



## Research Report

# Examining the phenomenon of Destoolment in the Chieftaincy Institution: An Analysis of Six Cases from the Ashanti Region, Ghana

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**Abstract** – The chieftaincy institution in Africa existed before the continent’s historical encounter with European missionaries. However, the African intelligentsia were not enthused about the incorporation of chiefs in the colonial administration and even questioned their significance in nation-building. In Ghana, for instance, the post-independent political terrain was characterised by destoolment and attempts to subvert the powers and functions of chiefs by political actors. Constitutionally, parliament is debarred from enacting laws that either confer or withdraw recognition or derogate the honour and dignity of the institution of chieftaincy. This notwithstanding, there have been numerous destoolments currently by the Asantehene Otumfuo Osei Tutu II, the King of the Asante Kingdom. Using a case study approach, this study examined the rationale for destoolment. The study found that chiefs were destooled due to the utilisation of land guards, multiple sales of land, bribery and corruption, and illegal mining among others. The paper recommends that chiefs engaged in bribery and corruption be sent to the Office of the Special Prosecutor (OSP) for prosecution.

**Keywords:** Chiefs, Destoolment, Asantehene, Development, Politics, Traditional council

## Introduction

Chiefs in Ghana and in other parts of Africa, continue to co-exist with government officials in a system that has been labelled as a mixed or hybrid government (Boateng and Afranie 2020a; Logan 2009; Sklar 2003; Englebert 2003). A chief is an individual who traces his or her genealogy to the founders of the political establishment and has been validly nominated and either enstooled or enskinned in accordance with the requisite applicable customary law and usage (Republic of Ghana 1992). The 1992 Constitution even debars parliament from making laws on governmental recognition regarding assertion of validity (Brobbeey 2008; Republic of Ghana 1992). Though in South Africa for instance the term chief reflects memories of the roles they played under the oppressive Apartheid regime, no such connotation is associated with the concept in Ghana and Botswana (Ray 2003).

Chiefs are disseminators of government policies, a function which preceded from their role within the colonial administration. With a robust traditional political system in place, the British colonial government considered the financial and human resource constraints at their disposal, incorporated chiefs into their fold at the displeasure of the educated political elites who even questioned the relevance of the institution within a democratic dispensation (Boateng & Afranie 2020a). The immediate post-independence era was characterised by destoolment of chiefs who were ideologically opposed by the Convention People's Party (CPP) as the party took steps to remove chiefs from formal governance structures (Brempong 2007; Rathbone 2000). These attempts essentially rendered chiefs as passive development agents though their significance in local governance and economic growth cannot be underestimated.

Though the chieftaincy institution has witnessed some level of resurgence, in contemporary times, its primacy has been critiqued by proponents of democratisation perspective (Rathbone 2000; Abotchie 2006; Mamdani 1996; Ntsebeza 2005) who have downplayed its significance in development (Boateng & Afranie 2020a). Studies on chieftaincy have concentrated on the resilience and support for traditional leadership (Sklar 2003; Englebert 2003; Logan 2011); the capacity of chiefs to maintain interstate conflict (Mustasila 2019), the relationship and partnership modalities between chiefs and democratic local government structures (Afranie *et al.* 2023; Mahama 2009; Beall 2005), the role of chiefs in promoting quality education (Boateng *et al.* 2024; Busia & Adjei

2020) and the contemporary developmental roles of chiefs (Boateng & Bawole 2021; Boateng & Afranie 2020b; Logan 2009).

However, studies have not examined the phenomenon of destoolment which has characterised chieftaincy within the Ashanti region lately with numerous cases of chiefs pending determination at the Asantehene's palace (Adarkwah 2023; Mensah 2023). We begin by explaining the research methods adopted in the study, present findings and later discuss these findings as we seek to examine the rationale for destoolment. The last section of the study is the conclusion and recommendation. This study, therefore, contributes to the literature on chieftaincy and mixed governance which characterises the political landscape of Africa (Mustasila 2019; Logan 2011; Levi-Faur 2012).

