

**From “Owo Crisis” to “Dagbon Dispute”:
Lessons in the Politicization of Chieftaincy Disputes
In Modern Nigeria and Ghana**

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Introduction

A popular Yoruba adage says: “k’agbado to daiye, nkan ladi’e nje” [the fowl fed on something before maize was introduced to the earth]. This adage is usually cited to remind Nigerians of the need to preserve their indigenous knowledge systems in this age of “reckless” globalisation. The adage challenges the way contemporary African development is tied hand and foot to the apron strings of the West and promotes interest in the archiving and protection of indigenous Africa knowledge systems and technologies. Most of those who have responded to the need to study, archive and promote indigenous knowledge systems and practices in Africa concentrate exclusively on issues pertaining to biodiversity and natural resource management, indigenous technology, ethnomedicine and pharmacology, and physical planning. However, governance issues are atomised in extant literature [e.g see Hountondji 1997]. This is a serious lacuna that must be filled. Development processes in any society are coordinated through governance systems. Traditional rulers are the official custodians of the knowledge systems of their people. Our understanding of African peoples and their development process, whether now or in the past would be better enriched by gaining insights into the people’s traditional political authority.

The role of traditional rulers in contemporary governance in Africa is very marginal. The situations in the two countries focused on in this paper, Nigeria and Ghana, are quite interesting. In Nigeria, traditional rulers are merely tolerated and treated as otiose. In Ghana, traditional rulers have some respected constitutional roles but there are still some tensions between them and the political elite. The problems of these traditional rulers started with what is today known as “globalization”. Two types of globalization are clearly evident in African history: the “colonization” and “Westernisation” of the early 1900s and the “democratization” or “Americanization” of the post Cold War years. Both processes have had far reaching impacts on the traditional political institutions in Africa. Under colonialism, traditional rulers were reduced to the status of mere stipendiary of the central government with functions defined by statute. They were no more than mere wax in the hands of the colonial masters who moulded them into whatever shapes they needed for sustaining the colonial enterprise.

The influence they enjoy is more apparent than real. The democratization process of the post-Cold War years is helping to make traditional rulers become more influential. Politicians seem to have always used traditional rulers for swaying the allegiance of people at the grassroots. It is now a common conditionality for international development assistance that African leaders democratise their governance styles. Many international development agencies working on issues of health, environmental protection, and the like now prefer to work directly with African people through non-governmental organisations. But these NGOs first have to obtain the permission of traditional rulers before gaining access to their communities. All these have helped to make traditional rulers seem more important and development-relevant today.

Before the contact with the Western world in the 19th century and the establishment of the British colonial rule in Ghana and Nigeria, traditional rulers were semi-gods. In Ghana, the *Ya-Na* of Dagomba, one of the kings studied in this paper, was a “lion”

[Ferguson and Wilks 1970:326-369]. The *Asantehene* of Kumasi was a viceroy of the gods; he wielded enormous powers [Schildkrout 1970]. Their Nigerian counterparts were not different. Like the *Ya-Na* of Dagomba in Ghana, an average Hausa king was considered by his subjects to be a *Zaki* (lion) or *Mai duniya* (owner of the world). The Yoruba *Obas* [kings] also wielded great power and influence in the pre-colonial period. They were sovereign rulers around whom the social, economic and political lives of their subjects revolved. They combined executive, judicial and legislative powers. As Robert Smith noted, "The *Oba's* office and person were sacred; he was the priest and protector of his people, and they naturally wished to live in his shadow" [Smith 1988:87]. The *Obas* were eulogised as "Kabiyesi" (we dare not question him) or *alase ekeji orisa* (the viceroy of the gods). The *Alafin* of Oyo was particularly known as "Iku baba yeye" (the almighty death). The *Oni* of Ife too was [and is still] referred to as *Oluaiye* (the owner or head of the earth) or *Arole Oduduwa* [the incarnate of Oduduwa - the progenitor of Yoruba race - on earth].

The above notwithstanding, the political behaviour of some of the kings were moderated by some traditions and taboos of their communities [Gyekye 2003]. Commenting on the situation in Yorubaland, Smith [1988:91] observed that although "the *Oba's* authority expanded and contracted according to his personality and to the political, economic, and other conditions obtaining during his reign, he still seems normally to have been subject to many restraints". Many of these African monarchs were therefore as autocratic as they are sweepingly considered to have been. They nevertheless commanded great respect and awe from their subjects.

The first step taken by the British in Nigeria and Ghana before establishing their colonial enterprise was to demystify these powerful traditional rulers. They took over their kingdoms and empires one-by-one using two important strategies: treaties of trade, friendship and protection with them and conquest where the traditional rulers proved stubborn. At the end of each of these processes, the colonial masters successfully substituted themselves as the "Kabiyesi" [meaning "we dare not question him"] in the two countries. Things have been falling apart for the traditional rulers since then. The statement made by Sir Frederick Lugard [the High Commissioner of the Northern Protectorate of Nigeria] to the Caliph, *Waziri* and elders of Sokoto on 21 March 1903 immediately after the Sokoto Caliphate was conquered is instructive:

Now these are the words which I, the High Commissioner, have to say for the future. The Fulani in old times under Dan Fodio conquered this country. They took the right to rule over it, to levy taxes, to depose kings and to create kings. They have in turn by defeat lost their rule which has come in the hands of the British. All these things which I have said the Fulani by conquest took the right to do now pass to the British. Every Sultan and Emir shall be appointed by the High Commissioner throughout the country. The High Commissioner will be guided by the usual laws of succession and the wishes of the people and chiefs, but will set them aside if desires for good cause to do so. The Emirs and Chiefs who are appointed will rule over the people as of old time and take such taxes as are approved by the High Commissioner, but they will obey the laws of the Governor and will act in accordance with the advice of the Resident..It is forbidden to import fire-arms (except flint-locks) and there are other minor

matters which the Resident will explain...Every person including slaves has the right to appeal to the Resident, who will, however, endeavour to uphold the power of the native courts to deal with native cases according to the law and custom of the country [Adeleye 1971].

