

CUSTODIANS OF PEACE AND UNITY: THE CHIEFTAINCY INSTITUTION AND THE 2020 GENERAL ELECTIONS

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INTRODUCTION

With the eighth consecutive elections in Ghana scheduled to take place on 7th December, 2020, there are expectations from the government, political parties, relevant stakeholders including traditional authorities, civil society organisations, citizens and the international community that the forthcoming elections would be free from electoral violence and disruption. In this regard, it is crucial to engage eminent National House of Chiefs in ensuring that the upcoming elections would be devoid of negative actions and nefarious activities.

This paper therefore analyses the traditional and constitutional roles of chiefs. More importantly, it assesses the contributions of the chieftaincy institution to ensuring peaceful and credible elections in 2012 and 2016 by collaborating with civil society organisations (CSOs) such as the Institute for Democratic Governance (IDEG) as well as state institutions like the security agencies. It also examines the controversies related to the behaviours and positions of chiefs during election years despite their constitutional prohibition to engage in partisan politics. It finally envisages the roles that the chiefs can play in fostering peaceful elections with credible outcomes on 7th December 2020 without compromising their position of neutrality and impartiality.

THE TRADITIONAL AND CONSTITUTIONAL ROLES OF CHIEFS IN THE GHANAIAN SOCIETY

Traditionally, chiefs are the pivot around which the Ghanaian society revolves. Chiefs embody Ghanaian cultural values and practices, represent the community and community identity and serve as symbolic leaders of development (Crook, 2005). They also play an indispensable role in resolving disputes, promoting social cohesion and national unity in all African countries. In Ghana, chiefs historically had absolute power to administer all aspects of monarchical rule or governance. Under colonial rule, the legislative, judicial and executive powers of the state were exercised through them (Gyampo, 2011).

However, in modern-day politics and democratic governance, these powers that traditional rulers possessed are administered by the state. In modern-day politics and democratic governance, the role of traditional rulers has evolved into a non-partisan and neutral one as they are prohibited from taking active part in partisan politics (Article 276(1) of the 1992 Constitution). This is to protect the sanctity, dignity and legitimacy of the chieftaincy institution (Gyampo, 2011; Sackey, 2012). Therefore, traditional authorities have figures of nationalism or patriotism who unify the nation irrespective of ethnic and political barriers.

The chieftaincy institution is fully recognised and enshrined in chapter 22 of the 1992 Constitution. At the national level, chiefs are represented in the Council of State and constitute the National House of Chiefs. Meanwhile, at the regional level, they are represented by the Regional House of Chiefs and are present on the Regional Coordinating Councils (Articles 271 and 272 of the 1992 Constitution; Chieftaincy Act 759, 2008). Specifically, the National House of Chiefs which was established under the 1969 Constitution of the Republic of Ghana (NHoC, 2020) holds its powers till date to primarily advise any person or authority charged with any responsibility on matters relating to or affecting chieftaincy among various national functions (Articles 271 and 272 of the 1992 Constitution; Chieftaincy Act 759, 2008). In other words, the National House of Chiefs, advises

and collaborates with the state, local authorities as well as relevant stakeholders on national issues to strengthen the country's democratic dispensation and sustainable development.

Chiefs, collectively represented by the National House of Chiefs, act as custodians of peace and national cohesion during critical moments in Ghanaian politics. They are figures of nationalism or patriotism who unify the nation irrespective of ethnic and political barriers. Accordingly, they advise and collaborate with the state, local authorities as well as relevant stakeholders on national issues to strengthen the country's democratic dispensation and sustainable development. The President is also mandated per Article 242(d) of the 1992 Constitution to consult traditional authorities on the appointment of thirty percent (30%) of District Assembly Members.

HIGH REVERENCE AND RESPECT FOR CHIEFS

Traditional authorities are bearers of customary powers who wield a lot of influence over communities in Ghana (Sackey, 2012). Traditional authorities are inherently a force for peaceful elections with credible outcomes since they are regarded as icons and administrators of ethics, justice and security, and as custodians of traditional values (Sackey, 2012). This has been buttressed by the 2017 Afrobarometer Survey which pointed to the fact that in Ghana, traditional rulers are often turned to when the locals are faced with problems (Afrobarometer, 2018) since they are custodians of peace and national cohesion. Given the respect and legitimacy accorded to traditional authorities by state authorities and the citizens themselves, they are able to mobilise Ghanaians to support national agenda as evidenced by their roles in the 2012 and 2016 elections.

As highly respected leaders of their communities, chiefs take a stand against all threats to national peace, security and development. With the upcoming 7 December 2020 elections, traditional authorities will play an even more pivotal and transformational role in fostering peace, security and national cohesion before, during and after elections within the COVID-19 context. Given their revered and respected status in the community, it is important to solicit the involvement of chiefs to champion interventions and mobilise broad-based support to promote peaceful elections with credible outcomes in 2020.