## Methods

### *Study setting*

The study focused on the traditional political system of the Asante people who are located in the Ashanti Region. The region has a population of 17.6 million composed of 2,679,914 males and 2,760,549 females (GSS 2021). Traditionally, the Asante have a centralised political system (Brempong 2007) characterised by a hierarchy of political officeholders. Asantehene, Otumfuo Osei Tutu II is the head of the Asante kingdom, whose traditional boundaries extend beyond the administrative boundaries of the Ashanti region. Other paramount chiefs and subchiefs assist the Asantehene in the administration of the kingdom. Another critical office holder in the chieftaincy institution is the queen who represents the female population in the traditional council.

### *Research design*

The study adopted a qualitative case study approach to examine the phenomenon of destoolment. The method aims at an in-depth contextual analysis of a naturalistic phenomenon (Tracy 2020) mostly a contemporary one within its real-life context through the use of multiple sources of evidence (Baxter & Jack 2008). This method is interested in why things happen and is defined by interest in individual cases. Collective case study which was adopted in this study enabled the analyses of relevant multiple cases (Bryman 2016; Creswell & Poth 2017; Yin 2016) of destoolments within the Asante Kingdom in the year 2023. To ensure the trustworthiness of the study, purposeful sampling of cases as presented below was undertaken, data collected was managed systematically and

analysed correctly (Russell *et al.* 2005). In addition, peer examination of data was also adopted to ensure the credibility of the study (Baxter & Jack 2008).

### *Data collection*

In this study, six cases of destoolment within the Ashanti region are examined. These cases which were called before the Asantehene's court for arbitration and were widely reported in the media constitute the data and the unit of analysis for this study. Vignettes of the six cases presented in the study were constructed using data triangulation. Vignette of cases 1 to 3 was reported by Ghana web and is still available online. The videos of these cases were downloaded from the YouTube channel of Royal Palace Multimedia and Manhyia Palace TV. In consonance with case study research (Creswell & Poth 2017), the vignettes of the six cases that provided the context for the discussion of the themes of this study are presented.

### *Case 1: Kumasi Traditional Council vrs Nana Kwaku Dua III, Abuontemhene*

Nana Kwaku Dua III, the chief of Abuontem was accused by a construction firm for encroaching on a 140 acres parcel of land it had acquired for the construction of an estate. During the arbitration, Mr. Desmond Osei Yaw, an official of the company accused Nana Kwaku Dua III for re-demarcating the serviced land to private developers, using land guards to intimidate his staff, destroying six water storage tanks, stealing stones and about 30,000 blocks belonging to the company. Some other chiefs also accused Nana Kwaku Dua III, of encroaching on lands which traditionally belonged to their stools. Otumfuo Osei Tutu II instructed that activities on the disputed land be halted and established a committee to investigate the accusations. Word got to the committee that Nana Kwaku Dua III had re-demarcated the disputed land for sale. When called before the committee, Nana Kwaku Dua III claimed that the Asantehene had ruled the matter in his favour, a claim the committee rejected vehemently. In responding to the accusations, Nana Kwaku Dua III denied some of the accusations but accepted that he allowed some of the individuals who purchased land from the private developer to continue their work against the directive of the Asantehene. Members of the court suggested to the Asantehene based on the compelling evidence before them, to remove Nana Kwaku Dua III from office and he was subsequently destooled on August 21 2023.

### ***Case 2: Kumasi Traditional Council vrs Nana Saforo Koto, Bekwai- Abodomhene***

On August 9 2023, Nana Saforo Koto the chief of Abodom in Bekwei was destooled by Otumfuo Osei Tutu II due to his inability to defend himself against about 20 allegations leveled against him by members of his traditional council and some concerned citizens. Principal among the charges were illicit sale of lands to illegal miners and selling a sacred grove, two cocoa farms totaling about 32 arches to chainsaw operators. The activities of the illegal miners and chainsaw operators had devastated the environment, causing danger to current and unborn generations. The petitioners also accused the chief of failing to consult the traditional council on these matters and also inability to account to the council regarding the transactions on communal property resources. Nana Saforo Koto was also accused of failing to perform his traditional mandate as an occupant of the ancestral stool.