The above statement reflects the seeds of the indirect rule system of government which the colonial masters later established in Nigeria and Ghana. Under the system, the colonial masters arrogated to themselves the power to make and unmake chiefs. For example, the British administrators in Nigeria, under the indirect rule system that prevailed in the country, dictated the political agenda and the natural rulers implemented it among their subjects. The role of the British administrators was that of a watchful supervisor. The efficiency of the traditional rulers was largely determined from the context of how faithfully and efficiently they implemented the policies dictated to them, under the indirect rule system.

The term “indirect rule” was a euphemism of a sort. Describing the political system in Dagomba in the 1920s, a proactive colonial official noted: “In reality, the administration is a direct one; the chiefs are practically powerless; they have neither revenue nor authority; they have tended to become mere sergeant-majors, through whom the administration can address the rank and file” [Ferguson and Wilks 1970:332]. The situation in Yorubaland was not different from the picture painted of Dagomba above. Commenting on how successive *Awujales* of Ijebu-Ode were depicted by some of the colonial officials in Nigeria, Ayandele [1970:237-238] observed for example that:

Up to 1933 the personalities of the *Awujales* did not impress British officials. Adeleke [1895-1906] was an uninspiring and spineless character, rough-handled and bullied with impunity by British administrators in whose hands he was mere wax. His successor, Adeona Fasigboye [1906-15] was, in the language of an official, “a weak and useless individual”, who was threatened with dismissal from the throne if he did not behave himself. In fact he was suspended for three months in 1909. Ademolu [1915-25] was “so decrepit and feeble a personality” ... he was “incapable of settling a dispute between two fowls in the backyard”. Adenuga [1925-9] was deposed on 4 February “in the presence of all the principal chiefs and a large gathering”. Alli Ogunnaike [1929-33] was “an aged man, senile and easily fatigued, with...no personality, inert physically and mentally”. Up to 1917 the British administration ruled directly.

The situation in Ghana was not too different from the picture painted above of the Yorubaland in Nigeria. Chiefs were treated badly. This problem is reported by Boafo-Arthur [2001] to have come to a head in 1865 when John Aggrey was elected King of Cape Coast. He fell out with the colonial official shortly after. He accused Governor George Maclean of usurping his powers. A year later, he sent a petition to Governor Conran in which he noted, inter alia: “The time has now come for me to record a solemn protest against the perpetual annoyance and insults that you persistently and perseveringly continue to practise on me in my capacity as legally constituted king of Cape Coast” (Webster, Boahen and Tidy, 1980:160). In annoyance, the Governor

ordered the arrest of King Aggrey. He was deposed and deported to Sierra Leone. A similar fate befell King Prempeh I of Ashanti in the 1900s.

The emerging message from the foregoing is that the colonial authorities knew the kind of traditional rulers they would want to work with. It is therefore understandable that they used their political powers to ensure that whosoever did not fit into the framework was kept out of power. The British did not have many problems with the occupiers of the two traditional political offices focused on in this paper: the *Ya-Na* and the *Olowo*. The traditional rulers were clearly subservient to the colonial authorities, except in the cases of a few of the kings. In fact, *Ya-Na* Andani wrote in 1898 "I trust in God and the English" [cited in Ferguson and Wilks 1970:331], even when the implications of colonial rule were not yet clear.

The problems faced by the traditional rulers have basically been with the political elite that took over from the colonial masters. But the "stepping-stones" were laid by the ways whereby the colonial masters succeeded in subordinating the traditional rulers. The military or civilian regimes in the two countries manipulated the traditional rulers through the powers to appoint, discipline and reward these chiefs. They intervened in chieftaincy disputes in partisan ways and in the process contributed in no mean manner in the intractability of some of the problems. To illustrate the nature of this problem, my paper takes a critical look at the unhealthy third party intervention in the *Olowo* chieftaincy disputes in Owo, Nigeria and the Dagbon dispute in Yendi, Ghana within the past one decade. The two disputes are important case studies for illustrating attempts by state officials to manipulate the traditional political institutions in Africa.

Owo Crisis

The Owo crisis started in February 1999 when Chief Victor Folagbade Olateru Olagbegi, was installed as the new *Olowo* of Owo, following the death of his father, Oba Olagbegi. The installation was challenged by another ruling house. The case became politicized after the May 1999 transfer of power to civilians by the military. Even when the Owo kingmakers who made the selection claimed that the proper thing had been done, the newly elected Governor of Ondo State, Chief Adebayo Adefarati, who came to power on May 29 1999 sided with the opponents of Olagbegi by claiming that the *Olowo*-elect was not properly appointed. One of the governor's arguments was that the Secretary to the Owo Local Council was not present at the selection process held by the town's kingmakers. Governor Adefarati thus requested that the selection process to fill the "vacant throne" be re-opened. The government of Governor Agagu [2003 to date] which succeeded that of Adefarasi however has a contrary position. He agrees that the Secretary of Owo Local Council was not at the first meeting where the *Olowo* was chosen but argued that a second meeting was called in February 1999 to correct this anomaly and the Secretary was in attendance. The Governor argued that "Going by the results of the meetings of the senior Omolowos and the Owo Regency Council of the 9th of February, 1999 and 18th of May, 1999, it is clear that the unanimous choice of the two legitimate bodies for the selection of an *Olowo* is Prince D.V. Folagbade Olateru-Olagbegi." [cited in Sowole, 2004]