PARTISAN OR NON-PARTISAN? CONTROVERSIES SURROUNDING CHIEFS' INVOLVEMENT IN ELECTIONS

Despite the fact that chiefs are constitutionally mandated to abstain from partisan politics, their actions especially during election years seem to contradict this notion. Consequently, there have been controversies surrounding their actions of endorsing particular presidential or parliamentary candidates over the years. The public's views about this behaviour of chiefs has also been divided; with some supporting the chiefs' politically-inclined behaviours or declarations as harmless. Others have also been vocal about the fact that overt demonstrations of support for particular candidates compromise their positions of neutrality and impartiality as well as breaches the law (Article 276(1) of the 1992 Constitution).

This behaviour was witnessed in the 2016 elections when some traditional authorities openly declared support for presidential candidates which became contentious with many people stating that this practice tarnishes the reputation of the chieftaincy institution (Pulse Ghana, 2016). To

name a few instances, Nana Bosoma Asor Nkrawiri, of Sunyani in 2015 guaranteed that 80% of votes from the then Brong Ahafo Region will be cast in favour of President John Mahama December 2016 elections (Pulse Ghana, 2016). Again, 58 traditional rules of the Asanteman Traditional Council endorsed the flagbearer of the New Patriotic Party (NPP), Nana Addo Dankwa Akufo-Addo in October 2016 (Pulse Ghana, 2016; Daily Guide, 2016).

After all the uproar, one would have thought that this would be the last of the chiefs' politically-inclined behaviour and actions. However, it is the same trend that has been observed in the run-up to the 7th December 2020 elections where chiefs have been alleged to campaign and urge their subjects to support and vote for their chosen candidate (Modern Ghana, 2020). Furthermore, others are said to have banned other candidates that are opposing their preferred candidates (Modern Ghana, 2020).

Even some prominent Chiefs like the Paramount Chief of Akyem Abuakwa Traditional Area, Osagyefo Amoatia Ofori Panin II and Omanhene of Mefemba Traditional Area, Nana Owusu Kontoh II (Ola-Morris, 2020a) have also declared support for particular political party candidates and heaped praises on both the ruling and opposition parties' candidates about their respective policies (Ghana Web, 2020b; Peace FM Online, 2020). Subsequently, the Asantehene has called them to order to resist endorsing candidates (Donkor, 2020b).

Their actions and declarations have once again incited debate about what extent chiefs can be considered partisan or non-partisan during elections when they welcome visits from aspirants. For some, the endorsements from the chiefs is "suicidal" (Ola-Morris, 2020a) and that "chiefs can't do politics" (Ghana Web, 2020a). Contrarily, some have argued that chiefs also have the right to speak freely on policies implemented by different governments who are constituted by different political parties that have won power (Ola-Morris, 2020b).

ACHIEVEMENTS IN ELECTIONS: PEACE PACTS AND COLLABORATION WITH CIVIL SOCIETY ORGANISATIONS AND STATE INSTITUTIONS

Despite all the disagreements surrounding what constitutes active participation in partisan politics or not, chiefs have over the years played critical roles in enhancing peaceful elections in Ghana. Therefore, it is important to assess how they have collaborated with CSOs and state apparatus as well as what they have done to ensure law and order during elections. The prevalent aspect that the chiefs have largely contributed to is defusing tensions and standing against electoral violence in the recent past Ghanaian elections. To highlight their contributions, it is imperative to discuss threat of electoral violence to peaceful elections in Ghana.

Armed political vigilante groups associated with the NPP and the NDC are largely responsible for the greater part of reported election violence (Afrobarometer, 2017). These groups are used to subvert electoral processes and acquire electoral advantages over competitors (CDD-GH, 2019). Ahead of the 2012 and 2016 elections, the threat and resort to vigilante violence intensified as a result of the deepened duopolisation of Ghana's democracy. By-elections conducted saw the brutal display of vigilante violence in Chereponi in 2009, Akwatia in 2009, Atiwa in 2010, Talensi and Amenfi in 2015, and other constituencies (Asekre, 2020; CDD-GH, 2019). Perpetrators of a number of election-related incidents such as intimidation, destruction of property, use of abusive language

and physical attacks on opponents had not been sanctioned. Condemnations against violent acts especially among the two political parties had been so little that it encouraged a culture of impunity and denied justice to the victims (IDEG, 2012).

Accordingly, the National House of Chiefs have been instrumental in efforts at promoting peaceful electoral process that have resulted in credible elections. In 2012, the National House of Chiefs, the Otumfuo Osei Tutu II and the National Peace Council convened all the presidential candidates to sign a peace pact, “the Kumasi Declaration” and take a stand against violence and impunity (IDEG-CFI, 2012). The peace pact contributed to shaping the political behaviour of political parties both on election day and after the declaration of the results. It also calmed the public’s growing fear of an impending political violence during the elections and contributed to the acceptance of the supreme court verdict on the 2012 election petition.