### ***Case 3: Kumasi Traditional Council vrs Nana Osei Tiri Ababio (Otumfuo Nkonsonhene) and Okyeame Nana Bonsu***

Nana Osei Tiri Ababio, the Nkonsonhene and chief of Aduamoa was on August 14, 2023, destool by the Asantehene Otumfuo Osei Tutu II. In pronouncing his judgement, the Asantehene indicated that Nana Osei Tiri had failed to perform his traditional functions such as pouring libation and sacrificing to the ancestors in his ancestral room. Another charge which was levelled against him was deploying land guards on a disputed land between him and Okyeame Nana Bonsu. The Asantehene had earlier, pronounced that activities on the disputed land be halted, a directive that Nana Osei Tiri flouted. Despite the fact that Otumfuo had known Nana Osei Tiri for decades, he stated that his actions were unpardonable and thus commanded his immediate removal from office.

### ***Case 4: Kumasi Traditional Council vrs Antoahene, Nana Owusu Agyeman I***

On May 29, 2023, the Asantehene Otumfuo Osei Tutu II destooled Nana Owusu Agyaman I. The 96-year-old chief was found guilty of sidestepping customary law and delegating his authority to a nephew to rule in his stead amidst opposition from some members of his council. Nana Owusu Agyaman I presided over a traditional ceremony in his palace to officially cede some of his powers to his nephew. The Asantehene based on the evidence presented before his court and acting on the advice from the council, destooled the Antoahene who had ruled over two decades. Subsequent ceremonies were immediately initiated by court officials to carry out the orders of the council.

### ***Case 5: Kumasi Traditional Council vrs Kwashene Nana Nketia Boampon***

Also, on Thursday, June 8, 2023, the Asantehene Otumfuo Osei Tutu II destooled Nana Nketia Boampon, the chief of Ejisu Kwaso. Mr Gyimah, a royal of Kwaso had alleged that when he expressed his desire to sit on the black stool of his ancestors, Nana Nketia Boampon demanded a sum of GHC 300, 000, 000 which he advanced GHC 120, 000, 000 to him. When later Gyimah released that he was being shortchanged, he invoked Asantehene's oath for the case to be brought before his palace for arbitration. While before the Asantehene, Nana Nketia committed perjury by denying the allegations and later admitting taking the said amount from Gyimah upon intense interrogations. Nana Nketia Boampon also admitted engaging in multiple sales of lands, an act which the Asantehene on numerous occasions, had cautioned his chiefs against. When these revelations came to light, the Asantehene called for his immediate removal as chief of Ejisu Kwaso.

### ***Case 6: Ahafo Kenyasi No. 1 Manhene Nana Osei Kofi Abiri vrs Gyaasehene Nana Kwabena Adu Boahen***

Nana Osei Kofi Abiri, the paramount chief of Ahafo Kenyasi No. 1, on September 6 2023, destooled his Gyaasehene Nana Kwabena Adu Boahen for defrauding a businesswoman on the pretext of importing a vehicle for her and also selling land within his jurisdiction to illegal miners. The heavy moving machines used by the illegal miners as well as other chemicals had also degraded the lands and destroyed roads in communities in his jurisdiction. Nana Osei Kofi Abiri said that following Asantehene's proclamation banning illegal mining within his Kingdom, he convened a meeting of members in his traditional area and warned them not to engage in it but to opt for community mining which is legal in Ghana. Nana Adu Boahen was thus destooled after he failed to provide evidence to prove his innocence.

### ***Data analysis***

In analysing the data, cross-case method was adopted. This method was used to identify common themes within the six cases as well as those that are particular or specific to each case (Creswell & Poth 2017). The process entailed a thick description of the cases of destoolment that had taken place within the Asante Kingdom recently. Transcription from

video recordings and reports of the six cases derived from online news portals was conducted. Thus, the cases were developed from multiple sources to guarantee the credibility of the study. After this process, within-case analysis was undertaken to generate themes that were case specific. This was augmented with within-case analysis using thematic network approach (Attride-Sterling 2001). This led to the identification of the rationale for the recent destoolment of chiefs within the Asantes in contemporary Ghana.