It is necessary to examine the political undercurrents of this official decision from the outset before delving into the manifestation of the conflict. Chief Adebayo Adefarati

became the Governor of Ondo State on the ticket of the Alliance for Democracy [AD], which consisted of the followers of the late Chief Obafemi Awolowo, the former Premier of Western Nigeria. Chief Folagbade Olateru Olagbegi, on the other hand, is a son of the late *Oba* Olateru Olagbegi II, a former political enemy of Awolowo. During the political crisis of the 1960s involving Chief Obafemi Awolowo and his former deputy, Chief Ladoke Akintola, *Oba* Olagbegi II sided with the latter and was removed from office and exiled. He regained his throne under the military and died shortly before the 1999 political transition. This created the need to install a new *Olowo* of Owo. Since the 1960s crisis, the Olagbegi family had the reputation of not supporting any Yoruba political party [usually formed by the followers of Awolowo] in Nigerian politics. The *Olowo*-elect was thus a supporter of the People's Democratic Party, which was in the opposition in Ondo state but in power at federal level. In other words, Chief Adebayo Adefarati considered himself to have the moral obligation to his political mentor, Awolowo, to prevent the son of one of his enemies, and a strong supporter of the PDP, from ascending the Owo throne. The vehemence with which the Governor opposed the candidacy of Olagbegi is to be understood from this context.

In a newspaper report, Adeniyi [2005] tries to depict the extent to which Adefarati was committed to scuttling the ambition of Olagbegi to become the *Olowo* of Owo. He narrates how the Late Chief Rotimi Williams, a former Attorney General of the Western Regional Government in the First Republic and a doyen of Nigerian legal practice, approached Adefarati in 2002 with a plea to intervene decisively in the *Olowo* crisis with a view to stopping the loss of lives had characterised the conflict since 1999, by formally recognising the *Olowo*-elect. The Governor was said to have told Chief Williams: "Ah! Chief, please ask me for something else and I will do it but not that one." While relaying what transpired to his aides in the car on his way back to Akure, Adefarati was said to have exclaimed: "Chief Williams wanted to put me in trouble. Ratify Olagbegi? How can I do that, how will I explain it to Awolowo and Ajasin¹ when I meet them [in heaven]!"

Little wonder that the governor insisted that the *Olowo* must vacate the palace [which he had occupied immediately after he was appointed] and make himself available for a repeat of the selection process. The latter simply ignored the AD governor of Ondo state. All the efforts made by the governor and his supporters to get Olagbegi ejected were resisted by the police, controlled by the federal government. The governor and his supporters thus concluded that the police were partisan in handling the matter. This led to the formation of a local militia known as *Ehinogbe* boys. All the efforts made between 2000 and 2002 to get Olagbegi ejected from the palace through the use of force failed. The *Olowo*-elect too fought back using some private guards, often assisted by the police.

Members of the Oodua People's Congress joined the conflict in 2000 in support of the Ondo state government. A report of the Human Rights Watch [2003] implicated the ethnic militia in the violent attack against a group of religious leaders that went to pay homage to the *Olowo* on April 24, 2000. Stones and missiles were thrown at them.

¹ One of the right hand's man of Chief Obafemi Awolowo who served as the Executive Governor of Ondo State from 1979 to 1983.

Three days later, the Governor invited the religious leaders to his office and rebuked them for paying homage to a person he did not recognise as the rightful owner of that title. The governor was reported to have warned the religious leaders to stay away from the vicinity of the palace as his government was resolved to flush Olagbegi out of the palace in the near future.

Following persistent attacks on the palace, the *Olowo*-elect and his supporters reinforced the security around themselves by increasing the number of “palace guards”. The palace guards clashed on several occasions with the *Ehiongbe boys*, which had sympathy for the state government. Many lives were lost each time the two forces clashed.

The most monumental of the bloody eruptions of the Owo crisis was recorded on January 12, 2002 when the “palace guards” and OPC boys clashed [*ThisDay*, December 12, 2002; *Vanguard*, December 11, 2002]. The OPC boys claimed to be returning from the funeral of the slain Nigerian Minister of Justice and Attorney General of the Federation, Chief Bola Ige. They claimed to be in Owo to refuel the 18 buses in which they were travelling but the supporters of the *Olowo* claimed that members of the ethnic militia were in Owo to attack the *Olowo* palace. At the end of the violent encounter between the OPC boys and the combined forces of the palace guards and the police, the Human Rights Watch [2003:36] reported that between thirty and forty five OPC members were killed. The Ondo State government, which the OPC boys were alleged to be working for, denied any involvement in the January 12 clash but tried to explain it away as an aggression against the OPC. For example, the Secretary to Ondo State Government, Chief Wunmi Adegbonmire, observed “We received a report that they [OPC boys] were attacked at a fuel station”. His general comments help to show that the *Olowo* conflict was not just between the Olagbegi and Ondo State government alone but also a dispute between the Ondo and Federal Governments: “..as far as the government [of Ondo State] is concerned, there is no *Olowo* as he [Olagbegi] was not properly installed...The chieftaincy is a state affair, but the federal government has taken an unusual interest in the matter sending the police to impose the *Olowo* on the people. They have been sending in the police to occupy. They have made it impossible for peace to reign here” [*Human Rights Watch* 2003:37].

The opportunity to lay the *Olowo* dispute to rest came in 2003 with Adefarati’s loss of the governorship election in Ondo state to the PDP candidate, Dr. Agagu. It was now time for PDP to compensate the *Olowo*-elect for fighting the “opposition” [the AD government of Governor Adefarati] so hard. He was given his instrument of office in December 2003 [Alabi and Bello 2003] by Governor Agagu by virtue of the power conferred on him by section 6A of the Chiefs Law, 1984, pursuant to Section 1 of the Chiefs Law Edict No 4 of 1991, and by virtue of all other powers conferred on him as the Governor of Ondo State. The peaceful way in which the ceremony was carried out went to show that the *Olowo* crisis was more or less a case of elite-fragmentation and manipulation than a serious grassroots problem.