Similarly, in 2016 the National House of Chiefs was key in facilitating national cohesion and electoral peace through the signing of another peace pact in Accra (IDEG, 2016). At this forum, presidential candidates pledged to act against all forms of violence that will undermine the credibility and integrity of the elections and its outcomes. This contributed to ensuring collaboration among national political actors to save the nation from the potentially ravaging impact of electoral violence.

Every election year including 2012 and 2016, the National House of Chiefs which represents all chiefs in Ghana, pledges to and fulfils their promises to collaborate with the government, the Electoral Commission, National Commission on Civic Education, security agencies and the media among others (Ghana Star, 2016). This collaboration encompasses physical (paying visits and leading dialogues) and verbal (press releases, media engagements and appearance at national forums) efforts or projects to ensure that peace and security is assured, laws are enforced and that their subjects respects the electoral code of conduct during the pre and post-election period.

WHAT ROLE COULD TRADITIONAL AUTHORITIES PLAY IN THE UPCOMING 2020 ELECTIONS?

Election-related violence and vigilantism persists in spite of the proximate efforts employed in previous elections to avert this crisis. Currently, vigilante groups are known to be embedded within the regions and districts (Dumenu and Adzraku, 2020). According to Arthur-Mensah (2020), there have been calls to the security agencies to pay particular attention to the 6,178 flashpoints or hotspots across the nation (Nyabor, 2020).

Despite declarations from the NDC that it has disbanded its vigilante groups (Dogbey, 2020), it is yet to be ascertained that they have indeed done so since neither the Ghana Police Service nor the National Election Security Task Force (NESTF) corroborated their claims. On the contrary, the NPP is yet to make any such declarations. Moreover, the government has not penalized individuals implicated in the Ayawaso West Wuogon case in 2019 despite such a recommendation by the Justice Emile Short Commission. Additionally, the vigilantes who attacked the judges in Kumasi were let off with lenient penalties (Citi FM, 2017) and the Vigilantism and Related Offences Act 999 (2019) is yet to be implemented by government.

Already, the police have warned of possible explosion in 2020 if vigilantism is not stopped (Afanyi-Dadzie, 2019). Furthermore, the ongoing impasse over the newly-compiled biometric voter's register if not resolved can compromise the credibility and integrity of the elections. This is because the deepening mistrust is laying the foundation for potentially discredited elections which could further spur the cycle of electoral violence. Hence, the looming threat of electoral violence before, during and after the 2020 elections persists. It could also lead to fear of intimidation and physical harm possibly result in low turnout at the polling stations.

A majority of Ghanaians have already demonstrated enormous approval of the government punishing and prosecuting vigilante group members regardless of their party affiliation (Afrobarometer, 2017). Doing this will then serve as a deterrence to law-breakers and inspire national unity transcending ethnic and partisan lines. Therefore, a strong position against vigilantism by chiefs would ensure that communities collaborate with security agencies for the successful implementation of the Vigilantism and Related Offences Act 999 (2019).

Furthermore, traditional authorities can mobilise popular support for pro-peace actions and anti-violence campaigns. They have been vocal about enhancing transparency and accountability in the run-up to the December 2020 elections to ensure peaceful elections. Consequently, in March 2020, the National House of Chiefs embarked on a peace campaign tour and outreach to spread peaceful messages and goodwill ahead of the 2020 elections (Ghana Business News, 2020). Additionally, during the voter's registration exercise carried out between late June to early August 2020, the National House of Chiefs expressed grave concerns about the vigilante violence that ensued (Ghana News Agency, 2020). In the same manner, traditional rulers have admonished the youth to not allow themselves to become tools for disrupting and undermining peaceful elections (Donkor, 2020a).

The National House of Chiefs' preoccupation about ensuring peaceful elections with credible outcomes presents an opportunity to rally the public in favour of efforts to uphold peace and security before, during and after the 2020 elections. This can only be attained if there is an assurance from chiefs, state authorities, political actors and other eminent persons that electoral violence can be prevented.

CONCLUSION

Despite the fact that the actions of some chiefs has embroiled the chieftaincy institution in controversy about its partisanship or non-partisanship, one thing is certain: chiefs remain revered in Ghana. Citizens indeed look up to them for many reasons including the fact that they are custodians of peace and unity.

In this regard, chiefs will continue to play a pivotal role in the society, as embodiments of patriotism, neutrality and impartiality. These roles are especially important during election years when a concerted effort must be made by all relevant actors including chiefs to ensure that law and order is upheld, and elections take place peacefully and legitimately. Chiefs are therefore expected to play such roles again before, during and after the 2020 elections.

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