## Findings

Themes identified based on the cases presented above included bribery and corruption, chiefs and the fight against illegal mining, neglection of traditional functions, multiple sales of land, land litigations and land guards utilisation and disregard for Asantehene's directive.

### *Liberal, transparent and participatory dispute resolution process*

Conflict is a basic characteristic of every society. Though viewed by others as disruptive, conflict has functional capabilities for society and those who resort to it. Most societies have mechanisms to curtail or resolve conflict when they erupt. Though the judicial functions of chiefs have been transformed, they continue to be instrumental in resolving conflict not only in the rural areas, but urban as well. The Asantehene's role in conflict resolution cannot be overemphasized. As soon as he ascended to the stool of his ancestors, he took pragmatic steps to resolve numerous chieftaincy disputes within his kingdom, some of which were pending in formal courts. The Asantehene and some eminent paramount chiefs have contributed to national unity by resolving the Dagbon chieftaincy crisis which had dire consequences on the peace and security of the nation.

From the cases presented, the process of resolving conflict is transparent and democratic. Disputants had the opportunity to present their cases and were possible, call on witnesses to verify or dispute claims made in the traditional court. Disputants and witnesses were cross-examined by court officials as a process of building a social frame of reference. In the case against Nana Kwaku Dua III the Abuontemhene, the Asantehene, Otumfuo Osei Tutu II constituted a committee of chiefs to investigate the accusations leveled against the former and present its findings and recommendation to him for determination.

Cases migrate from lower tier within the political system and in this case, the palace of the Asantehene. Disputants not satisfied with judgements of cases at lower levels of the political system, sought redress from higher authority by invoking its oath as Mr Gyimah did in his case against Nana Nketia Boampon. The oath, which is a forbidden word about the darkest moments in the history of the people, thus plays a role in the traditional judicial jurisprudence of the people of Asante. Such cases therefore, required immediate arbitration at the court of the chief whose oath was invoked.

### *Bribery and corruption within the chieftaincy institution*

The chieftaincy institution is characterised by bribery and corruption as was depicted in the destoolment case against Kwasohene Nana Nketia Boampon. Customarily, it is desired that a prospective candidate to a vacant stool present gifts to the queen and other kingmakers as part of processes to express interest in ascending the throne. This phenomenon has far-reaching consequences on the chieftaincy institution and the reign of the chief. Prior to passing judgement in the case of Nana Saforo Koto, Bekwai-Abodomhene, Otumfuo Osei Tutu II remarked that the misgovernance and his inability to properly manage communal properties was due to the fact that he was not the rightful heir to the throne. The queen was chastised for the lack of due diligence that characterized the selection of Nana Saforo Koto. The Akans believe that if such processes are subverted, the nominated candidate would not have the blessings of the ancestors, resulting in misfortunes as happened in the case of Nana Saforo Koto.

### *Chief's and the fight against illegal mining*

The detoolment of Nana Saforo Koto, the Bekwai Abodomhene and Nana Kwabena Adu Boahene, the Gyaasehene of Ahafo Kenyai No. 1 attest to the involvement of some chiefs in artisanal small-scale mining (ASM). Traditionally, chiefs are the custodians of communal property resources (CPRs). These resources believed to belong to the ancestors, the living and generations yet unborn include water bodies, forest reserves, timber among other. The primary duty of the chief, therefore, is to ensure that these resources are managed and judiciously utilised so as not to jeopardise the livelihoods of successive generations.

However, in recent times, Ghana's environment has gradually been degraded due to the upsurge of ASM locally referred to as galamsey. Though the practice predates the



precolonial era, its environmental impact has been exacerbated by utilisation of heavy earth-moving machines as well as cyanide and mercury for on-site extraction of the minerals mostly undertaken in river bodies. These chemicals are noted for degradation and contamination of land and living organisms which improves soil fertility in the long run, can impoverish many rural lives.