The Dagbon Chieftaincy Dispute

The Dagbon crisis has a deeper historical root than the Owo crisis. It is however another interesting case study on how the elite manipulate traditional political institutions in West Africa. It started in the pre-colonial period in Ghana's history but became a major crisis in the post-colonial period. The Dagomba people of the Dagbon kingdom are the single largest ethnic group in Northern Ghana. The capital city of the kingdom is Yendi, where the *Ya-Na* who is the traditional head of the people resides. The main issue in the Dagbon crisis, which started in the pre-colonial period in the history of Ghana, is the rotation of chieftaincy power between two rival sections of the Dagbon royal family. The rivalry between the two ruling houses ["Gates"] started in the nineteenth century following the death of *Ya-Na* Yakubu. He was succeeded by his son Abdullahi and then another son, Andani. Trouble started in 1899 when Andani died. The problem had to do with whether Andani should be succeeded by his own son or the son of his brother, Abudulahi.

This conflict is compounded by another major problem: "there is no agreement over who has the right to select a successor, and...which particular act in the installation ceremony makes one a *Ya-Na*" [Tsikata and Seini 2004:42]. This actually paved the way for the contemporary politicization of the dispute since the British colonial administration. As Amankwa [2005]: observed:

...the Dagombas developed their own comprehensive and solid way of selecting their kings to their skins - The *Ya Naas/Yani*. Amanfuo, inheritance is paternally routed, so when the chief died, the kin makers will elect the most qualified candidate (of the *Yanabihi* - sons of the *Ya Na*) through a generally acceptable and strict customary process which involved testimonies of soothsayers, the performance of certain rituals, before enskinment took place. "Deskinning" a *Ya Naa* was very very rare. The system was not foolproof or without imperfections but it worked.

Commenting on how the Dagbon dispute started, he noted:

Around 1899 the Europeans (British and Germans) stepped in, signing treaties to partition the Dagbon land and everything in it and completely dismantled the age-old customary selection and rotation system, introducing a completely alien voting system...This was what was bequeathed to Dagbon...they did not stop there. After around 1920 shortly after the war, Dagbon was re-united by the British again, and who then introduced a new set of kinship selection system and even had the nerve to introduce what has been referred to as "probationary periods" for the *Ya Naas*. So a chief could be "removed" from the skin if they were seen to be "performing below standard".

The British took an interest in the conflict because of the strong attachment of the Dagomba to their institution of chieftaincy. A control of the system and the dispute, would of course help the colonial administrators to shore up their legitimacy among the people. The dispute however proved a hard nut to crack for them. The British administration tried to solve the problem in 1930 by codifying the unwritten succession laws and traditions on the office on the *Ya-Na* position but this did not eliminate the succession disputes. The Dagomba conflict manifested in its traditional forms in 1938,

1948, and 1953 when the office of *Ya-Na* became vacant [Ferguson and Wilks 1970:340].

The dispute started to get politicised by Ghanaians in the 1940s when some members of the educated elite, most of whom came from the disputing royal families, intervened in the conflict by setting up a selection committee for the position of the *Ya-Na*. This initiative coincided with the pre-independence political activities in Ghana and thus became exploited by politicians. The goal of the politicians at this time was to work in favour of any *Ya-Na* that could help to feather their political nest. Issues of culture and traditions became secondary in the management of the dispute. It was therefore not surprising that by 1954, a section of the stakeholders in the Dagbon dispute complained that the committee system put in place by the educated elite was aimed at protecting the interest of the Abudulai family [Ibid. p.42]. The arguments changed with regime successions in Ghana. Every new regime sided with one royal family or the other. This had gone on to the extent that politicians can now no longer exculpate themselves from contributing to the dispute.

The present-day manifestation of the conflict started in 1948 following the death of *Ya-Na* Mahama II of the Andani family. His son attempted to succeed him but failed. He was succeeded by *Ya-Na* Mahama III from the Abdullahi family. The latter died in 1953 and the son of *Ya-Na* Mahama II who failed in his bid in 1948 made a second trial at becoming the *Ya-Na*, believing that the principle of rotation would work in his favour. The contrary happened: Gbon Lana, the son of the deceased *Ya-Na* Mahama III was made to succeed his father as Abudulai III in March 1954. The conflict that resulted from this continued up to the point of Ghana's independence.

In 1960, the government of Ghana tried to provide a new framework for addressing succession to the Na-ship. By the Local Instrument 59 of 25 August 1960, Declaration of Customary Law [Dagomba State], the government rejected the "constitutionalism" of the 1930s put in place by the British and restricted the right to the office of the *Ya-Na* to the descendants of *Ya-Na* Abudulai and *Ya-Na* Andani [who died in 1899]. The sons of the previous Nas - namely Mion, Savelugu, and Karaga - were also eligible for the Na-ship. Succession to the office would have become an automatic process since the period had this law been allowed to operate. Efforts towards having it rescinded started immediately the government of Kwame Nkrumah was overthrown in 1966 and assumed a crisis dimension with the death of *Ya-Na* Abdullah on 14 September 1967 [Ferguson and Wilks 1970:348].

An attempt was made by a member of the Andani family who contested for the position in 1954 [Mionlana] to take the opportunity of a second chance. He was appointed as *Ya-Na* Andani III on 21 November 1968 creating the impression that the age-long succession dispute has finally been laid to rest. A week later, fourteen senior kingmakers and councillors protested to the government that it was not the candidate from the Andani family but Gbolana Mahammadu of the Abudulabi family they selected as the *Ya-Na*. The government of Ghana had to constitute a Mate-Kole Committee later in the year to look into the matter. While the committee was still

deliberating, the newly appointed *Ya-Na* died on 14 March 1969 and this led to another outburst of violence.

