, inter alia,

- 1) probity and accountability.
- 2) the principle that all powers of government spring from the sovereign will of the people.

Although universal adult suffrage would seem to be necessary for the achievement of the aims stated in (1) and (2), we have seen, from Wiredu's distinction between formal and substantive representation, that universal adult suffrage is not sufficient to achieve these aims. I think that the inclusion of chiefs in the modern political structure will strengthen the means by which these aims are achieved because the office of the chief derives from the will of the people, and the chief is more immediately accountable to the people, as seen in section (c) above.

In view of the foregoing, I would like to suggest the following:

- 1) A number of seats, not more than a quarter of the current total in Parliament, should be created for a caucus of Chiefs. The members of this caucus should have voting rights, and should not sit in Parliament as members of any political party.
- 2) Currently, the National House of Chiefs is composed of five members from each Regional House of Chiefs. Of these five members, the National House shall elect three to represent the region in Parliament. Such elected chiefs may serve in two parliaments until they are dissolved for



the purpose of a general election, after which they will become no longer eligible for election into parliament.

- 3) Article 93 (1) which defines the composition of parliament, should be amended accordingly.
- 4) Next, article 94 (3) (c) which disqualifies a chief from being a member of Parliament, should be revoked.
- 5) Furthermore, article 276 (1) which prohibits a chief from partaking in 'active' politics, should also be revoked.

### **iii) Decentralization and Local Government**

#### 1) The Composition of District Assemblies

In the traditional Akan conception of accountability and representation, we find adequate reason to suggest an amendment to Article 242 of the 1992 Constitution, which provides for the composition of a District Assembly (DA). This article states that a DA shall consist of the following members:

- a) one person from each local government electoral area within the district, elected by universal adult suffrage;
- b) the member or members of parliament from the constituencies that fall within the area of authority of the DA, as members without the right to vote;
- c) the District Chief Executive of the district;
- d) other members not being more than thirty percent of all the members of the DA, appointed by the

president in consultation with the traditional authorities and other interest groups in the district.

Thus Article 242 (d) gives traditional authorities a passive role in the constitution of the governing body in their district. In view of my advocacy of a more active role for these traditional bodies, I would suggest that 242 (d) be amended to provide:

“other members not being more than thirty percent of the membership of the DA, seventy-five percent of whom are nominated by the traditional authorities in the district, and the remaining twenty-five percent appointed by the president in consultation with other interest groups in the district.”

Another reason why chiefs, who embody the ideals of traditional political institutions should partake in government in Ghana's decentralized administrative system is because their social standing may enable them to help check corrupt practices in the locality. In his paper *Corruption, Decentralization and Local Development in Ghana*, Professor Ayee demonstrates the pervasive nature of corruption at the local level, citing several examples, and he analyzes the causes of corrupt activities. One of the causes of corruption, he holds, is the failure of District Assemblies (DAs) to submit their trial balance returns in time to the Regional Coordinating Councils (RCCs). Yet “the trial balance returns seem to be the only way through which the RCC assesses and monitors the performance of the DAs” (Ayee, 1999, 3). Another cause of corruption is the “failure of the DAs to follow the right procedure for the disbursement of funds under the District Assemblies Common Fund” (Ibid).

As I have repeatedly said, the chief owes allegiance to all his subjects. To have a successful rule, he must not only comply with his oath of office, but also take steps to promote the development of his community. He must seek to provide basic amenities and infrastructure that will enhance the well-being of his subjects. It is unlikely, therefore, that he will tolerate a few people's dissipation and embezzlement of the community's wealth and funds at the expense of the people to whom he is accountable. Therefore the chief's or his councilors' representation in the DA may constitute an important check on corruption.

## 2) The Office of the District Chief Executive (DCE)

Article 243 (1) provides for the appointment of a DCE by the President with the approval of at least two-thirds of the members of the DA present and voting. This provision should be amended for various reasons:

First, the appointment by the President of the chief executive of local government makes a mockery of the whole idea of decentralization and devolution of power, which the institution of local authority is supposed to further. A decentralized political structure requires the judicious transfer of functions and resources from the central government to local government units. Effective local participation in decisions affecting the locality, and in initiating choices that they consider self-beneficial, are essential to the notion of decentralization. The president's prerogative to choose a DCE flouts these essential requirements of decentralization.



Secondly, with the right to appoint one-third of the voting members of the DA, there can be no substantial opposition to the president's choice of a DCE, since we must allow for the likelihood of other members of the DA belonging to the President's party or subscribing to the President's choice for unknown reasons.