Based on that, a ban was imposed on ASM by the Nana Addo Dankwa Akuffo Addo's led government in March 2017. Though the ban and how it was managed caused the New Patriotic Party (NPP) to lose a number of parliamentary seats in the 2020 elections, the government resolved to fight the menace to safeguard the environment. As an environmentalist, the Asantehene had pledged to assist the government win the fight against ASM. The Asantehene has also used national and international platforms and interactions with chiefs within Asanteman to condemn the act and advised operators to disengage from the practice. The Asantehene had openly expressed his displeasure about chiefs in the Amansie area where ASM operators had taken over lands and devastated the environment greatly. Though in Ghana, chiefs are the custodians of the land, mineral resources belong to the government. The Ministry of Lands and Natural Resources has the overall mandate of regulating the mining sector. Through its agency the Minerals Commission, it reviews mining applications and makes the necessary recommendations to the sector ministry before the permit is issued. By virtue of the fact that chiefs own about 80% of lands in the country, mining operators prior to commencement of their activities, must be engaged and properly appreciated or compensated. As a result, chiefs cannot claim to be unaware of the activities of illegal miners within their jurisdiction.

### *Multiple sale of land, land litigations and land guards*

Ghana has been hailed as a rising star in Africa in terms of growth and security compared to other nations on the continent. As a result, there has been tremendous investment in the country by foreign enterprises coupled with an increase in rural-urban migration. This has led to a high demand for land for private and commercial utilisation. The rise in population within urban centers and the demand for land has led to its commercialisation. People have realised that there are enough benefits to derive from land transactions, especially in urban and peri-urban areas where the demand for land is high.

With the erosion of the economic functions of chiefs, the only available means through which they can generate revenue is through land transactions. With a weak land management institution, the phenomenon of multiple sales of land has emerged in Ghana

and chiefs have been complicit in this act. In some communities, ordinary citizens and some with royal affiliation have formed syndicates that have appropriated lands belonging to private and commercial owners. Some of these lands have been sold to other developers thereby resulting in land conflicts and other forms of litigations that have alarming repercussions on development.

Private and commercial land owners have engaged the services of vigilantes popularly known as land guards to protect their properties and investments. Some of these groups have terrorized and infringed on people's fundamental human rights, destroyed landed properties and killed people across the nation. Some traditional councils within Greater Kumasi have attempted to snatch lands from owners over expired leases. These acts have caused families and other individuals to lose properties and lifetime investments which have impoverished their dependents. Otumfuo Osei Tutu II has been accused wrongly of the unlawful acts of his chiefs. Consequent to the above, the Otumfuo Osei Tutu II has cautioned chiefs to desist from acts that are inimical to development, especially multiple sales of land and the utilisation of land guards. In the case of Nana Nketia Boampon, the land guards he used led people to sustain bottle and cutlass wounds when disputants clashed on the disputed land before Asantehene's court for determination. Thus, his destoolment and that of Nana Kwaku Dua III, Nana Nketia Boampon and Nana Osei Tiri Ababio were premised on the negativities of multiple land sales, its related conflicts and destruction of life and properties.

#### *Disregard for Otumfuo's directive and failure to perform traditional mandate*

Chiefs are enstooled or enskinned to perform a multiplicity of functions. As occupants of the black stool, chiefs serve as intermediaries between the living and the departed ancestors. In so doing, chiefs are expected to perform periodic sacrifices for the general wellbeing of the society. As part of the orientation process, prospective chiefs are admonished to carry these functions to the latter. During the installation ceremony, the nominated candidate pledges loyalty to his people and ancestors to head to the counsel of the council of elders who constitute his cabinet. The process concludes with the chief swearing the oath of allegiance to his superior. In the case of the Asantes, this oath is sworn to the Asantehene in the presence of the general public.

As the supreme ruler of the Ashanti people, the pronouncement of the Asantehene is law as far as traditional leadership is concerned. Flouting the directive or counsel of the King therefore attracts sanctions. The destoolment of Nana Osei Tiri Ababio was due to

his inability to follow Otumfuo's ruling on the disputed land that disputants cease all forms of activities until the matter was finally determined. Nana Owusu Agyeman I, the Antoahene was also destooled for attempting to delegate his powers to his nephew to rule in his place while he was alive without Asantehene's prior approval. Against advice from his council of elders, Nana Owusu Agyeman I initiated the necessary process and the nephew was subsequently enstooled. Similarly, the destoolment of Gyaasehene Nana Kwabena Adu Boahen by his paramount chief Nana Osei Kofi Abiri, was premised on his inability to heed the orders of the Asantehene for chiefs within his traditional jurisdiction to refrain from engaging in illegal mining, a message his paramount chiefs rightful conveyed to their chiefs and elders.