The report of the committee which was released on 4 September 1969, a day after the government of Dr. K.A. Busia was inaugurated, ruled that the appointment of Mionlana Andai as *Ya-Na* “was repugnant to Dagbon custom” and recommended the immediate appointment of Gbonlana Mahammadu Abdullah as the *Ya-Na*. The installation was done with heavy military presence. Members of the Andani family who were still occupying the palace to enable them perform the funeral of *Ya-Na* Andani III were also ejected from the palace by the army. This brought the dispute to the edge of anarchy as supporters of the two ruling houses clashed and many lives were lost.

Following persistent petitions on the matter, the government of the National Redemption Council [NRC] once again set up the Ollenu Committee in 1974 to look into Dagbon dispute. One of the key terms of reference of the committee was to ascertain the traditions for nominating, selecting, and removing a *Ya-Na*. The committee was particularly asked to inquire into the circumstances under which Ya Na Andani III and Mahammadu Abdulai were appointed. The committee’s findings justified the appointment of Andani III but voided that of Mahammadu Abdulai. Therefore, Yakubu Andani, who was the regent to the throne, after his father’s death in 1969, was appointed the *Ya-Na*. This decision was challenged at the Supreme Court of Ghana and by a six to one majority in 1984 the court upheld the rotational system of ascension to the throne of Dagbon [Tsikata and Seini 2004: 44; Government of Ghana 2002:64].

The Last Straw...

The latest in the violent encounters between the Andani and Abudu ruling houses in Dagbon occurred from March 25 to 27 2002 in Yendi resulting in the death of thirty people, including *Ya-Na* Yakubu Andani II, the king of Dagbon. The Gbewaa palace was damaged and looted. The panic created by the event made the government to declare a state of emergency in the Dagbon area. This helped to restore peace to the area [Republic of Ghana 2002b]. President John Agyekum Kufuor, in the exercise of his powers under article 278[1] of the Constitution of Ghana on 25 April 2002 constituted a Commission of Inquiry headed by Justice I.N.K. Wuaku, a retired Justice of the Supreme Court to investigate the conflict. The Commission which started work on May 29, 2002 submitted its report to the President on November 6, 2002.

The report of the commission showed that the 2002 incident was a cumulative effect of the poor management of past phases of the Dagbon dispute. Though the problem had been there for a long time, the commission traced the origin of the 2002 phase of the problem to the non-observance of the funeral of the late Abdulai IV in 1974 as demanded by traditions. His son, Mahammadu Abdulai, who was considered by the Abudu gate to be their Bolinla Na [regent] was also denied the opportunity to become the king by the Andani family [Republic of Ghana 2002:64]. This created a deep gulf between the two families and paved way for the insistence of the “Bolin Lana” that the customary cycle of his father’s burial should be completed. The problem here however is that the funerals “can only be properly performed at the Gbewaa Palace, which would entail temporary vacation of the Gbewaa premises for the purpose. *Ya-Na* Yakubu

Andani II, however, would not entertain that. Any opportunity given to his ‘rival’ to occupy the palace for the funeral, may be abused to usurp the throne, according to the Andani’s” [ibid.:64]. The beheading of *Ya-Na* Yakubu Andani II in 2002 was therefore aimed at making him taste the same bitter pill he had forced down the throats of his rivals.

The other major cause of the escalation of the Dagbon dispute, according to the report, was the intrusion of national politics into the chieftaincy dispute. The Dagbon region is one of the most populated parts of Ghana. The people of the region have strong allegiance to their traditional political authority. This makes the position of the *Ya-Na* of great interest to politicians who wish to win votes or have the support of the king for their programmes. Every political leader in Ghana thus tries to ensure that only a friend of the regime occupies the *Ya-Na* seat. The Abudu royal gate is believed to have been historically sympathetic to the Busia/Danquah political tradition in Ghana which produced the present regime of New Patriotic Party [NPP] in Ghana. The Andani Gate, is on the other hand, pro-NDC. The victory of NPP in the 2000 elections was thus a victory for the Abudu family and a cause for worry for the Andani family, whose political party [NDC] lost in the election. The latter feared that the NPP government would use state powers to encourage the Bolin Lana to set up a parallel authority in Dagbon to challenge the supremacy of the *Ya-Na*. The ease with which the request of the Bolin Lana for police protection was granted by the local police-military authorities reinforced the suspicion of the Andanis that the escalating conflict has a political undertone [p 65]. This eroded the confidence of the Andanis in the government of the day and its agents and further helped to fuel the crisis.

The Abudu Gate most likely saw the victory of NPP in the 2000 elections as an opportunity to boost its political image and re-awaken the chieftaincy dispute that was in abeyance. Commenting on this, the Commission’s report observed that with the boost in the political stature of the Abudu Gate “came also greater confidence in asserting their constitutional rights and fundamental freedoms: freedom of expression, freedom of religion, freedom of association, freedom of assembly – freedoms that apparently justify plurality of voices, ceremonies and events” [ibid.:65].

One of the steps taken by the Abudus was to start contesting the powers of the seating *Ya-Na* to unilaterally control certain festivals and ceremonies, most especially the traditional Bugum and the *Eid-ul-Adha*, in the kingdom. The celebration of the two festivals in 2002 created a lot of problems. The *Eid-ul-Adha* was the first to be celebrated. It was celebrated on two separate days. Bolin Lana and his supporters took the first turn. The Andanis followed the next day. The latter however rejected the formal security cover and protocol offered by the police for the ceremony in protest against similar privileges granted the Bolin Lana the previous day. The *Ya-Na* saw the separate celebrations and the officialdom that characterised the previous day’s event as an open affront to the office of the *Ya-Na*.