Therefore I suggest that Article 243 (1) should be amended to provide: "The DCE shall be elected by universal adult suffrage to hold office for four years." Perhaps the election of the DCE and the other elected members of the DA should be held midway between successive Presidential and Parliamentary elections. This would allow the electorate sufficient time to assess the performance of the parties in the institutions of central government, and to make an informed choice of members in the local governing body.

Next, Article 243 (2) (c) describes the DCE as "the chief representative of central government in the district". I think, however, that such a role for the DCE flies in the face of the concept of decentralization. The chief executive of a local government body should be accountable to his/her electors, and should thus properly be considered a representative of the people, but not of central government. Therefore, if my proposal on 243 (1) is adopted, 243 (2) (c) should be amended accordingly.

If the principle of the DCE being accountable to the people instead of a representative of central government is accepted, then the reasons for my proposal to revise 242 (d) are further strengthened. This is because Article 243 (3) states that the office of the DCE becomes vacant if:

- a) two-thirds or more of all the members of the DA cast a vote of no confidence against him/her; or
- b) he/she is removed by the president; or
- c) he/she resigns or dies

But under conditions where the President appoints one-third of the membership of the DA, it is, in practice, difficult to remove the DCE, who is the President's nominee, from office. Granted that Article 248 (1) and (2) provides for the dissociation of assembly members from political parties, this dissociation cannot be reasonably enforced. We cannot therefore discount the likelihood that some elected DA members may have political sympathies with the president. If so, it is not unreasonable to assume that in practice the number of votes required to unseat a DCE may be difficult to obtain in many cases. Hence paragraph (b) of Article 243 (3) should be abolished and replaced by "if he loses an election" or some such provision.

I would like to stress the fact that, apart from their accordance with traditional Akan principles, all of the preceding proposed amendments of the provisions of the 1992 Constitution governing decentralization and local government, are in furtherance of the preamble of that Constitution.

### **Conclusion**

In concluding, I will try to throw some light on the unifying ideas that pervade the preceding sections of this work, and to explore the means by which the measures advocated in this work may be pursued.

I have aimed to show that the Akan socio-political system can provide us with important ideas in our quest for good governance in Ghana. The constitutional history of Ghana and the views of prominent political figures have been enlisted in support of this view. I also attempted to critically explore the cultural-philosophical basis of Akan political thought and the institutions and practices that have evolved from this in support of my thesis.

On the basis of my conclusions derived from the above-mentioned enquiries, I questioned the propriety of various articles of the 1992 Constitution bearing on the role of Chiefs in politics and the decentralization process, and advocated the review of these provisions.

It cannot be denied that the 1992 Constitution establishes a close association between democracy and decentralization, secured on the principles of good governance. The constitution highlights democracy as providing the context for the promotion of rights (social, political, legal etc.) and makes clear that decentralization and Local Government are essential for the effective management of resource allocation for the development of localities. This paper has argued that consensual (or substantive) democracy, and a decentralized administrative structure that genuinely and sufficiently empowers localities to carry out developments that are beneficial to themselves, are easily found in our indigenous philosophy and **practice of politics**. We would do well to explore these indigenous structures to further the aims of the 1992 Constitution, but this requires jettisoning certain of its provisions.



In this respect, President Kufuor's revocation of all appointments (made under Article 242 of the 1992 Constitution) of Chief Executives of District, Municipal and Metropolitan Assemblies is an encouraging signal. It is encouraging because the President, in his campaign messages during the recent elections, promised to "make the DCE position an elective one to make them more accountable to the people" (Okyere, Daily Graphic, 17/2/2001, 1). The way forward for the President, in a bid to fulfill this promise, is to seek to table before parliament, proposals for the amendment of the Article regulating the Office of the District Chief Executive, and the relevant sections of the Local Government Act (1993). The Articles governing the composition of Parliament, the disqualification of Chiefs from membership of Parliament, and the prohibition of Chiefs from 'active politics' should also be candidates for revision. So should the Articles regulating the composition of Local Assemblies.

Should the President not obtain the two thirds majority needed for amendments to the constitution, he should submit these matters to a national referendum. No better tribute than this can be paid to the notions of substantive democracy and good governance.

It is hoped that these proposals and others pointing in the same direction, will be critically examined and acted upon by government.

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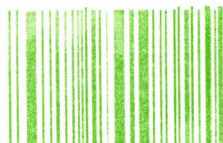
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