## Discussion

The findings of the study indicate that bribery and corruption are pervasive in the Ghanaian society despite the establishment of anti-corruption agencies such as the Office of the Special Prosecutor (OSP), and the Economic and Organized Crime Office (EOCO) among others to tackle this phenomenon. Bribery is the process or practice of giving money, services and others to derive illegal actions or decisions in favour of the giver while corruption refers to practices associated with giving and acceptance of bribes (Nukunya 2016; Gyimah-Boadi 2002). Corruption has detrimental effects on the socio-economic pursuit of the nation as it attempts to bridge its developmental deficits (Assimeng 1999; Gyekye 1997).

By virtue of their positions, chiefs attracted generous rewards in the form of cash and kind from people within and outside their communities. Busia (1951) observed that within the Asante Confederation Council the giving and receiving of bribes was a common phenomenon that characterised the chieftaincy institution. Changing traditional values of goodness of life which was defined in terms of deep spiritual purity and service to humanity for instance, has been eroded and replaced with personal desire towards the attainment of material gains (Assimeng 1999) without regard for due process. Unfortunately, some chiefs who are the custodians of traditional values and customs and also serve as moral paragons of society, have fallen prey and engulfed themselves in acts of bribery and corruption.

Some have thus, projected their personal interest above communal ones and even compromised the development of their communities in favor of personal gains. Within

the traditional political system, bribery and corruption was manifested during case arbitration and in the nomination of prospective royals to vacant positions. Thus, the enstoolment process was an avenue for kingmakers to make money. There are times that the throne was given to the highest bidder who may not necessarily be the rightful heir. [Rathbone \(2000\)](#) opined that the giving of a gift of money to incumbent chiefs was an opportunity to print money.

Although chiefs are the custodians of land and other communal property resources, resources on the land especially are state-owned. There are instances where mining companies with permits from government commence their endeavors without the necessary consultation with chiefs. This arrangement within the mining sector breeds conflict between chiefs and state institutions. This loophole within the legal framework enabled both Ghanaians and expatriates to circumvent state institutions and directly deal with chiefs and other members of the royal family for lands to mine. Chiefs therefore cannot be exempted from blame since they benefit from illegal mining by leasing land to the operators ([Bediako 2023](#); [Donkor 2022](#)).

Finding of the study indicates that ASM continues to be on the increase due to the introduction of sophisticated technology and illegal foreign investors ([Crawford et al. 2015](#); [Teschner 2012](#)). The havoc caused by the activities of ASM includes destruction of water bodies and loss of forest reserves ([Hilson & Maconachie 2020](#)), loss of rural agricultural land ([Hilson 2002](#); [Hilson & Pardie 2006](#); [Shackleton 2020](#); [United Nations Environmental Programme 2018](#)) which contributes to food shortage among others.

The government amended the Minerals and Mining (Amendment) Act, 2019 to increase the penalties to offenders to curb the rampant destruction of the environment as a result of illegal mining. The act stipulates a minimum mandatory sentence of fifteen (15) years, and a maximum of twenty-five (25) years, for indigenous persons and a minimum mandatory sentence of twenty (20) years, and maximum of twenty-five (25) years for foreign offenders ([Effah 2023](#)). Aside chiefs and the foreign investors, ministers of state, Members of Parliament, District Chief Executives, some members of the security service and a host of other actors have been fingered for engaging in ASM ([Donkor 2021](#)). The current destoolment of chiefs within the Asante Kingdom is therefore a step in the right direction to help mitigate the challenges that ASM poses to sustainable development. The action of the Asantehene is crucial in the attainment of sustainable development goals 15 which seeks to protect, restore and promote sustainable use of terrestrial ecosystem, sustainable management of forests, combat desertification and halt

and reserve land degradation and halt biodiversity loss. Also, the Asantehene has not only demonstrated strong leadership needed to curb this retrogressive enterprise but has set the pace for the presidency and other paramount chiefs in Ghana to follow (Mensah 2023). The presidency which has recently been accused of not cracking the whip on those engaged in illegal mining (Acquah 2022) can take a cue from the Asantehene as part of efforts to end the devastation caused by this social canker.