The events surrounding the *Eid-ul-Adha* escalated the conflict between the ruling houses. As the community prepared for the Bugum festival in March 2002, the two sides piled up arms and ammunition, trained their warriors, and mobilised as much support as they could. In response to the available security reports, the government had

to put off the festival and impose a dusk to dawn curfew on Yendi from March 20 -26, 2002. This further heightened tension. The Abudus were happy that they had scuttled the efforts to celebrate the festival; the Andanis on the other hand were unhappy that their powers had once again been successfully eroded. Troubles started in the evening of March 24, 2002 when the Regional Minister, Prince Imoru Andani [a member of the Andani family and who was hitherto absent from his region when the curfew was imposed] came back to reverse the order [p. 67]. As the Andanis rejoiced, they were attacked by Abudu youths. The battle was gradually taken to the Gbewaa palace and in the process *Ya-Na* Yakubu Andani II was killed and his head severed from his body and taken away by his assailants².

Lessons in the Politicization of the Conflicts

The two conflict situations discussed above raise a number of issues that one must place in proper perspective. The first point to be made is that the politicization of the Owo and Dagbon conflicts led to the escalation of the problems of succession. Lives and property were lost and in the two cases, several people were displaced. The situation in the two communities would probably not have been as bad as it was if the people were allowed to settle the problems according to their culture and traditions. The opposing parties knew what the traditions of their people required in order to resolve such disputes. It is clear from the two cases reviewed above, however, that those who were supposed to preserve these traditions were not averse to thwarting them as long as such collusions left their bread thickly buttered. This is the crux of the matter.

The feuding princes involved in the reviewed cases drew the energy for challenging the status quo from the support they got from the modern political elite who control state apparatuses. For example, the *Omo Olowo* are responsible for selecting an *Olowo* in Owo. They chose Olagbegi and had no problems with him. The interference of Governor Adefarati in the matter [on behalf of his dead political mentors - Awolowo and Ajasin] led to the escalation of the conflict. Without any official interference, the other ruling house in Owo would have, at worst, challenged the selection of Olagbegi in a court of law and the matter would have been peacefully settled. The conflict was rather allowed to escalate, leading to the destruction of the lives and property of the same people over which the princes claimed to have traditional political authority.

The same problem of official interference repeated itself over and over again in the Dagbon conflict in Ghana. Every new regime in Ghana reopened the conflict by setting up a commission to look into a problem that past administrations claimed to have settled [Ladouceur 1972:97-115; Staniland 1973:373-389]; Tsikata and Seini 2004]. The dispute was half solved in 1960 when the government restricted the right to the office of the *Ya-Na* to the descendants of *Ya-Na* Abudulai and *Ya-Na* Andani. Succession to the office would have become rotational after this time if politicians had allowed the system to work; they did not [Ferguson and Wilks 1970:348].

² Up to the point of writing this paper [March 2006], the *Ya-Na* is yet to be buried; he is still in the morgue as the Andanis claim it is against their tradition to bury their dead headless. This helps to keep the Dagbon crisis alive and make it impossible to appoint a new *Ya-Na*. A future phase of the conflict, even if the present one is eventually resolved is that the Andanis are most likely not to accede to the Abudus producing the next *Ya-Na*.

The foregoing compels us to ask some questions: Why do the modern political elites meddle so much in chieftaincy matters? Why do they politicise chieftaincy disputes? Boafor-Arthur [2001] provides us an interesting answer: “chiefs...are perceived as the staunchest allies of the opposition groups”. We can craft another answer from Boafor-Arthur’s position: “chiefs are perceived as the staunchest opposition groups”. We shall take each of these points one after the other, starting with the latter. All the treaties of friendship or trade signed by the British with the traditional rulers in Ghana and Nigeria were based on the premise that these chiefs could become political spoilers if not carefully handled. The indirect rule policy in the two countries was basically aimed at reducing the nuisance value of the traditional rulers to the colonial masters. The British did not waste time at all to banish from their domains chiefs who refused to be complicit. The same situation was recorded when Ghana and Nigeria got their independence. The political elite saw them as “the main opposition” and adopted stick-and-carrot policies towards the traditional rulers.

The connivance of many traditional rulers with officials of the colonial power, indeed their instrumental role in colonialism, estranged the “nationalists” who, in any case, saw the kings and chiefs as incapable of running parliamentary structures. There was a lot of resentment as well as cold calculation in the nationalists’ attitude towards traditional authority. What we have today is a stick-and-carrot kind of situation.

We move from here to the other perception of the chiefs: that they are “the staunchest allies of the opposition groups”. The colonial masters did not subscribe to this position. The sentiment was largely expressed by the political elite that succeeded the British and subsequent political administration in Nigeria and Ghana. Sir Olagbegi I got into trouble with the Action Group [AG] the dominant political party in Western Nigeria in the 1960s because of his support for the “opposition”. He was one of the three most prominent traditional rulers in Yoruba land in the 1940s when party politics started in Yorubaland. The other two were the *Ooni* of Ife and the *Alafin* of Oyo. The three of them were involved in all matters having to do with the progress of Yoruba people under the emerging Nigerian state [Nolte 2004:143; Sklar 1963]. It was unfortunate that when Chief Obafemi Awolowo the leader of the Yoruba people, at the level of national politics, fell out with his deputy, Chief Ladoke Akintola in the early 1960s, the *Olowo* and *Alafin* decided to side with Akintola turning themselves into “staunchest allies of the opposition groups”. They were removed from office and sent on exile. The *Olowo* Olagbegi I was returned to office in the 1990s by Abacha probably as part of the “total war” he fought with the Yoruba people for asking for the de-annulment of the results of the controversial June 12 [1993] election. His agenda was to use this to make life very difficult for Chief Adegunle Ajasin, the leader of the Yoruba-drive National Democratic Coalition [NADECO], who was living in Owo at the time.

The two cases we studied in this paper present us with two strategies used by political power holders to checkmate traditional rulers. They prevent their “enemies” from getting into office. By the 1950s, the Action Group [AG] was the “National” party of the Remo people [like many other Yoruba people]. But Adeleke Adedoyin, the son of Christopher Adedoyin, the *Akarigbo* [king] of Remo chose to be different. He was a staunch supporter of NCNC. He tried to contest for the Remo throne when his father died in 1952. Despite all the support given to him by the *West African Pilot*, the national

newspaper of the NCNC, he lost the chance. Another person was installed as the *Akarigbo* [Nolte 2004:147]. In the Owo case, the Olowo-elect and his father belonged to the opposition. So what Governor Adefarati had wanted to do in Owo was to have a different person appointed the Olowo. But for the fact that the governor was not returned to power during the 2003 election, he would have succeeded in permanently getting another person to become the *Olowo* of Owo. The second strategy is to use official powers to prevent existing traditional rulers from enjoying their office. This is probably what we saw in the *Ya-Na* cases. The many commissions of enquiry that looked into the Dagbon disputes would strike one as a honest way of dealing with the problem. This is however far from the case. There is more to a situation in which after one commission of inquiry has “settled” a problem, another regime comes in to set up its own commission of inquiry into the same matter. So many judicial commissions have featured in the Dagbon disputes to the extent that one begins to clearly see an official misuse of judicial process.

The Dagbon and Owo crises took place at local levels but their escalations were configured at national level. We can further enrich our understanding of this type of problem by delving into an interesting Nigerian case study: how President Ibrahim Babangida denied Muhammadu Maccido, the eldest son of Sultan Saddiq [who died in 1988] from succeeding his father because of Maccido’s political and religious conservatism which seemed to present a contradistinction to Babangida’s “Maradona politics”. He decided to “dash” the position to Ibrahim Dasuki, a multimillionaire and crony of the Nigerian military. The Fulani people of Sokoto violently protested against Dasuki’s appoint but the resistance was put down with the force of arms. The situation changed when General Sani Abacha seized power in 1994. For reasons yet to be made public, Dasuki refused to pay Abacha a courtesy call for several weeks as the other traditional rulers did. By the time he did, the former Nigerian dictator [General Abacha] had made up his mind to get rid of the insolent Sultan.

A long-distance runner when it comes to trouble-making, Abacha started by accusing Colonel Sambo Dasuki, the Sultan’s son of planning to overthrow his regime. The latter fled from Nigeria. As the Sultan was running helter-skelter to clear the “good name” of his son, his own name was mentioned as one of the people to face the dreaded Failed Bank Tribunal. The Sultan’s hands were already full when on April 20, 1996 he was removed from office as the Sultan of Sokoto, sent on exile and replaced with Maccido. This “taming of the Sultanate” sent fears down the length and breadth of the Nigerian society. It made the traditional rulers in the Nigerian society more pliable as none of them believed that a Sultan [as untouchable as the occupiers of the office are in Nigerian politics] can be so easily removed from office [Adebanwi 2004:336].

Ninsin [1989: 168] points out another way by which the political elite try to make traditional rulers become less threatening to political stability. This has to do with reducing their powers over land ownership and control. The goal of most of the local government reforms in Ghana since 1951 was aimed at enfeebling the economic base of the traditional rulers by reducing their powers to control land and land resources. This type of situation creates a dependency syndrome in the traditional rulers; they look up to the government for economic support and this makes them so pliable that

they are unable to serve their subjects but rather serve those who either brought them to office or ensured their survival in office. The many local government reforms in Nigeria aimed at achieving the same purpose. The most profound of the reforms occurred in 1976. It is believed to have been put in place to weaken the powerful northern Nigerian *Emirs*.

We need to return to our operational question once again: Why have chieftaincy disputes been politicised in Nigeria and Ghana? The disputes have become politicised because the traditional rulers and seekers of traditional political offices are themselves a people with partisan political interests. We have already provided some information on the background to the present Owo crisis. Like his father, the present *Olowo* is himself known to be an avid supporter of PDP in a community and part of Nigeria dominated by AD supporters. Should the political wind change in Ondo state today, he is bound to face some new problems. We see the same trend in the Dagbon crisis. When one of the ruling houses sided with one political party, the other would back the opposition party. The Andani gate is for example known to have evolved as a pro-CPP and later pro-NDC supporter in Ghanaian politics. The Abudu gate on the other hand is identified with the Busia and Kufour traditions [Fayemi, Jaye, and Yeebo 2003:64; Tsikata and Seini 2004:36]. This suggests that the kind of violent conflict discussed in this paper will continue for many more years to come, until traditional rulers or those who aspire to occupy the office keep away from partisan politics. It will continue until traditional rulers begin to see themselves as fathers of all and not father of a section of the society as politicians often turn out to be.

Can traditional rulers actually stay out of politics as suggested above? Can the political elite stop manipulating the traditional political institutions? The answer is probably No. This is because both politicians and traditional rulers seek to achieve the same goal: on paper, to better the lot of the people but, in practice, to manipulate the people. We have the problems under review simply because the traditional and modern political systems have not been able to neatly integrate into each other. The modern political elite are to blame for this because they are the ones that make and unmake national laws under which traditional rulers exist. The dominant argument of these politicians is that the traditional political system is undemocratic in this age of globalisation. They argue that, whereas democracy promotes popular participation, the traditional political systems are based on the autocratic premise of restricted dynastic entitlement to political office and so are unreflective of popular will.