Although conflict is inevitable in every society, there are conscious efforts to build consensus by enjoining members to prevent and resolve conflicts when they emerge (Tonah 2016). These attempts are made to promote peace, and security and protect the fundamental human rights of its citizens which have been contained in numerous international conventions. At the various of the administrative structure are established dispute resolution institutions for aggrieved members to seek redress (Marfo 2014). Attempts to settle disputes in Ghana have heavily utilized foreign systems or institutions which were bequeathed to the nation as a result of its colonial experience (Acquah 2006; Fred-Mensah 2005). However, challenges such as pervasive delays, the high cost of initiating and defending suits, bottlenecks, corruption, and inefficiency (Appiagyei-Atua 2023) among others have made some citizens turn to traditional courts to seek redress.

Thus, in contemporary times, chiefs continue to be instrumental in settling disputes and restoring interstate peace (Boateng & Afranie 2020a; Marfo 2014; Beall & Ngonyama 2009; Beall *et al.* 2005). Chiefs and other opinion leaders make reconciliatory efforts aimed at settling differences between conflicting parties (Owusu-Sarpong 2003). They do so, by reconciling men and regulating the peaceful relationship between them and the spiritual beings (Assimeng 1999) through the performing periodic sacrifices to the deities in their societies.

As part of the installation process, chiefs sign social contract with his people and their superiors, to rule in accordance with the customs and traditions of their ancestors. The chief must rule with the consent of the people principally because he derives his authority from his people (Gyekye 2003). In order to guarantee his tenure, the chief must respect the desires and wishes of his people by periodically consulting his councilors who are the representatives of the citizens. The decisions of the chief must therefore reflect the will of the people; failure could lead to his destoolment. In addition, the will of the people is expressed usually through the traditional councils which are established at every tier of the political system and other assemblies where the populace freely express their opinions on matters being discussed. The study confirms findings by Gyekye (2003) that chiefs

who fail to rule in accordance with tradition which includes consultation with their traditional council are sanctioned.

Thus, contrary to the undemocratic label traditional political system has assumed (Boateng & Afranie 2020a), the conflict resolution process as the paper has illustrated is characterized by transparent and democratic process. Gyekye (2003) postulates that in traditional societies, the right to participate in politics and to free speech which are essential components of human rights, is asserted at every level of the political system. Conflict resolution process seeks to promote fairness and equitable dispensation of justice which when denied, could incur the displeasure of the gods and ancestors. These entities according to the Akan cosmology, have the abilities to punish or bless people depending on their actions (Nukunya 2016; Assimeng 1999).

Oath, which is broadly defined as forbidden words which are detrimental to the existence of mankind (Nukunya 2016), continues to play immense role in dispute resolution. Prior to the hearing, the disputant who invoked the oath is asked to provide the necessary items required to appease the gods (Brokensha 1966). Though the case between Kwahene Nana Nketia Boampon and Mr. Gyimah was a private matter, the invocation of Asantehene's oath transformed the matter to a public case. Boateng (2013) has observed that within the Akyem Abuakwa Traditional Area, oath cases were sent to the palace of Osagyefo Amoatia Ofori Panyin, the paramount chief for arbitration. Oath cases therefore, moved from private to public and thus required the immediate attention of the chief or king whose oath was invoked. The above is an attestation that the legal structure of the Asante is imbedded in religion (Nukunya 2016).

The study found that the interplay of factors such as the injection of foreign capital by multinational cooperations, economic restructuring, the formation of an emerging social class results in the struggle for resources (Amanor 1999) such as land. This is exacerbated by the influx of rural dwellers and other foreigners to urban centers causing overcrowding and an increase in population. As such, lands for agricultural purposes have been converted into residential and commercial use. The hardest affected are the farmers in peri-urban areas who depend on land for their daily survival.