The above argument is fallible. The right to occupy a traditional chieftaincy position may not be democratic in terms of the office being available to everybody, it is however democratic in the sense that the culture of the people approves the peculiar ways by which the chiefs are chosen. We can illustrate this by using an event that Richard Sklar [2001:7] referred to in a keynote address presented at an international conference on "Indigenous political structures and governance in Africa". It had to do with the installation of Alhaji Aliyu Muhammed, the then Secretary to the Federal Government [SFG] of Nigeria, by the Emir of Jema'a as his *Waziri* [chief official]. For two weeks before the turbaning ceremony, issues related to this event overshadowed all other news, including gubernatorial elections, in the national press. It was actually a grand event when it eventually came. Alluding to the fact that he could not become the Emir

of Jema'a no matter how much he tried, Alhaji Aliyu told a *New Nigerian* [2 November 1991] correspondent "I have reached my peak traditionally". The point he was trying to make here is that he recognises the coexistence of two dimensions of government in Nigeria: the modern which he plays a leading role administratively at the national level [as the SFG], and the traditional which he feels proud to be identified with. As Aliyu insinuated above, Africans know that they cannot become traditional rulers if they are not princes. Even then not all princes eventually become kings. The king comes out of a selection process that can be labelled as "traditional democracy". Really, there are no hard-and-fast rules. Many of these kingdoms and chiefdoms were actually constitutional monarchies.

It is within the framework of the foregoing that Sklar has proposed the incorporation of the traditional institutions into the structures of the modern state and vice versa. He refers to this as "dual authority" [p.8]. This is a good suggestion that is difficult to implement under the prevailing conditions in Africa. We are bound to have more chieftaincy disputes with the kind of integration that Sklar was calling attention to because states in Africa lack the capacity to implement his suggestion. Those who seek to call attention to the inability of African leaders to manage this type of complex situation have characterised the states governed by these leaders in different terms: "failed" [Wunsch and Olowu 1995; Mazrui 1995], "collapsed" [Zartman 1995], "prebendal" [Joseph 1991], "predatory" [Gunnarsson and Lundarl 1996], and "disrupted" [Thakur 2003]. These characterization of African states are made evident in the parochial ways the judiciary, police, and laws of the land were used by state officials in the two cases discussed in this paper. When the *Olowo*-elect could no longer depend on the police, he had to set up his private army ["palace guards"]. His enemies did the same thing by setting up the *Ehinogbe* militia. The same thing happened in the Dagbon dispute.

In other words, the nature of the state and state institutions in Africa is the fundamental root of the problem we are trying to study. Although the traditional rulers in Ghana and Nigeria have lost substantial power in rapid succession on account of the politicization and demystification of their offices, the institution they represent has nevertheless demonstrated profound resilience and still remains relevant in governance today. As Kwame [2006] has observed, traditional rulers are still popularly recognised as: [1] custodians of ancestral and community land; [2] custodians of culture, customary laws and traditions including history; [3] initiators and champions of development activities in their respective areas of jurisdiction; and [4] responsible for the maintenance of law and order including presiding over and settling non-criminal civil disputes [Kwame 2006].

Miles [1993] has argued in his own work that traditional rulers can do more than the foregoing in supporting modern day governance. He argues that if properly incorporated into the modern political system, traditional rulers can become agent for brokering in-coming projects and deals for local economic development. They can also help to police their communities by helping to resolve "low-level" conflicts. This is in addition to serving as ombudsmen between their communities and the state bureaucracy. Miles further argues that traditional rulers can rouse community solidarity and provide administrative services in situations where central governments are

ineffectual or even disintegrating. Probably moulding all of the above together, Crawford [2001] too has argued that in moments of national crisis, traditional governments often present themselves as “superior shock absorbers” [not necessarily engines or steering wheels] for African political system. They help to stabilise the polity and rally the people around a new course of development.

The kind of protracted conflicts we saw in Dagbon and Owo weaken the moral fibre of traditional rulers in relation to the performance of the functions enumerated above. But more importantly, such conflicts further demystify the traditional political stools the chiefs occupy. In both Owo and Yendi, the palaces where the young people are supposed to learn the wisdom and knowledge needed to become responsible citizens have become arenas where militant youths meet to plan how to take human lives and commit arson. In both Owo and Yendi, many of these young people were killed in their prime.

Conclusion

One is not advancing the view that we have to return to *Tradition*, whatever that is. Nor is one saying that politics in pre-colonial Owo or Yendi was free of imbroglios, whether in relation to succession or in relation to the guarantee of tenure. The facts of colonialism are with us today as the facts of “globalisation”. Tradition too is with us today; and not as a relic but as a package of facts. To deal with these different, and oftentimes, differing clusters of parameters in the context of the present, but with one eye to the past and the other to the future, is what this paper will like to instigate.

Sklar’s postulate of the “dual authority” is a description of the domains of power in much of Africa. The trouble is not that one domain is more autocratic than the other, or more culturally acceptable, or more efficient. In point of fact, Sklar suggests none of these, but rather perceives a great deal of integration between the two poles of authority. But if this integration is there to be perceived by anybody who tries to look into the matter, it remains an informal, indeed, an unstable protocol. Again, we can see signs of its engenderment under British rule, and note the heedless inheritance of the practice by the post colonial governments. The latter have tampered with traditional authority as much as, in some cases even more than, the British did. Traditional rulers themselves have connived with the post-colonial state in Africa much to the detriment of the people at the grassroots, the supposed constituency of these Obas, Ya-Nas, etc. Perhaps this raises more complications than answers.

Since the problem of succession is one that has always plagued traditional authority even before the colonialists arrived in Africa, it is not advisable that we begin our search for a solution by looking at the mechanisms with which it was dealt with in pre-colonial times? And as colonialism and post-colonialism have brought about an intensification of these contests, taking them to grievous violent heights, should we not bring into consideration as we seek solutions, the interplay between contemporary conditions and the institutions of traditional authority? More questions than answers.

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