Due to the increasing demand for land in peri-urban areas for real estate especially in Kumasi, chiefs have attempted to redefine customary tenure, an attempt that has disposed poor farmers of their lands (Ubink 2008). These farm lands have been acquired by developers who are willing to pay huge amounts of money for them. The act in some instances, has created disunity and strife between chiefs and the youth who

mostly derive their livelihoods from the land. The acrimony has centered on perceived land alienation, lack of transparency and corruption regarding transactions on communal lands among others (Gough & Yankson 2000). Otumfuo Osei Tutu II has taken steps to restore some lands that have been forcibly taken from their owners (Bediako 2023).

The findings attest to the fact that land is one of the biggest security threats in Ghana. Since independence, land conflicts have been a feature of the nation's history with its related human rights abuses that has assumed unprecedented levels in contemporary times. By virtue of its enhanced economic value, there was an increase in land litigations among traditional states in the Ashanti (Brempong 2007). The multiple sale of land and its related criminality (Darkwa & Attuquayefio 2012), continues to pose serious developmental threats to Ghana's path towards sustained development. Land guards in Kumasi and other parts of Ghana, have destroyed properties amounting to millions of cedis and caused the death of innocent people (Bediako 2023; Kojo 2021; Abaare 2019). The phenomenon has arisen due to weak institutional base, little confidence in the police, judiciary and land commission for instance leading landowners to resort to land guards to protect their properties. Land guards often wielding deadly weapons in their operations, have killed civilians and members of the security service.

The central government, in its attempts to stomp on the land guard menace, enacted Vigilantism and Related Offences Act, 2019 (Effah 2019). The paramount objective of the Act is to disband political party vigilante groups and land guards in the country. The act gives any person directly or indirectly involved in or solicits the services of vigilantes or facilitates or supports vigilantism among others, a term of imprisonment not less than ten (10) years and not more than fifteen (15) years. Though the Asantehene prior to the enactment of the Act had denounced the ills associated with land guards, his actions by destooling chiefs related with vigilantism is aimed at assisting government eradicate this retrogressive phenomenon. Such efforts are geared towards safeguarding the peace and security of the nation. Thus, chiefs are destooled on proven charges of fraud, dishonesty or moral turpitude (Republic of Ghana 1992) among others. The action by the Asantehene is perceived to restore confidence in the chieftaincy institution which has been branded as discouraging downward accountability and limiting the representation of women and people with disability (Ocran 2023; Boateng & Afranie 2020a; Beall *et al.* 2005).

## Conclusion and recommendation

Chiefs continue to be crucial actors in socio-economic development. Chiefs control and mobilise resources to construct community-initiated projects. Despite their primacy in socio-economic development, some have engaged in acts that have brought the chieftaincy institution into disrupt. Currently, the Asantehene, Otumfuo Osei Tutu II has destooled some unscrupulous chiefs within his kingdom as a way of bringing sanctity into the institution that has been questioned in contemporary Ghana. The paper, therefore, examined the phenomenon destoolment in the Ashanti region. The paper found that destoolment within Asante traditional political system was caused by factors such as engaging in illegal mining, multiple land sale and land litigation, the use of land guards to perpetuate crime, bribery and corruption and disregard for Otumfuo's directive and traditional council's advice. The utilisation of armed land guards to protect private property has raised serious security concerns within the sub-region. Traditional conflict resolution process was used to bring finality to the accusations that were levelled against the chiefs. This process allowed the accused to provide evidence to prove their innocence.

The paper recommends that the Kumasi Traditional Council should not just destool chiefs guilty for engaging in illegal mining but hand them over to the appropriate agencies like the police service for further prosecution in the court of law. Also, the traditional council should further hand evidence and proceedings of its court to the Office of the Special Prosecutor (OSP) to prosecute chiefs involved in bribery and corruption cases that it handled. Such an initiative will help ride the institution of chiefs whose actions have stained the one-time sacrosanct institution. On the fight against illegal mining, the government and other paramount chiefs in mining areas should emulate Asantehene's example to bring chiefs and government officials involved in it to book.

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